

Swindon Borough Council

Licensing Committee

Monday, 16 March 2015

Committee Room 6, Civic Offices (Anticipated meeting room)

At 5.30 p.m.

Conservative Councillors

Andrew Bennett
(Vice-Chair)
Alan Bishop
Michael Bray
Oliver Donachie
John Haines
Eric Shaw (Vice-
Chair)
Timothy Swinyard
Vera Tomlinson
(Chair)

Labour Councillors

Junab Ali
Abdul Amin
John Ballman
Derique Montaut
Steve Wakefield
Peter Watts

Liberal Democrat Councillors

Stan Pajak

Committee Officer: Shaun Banks (Telephone: 01793 463606)
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(Telephone 01793 445500)

AGENDA

1. Apologies for Absence

2. Declarations of Interest

Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.

3. Minutes (Pages 3 - 4)

To receive the minutes of the meeting held on 8th January 2015.

4. Public Question Time

See explanatory note below. Please phone the Committee Officer whose name and number appears at the top of this agenda if you need further guidance.

5. Cumulative Impact Policy (Pages 5 - 116)

6. Statement of Gambling Principles - Adoption (Pages 117 - 154)

Date of Despatch: 06 March 2015

Public Question Time - Swindon Borough Council remains committed to increasing its accountability to the public and to promoting active citizenship. 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from the public about the work of the Committee (except for confidential matters, and matters relating to planning and licensing applications). We will give priority to those who submit questions in writing at least two days before the meeting. Questions must be relevant, clear, and concise. You may not use Public Question Time as an opportunity to make speeches or statements.

Questions in writing should be sent to the Committee Officer whose contact details appear on the agenda above or to the Director of Law and Democratic Services, we will publish it, along with the answer, alongside the Minutes. The process associated with asking a public question is set out in the "Public Question Time at Council Meetings Protocol and Guidance" available on the Council's Website.

(<http://www5.swindon.gov.uk/moderngov/ecCatDisplay.aspx?sch=doc&cat=13338&path=0>) or from the Committee Officer named above.

Access Arrangements – *The Venue is wheelchair accessible and an infrared receiver hearing system is provided. If you would wish to attend the meeting but have any special requirement to enable you to do so please contact the Committee Clerk above, as soon as possible prior to the date of the meeting.*

If you would like to receive any of the pages contained in this agenda in a larger print size please contact the Committee Officer whose name appears on the first page of this agenda.

LICENSING COMMITTEE

THURSDAY, 8 JANUARY 2015

PRESENT:- Councillor Vera Tomlinson in the Chair: Councillors Junab Ali, Abdul Amin, Andrew Bennett, Alan Bishop, Michael Bray, Oliver Donachie, John Haines, Derique Montaut, Stan Pajak, Eric Shaw, Timothy Swinyard, Steve Wakefield and Peter Watts.

An apology for absence was received from Councillor John Ballman.

19. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

20. Minutes

Resolved – That the minutes of the meeting held on 13th August 2014, be confirmed and signed as a correct record.

21. Public Question Time

No public questions were received during the meeting.

22. Statement of Licensing Policy

The Licensing Manager submitted a report setting out (a) a review of the Council's Licensing Policy as required under Section 5(1) of the Licensing Act 2003, and (b) a request from Wiltshire Police that the review of the Council's Licensing Policy include a policy for Cumulative Impact Zones.

Resolved – (1) That consideration of a Cumulative Impact Policy as part of the Council's Licensing Policy, be deferred in order to allow officers, in consultation with Wiltshire Police, to submit supporting evidence as to the need and scope of any Cumulative Impact Policy.

(2) That, subject to (3) below, the Statement of Licensing Policy, as set out in the report of the Licensing Manager be approved for consultation.

(3) That, further to (2) above and prior to consultation, the Head of Planning, Regulatory Services, Heritage and Libraries and the Licensing Manager, in consultation with the Chair, be authorised to amend the Statement of Licensing Policy to clarify which elements of the Policy are intended as guidance to applicants.

23. Animal Boarding Establishments

The Head of Licensing submitted a report setting out (a) responses to the public consultation on Animal Boarding Establishments, and (b) proposed licensing conditions for Animal Boarding Establishments.

Resolved – (1) That, having considered the consultation responses to the public consultation, the revised licence conditions for the Home Boarding of Dogs, as set out in Appendix 5 of the Licensing Manager's report be approved for adoption.

(2) That, further to (1) above, and subject to paragraph 3.9 of the report, the

revised conditions be applied to new applications made for the Home Boarding of Dogs and for existing licensees.

(3) That the licensee referred to in paragraph 3.9 of the report be granted grandfather rights for the duration of their licence.

(4) That the Head of Planning, Regulatory Services, Heritage and Libraries and the Licensing Manager, in consultation with the Chair, be authorised to make any typographical amendments to the proposed licensing conditions for Animal Boarding Establishments.

(Councillor Vera Tomlinson requested that her abstention in the above vote be recorded.)

Cumulative Impact Policy

Licensing Committee

Date: 16th March 2015

Author:	Kathryn Ashton – Licensing Manager
Wards:	All
Locality Affected:	All
Parishes Affected:	All

1. Purpose and Reasons

- 1.1 To consider the evidence presented at Appendix 1 and Appendix 2 and to determine whether it is sufficiently robust to be used as the basis for sending a proposed Cumulative Impact Policy seeking to control the Cumulative Impact of licensed premises in designated areas out for consultation. The proposed Policy is attached as Appendix 3

2. Recommendations

That Committee:

- 2.1 Note the evidence provided at Appendices 1 and 2, and agrees that it is sufficiently robust to enable a draft Cumulative Impact Policy to be sent out for public consultation with interested bodies including statutory undertakers, licensees and the business community, and
- 2.2 agree the spatial extent of an area to be covered by the draft policy taking into account the evidence at Appendix 1 and any additional evidence and advice given at the Committee, and
- 2.3 approve the draft policy at Appendix 3 as the basis for the consultation, and
- 2.4 agree that the consultation exercise should include focussed questions regarding the principle of the Cumulative Impact Area(s), whether the evidence supports their designation, the extent of the area(s) and the potential limitations that should apply.

3. Detail

- 3.1 The Licensing Act 2003 gives local authorities the power to designate areas as Cumulative Impact Zones, where it is considered that the number of licences is such that the area is becoming saturated with licensed premises, which together are having a cumulative impact on the promotion of the licensing objectives and making it harmful to amenity and quality of life. In Cumulative Impact Zones, the presumption in favour of grant of a licence no longer applies. Instead the presumption is that no further licences would be granted unless the applicant is

Cumulative Impact Policy

Licensing Committee

Date: 16th March 2015

able to prove that their licence will uphold the Licensing Act 2003 four licensing objectives of:

- The prevention of crime and disorder
- Public Safety
- The prevention of nuisance
- The protection of children from harm.

- 3.2 This does not mean, however, that no further licences can be granted. The policy is not applied automatically. It still requires one of the 'responsible authorities' such as the Police or Fire Service, or one or more local residents to lodge representations about an application with the Licensing Authority. Once this happens, the policy comes into effect.
- 3.3 Cumulative Impact Zones are spatial, covering defined areas within which the provisions of the policy would apply. Within those zones stipulations can be made as to the types of licences that would be included, and exemptions to the policy such as important regenerative opportunities, or developments provided that they do not undermine the licensing objectives and could lift an area, reduce crime and improve amenity, can be made. The types of licence covered and exemptions in place would have to be clearly defined in any policy and would be bespoke to the circumstances around each zone.
- 3.4 In determining whether Cumulative Impact Zones are appropriate, the Licensing Authority must take into account sound evidence that these areas already experience anti social behaviour which has lead to denuded amenity and quality of life for those living and visiting them. Other evidence that can be taken into account includes the impact of licensed premises on the promotion of the licensing objectives, health and wellbeing and also on environmental health.
- 3.5 The key evidence to support Cumulative Impact Zones in Swindon is provided by the Wiltshire Police, and is attached at Appendix 1. Members of Committee will recall that initial evidence was presented at the meeting of 8th January 2015, but that Committee considered, at that time, that it was not sufficiently robust or clear as to be used to support the development of a policy. The evidence provided now links incidents of anti social behaviour to numbers of licensed premises. The areas covered include Broad Green, New and Old Town and Victoria Hill.
- 3.6 Additional evidence has been sought from the Council's public health and environmental health teams. The evidence received is attached as Appendix 2.
- 3.7 The evidence provided can be used to inform a draft Cumulative Impact Zone policy. It is envisaged that the draft policy would

Cumulative Impact Policy

Licensing Committee

Date: 16th March 2015

- establish the spatial extent of any zone, and
 - stipulate the type of licence/s to be limited, and
 - clarify any exemptions.
- 3.8 The policy would not cover control through any other regulatory means such as Planning and would not necessarily mean that a licence application would be refused, particularly if it is acceptable in all other respects. It would, however, provide an additional means of control where the impact of a licence application would be likely to impact on the licensing objectives.
- 3.9 If Committee considers that the evidence is sufficiently robust to base a policy around, officers would recommend that the draft policy attached at Appendix 3 be used for consultation purposes. If endorsed, the policy, along with targeted questions regarding the principle of the Cumulative Impact Area(s), whether the evidence supports their designation, the extent of the area(s) and the potential limitations that should apply would be subject to a 6 week period of public consultation, particularly aimed at licence holders, businesses, statutory bodies and community representatives. The results of the consultation and any amendments required to the policy will then be brought to a future Committee with an appropriate recommendation.
- 3.10 Once in place the Cumulative Impact Policy would have Full Council endorsement. It would then become a material consideration in the determination of licence applications. It would not equate to a blanket ban on new licences as each application must be treated on its merits, but could be used to refuse applications, (or variations to existing applications) where the application (or variation) would have detrimental cumulative impact. As such it provides a useful additional tool to control the proliferation of types of licenced premises which are having a detrimental cumulative impact on the licensing objectives.

4. Alternative Options

- 4.1 The Licensing Committee could choose not to proceed with a Cumulative Impact Policy, if they consider that the evidence presented does not support it, or is insufficiently robust. The Licensing Act 2003 and Secretary State's Guidance is clear that other action can be taken to mitigate the impact of concentrations of licensed premises, which includes:
- planning control;
 - positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority;
 - the provision of CCTV surveillance in town centres, taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols;

3

Further information on the subject of this report can be obtained from Richard Bell, Head of Planning, Regulatory Services, Heritage and Libraries, on 01793 466706, or be email: rbell@swindon.gov.uk

Cumulative Impact Policy

Licensing Committee

Date: 16th March 2015

- powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
- the confiscation of alcohol from adults and children in designated areas;
- police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale);
- police powers to close down instantly for up to 24 hours (extendable to 48 hours) any licensed premises in respect of which a TEN has effect on grounds of disorder, the likelihood of disorder, or noise emanating from the premises causing a nuisance; and
- the power of the police, other responsible authorities or other persons to seek a review of a licence or certificate.
- Raising a contribution to policing the late night economy through the Late Night Levy.
- Early Morning Alcohol Restriction Orders.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 There are no direct financial implications arising from the report. Any future consultation will be undertaken within approved budgets.

Legal and Human Rights Implications

- 5.2 Legal and Human Rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with Convention Rights as they fully in accord with the requirements of relevant legislation. The Council is required to comply with the statutory provisions referred to in the report, which the adoption of this policy \ regime will ensure it does. All other legal and human rights implications have been considered in the preparation of this report.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

Diversity Impact Assessment

- 5.3 A DIA has not been undertaken at this stage . But one has been completed for the Statement of Licensing Policy which covers the impacts that a Cumulative Impact Zone would seek to control.

6. Consultees

- 6.1 The Director of Law and Democratic Services (Monitoring Officer) is consulted in respect of all reports.

4

Further information on the subject of this report can be obtained from Richard Bell, Head of Planning, Regulatory Services, Heritage and Libraries, on 01793 466706, or be email: rbell@swindon.gov.uk

Cumulative Impact Policy

Licensing Committee

Date: 16th March 2015

7. Background Papers

- 7.1 Licensing Act 2003
- 7.2 Revised Section 182 Guidance issued under the Licensing Act 2003

8. Appendices

- 8.1 Appendix 1: Evidence of Wiltshire Police
- 8.2 Appendix 2: Evidence of Environmental and Public Health
- 8.3 Appendix 3: Proposed Draft Cumulative Impact Policy for Consideration

Cumulative Impact Policy

Licensing Committee

Date: 16th March 2015

Cumulative Impact Policy Summary for Broadgreen Area

The Broadgreen area is a culturally diverse residential area of Swindon close to the town centre. Within the area of Broadgreen there are thirteen off licences operating with eight of those being on Manchester Road (a road that measures approx 0.4 miles in length). Most operate between 0600 – 2300hrs with one being open and serving alcohol 24 hours a day. The off licence stores predominant focus is the sale of alcohol and the alcohol displays take up a large amount of the shop floor space with single cans of alcohol being available for purchase.

The area suffers from alcohol related anti social behaviour, crime and disorder. The police believe that this is exacerbated by the off licences attracting street drinkers to the area.

Whilst many of the main street drinkers have ASBO's banning them from consuming alcohol in the Borough of Swindon and many are also banned from entering the town centre, the presence of such a propensity of alcohol outlets is making it increasingly difficult to manage. New groups of individuals are also congregating in the area. It is known that many are purchasing alcohol in Broadgreen and consuming it in the area. Broadgreen has numerous alleyways where street drinkers feel they are able to consume alcohol without attracting the attention of police. Unfortunately these alleyways back onto residential premises leaving the local residents affected by their behaviour.

The area is currently a designated public place (DPPO) for the purposes of controlling alcohol related anti social behaviour in the area which allows a police officer to remove alcohol from a person who is believed to be drinking in the area. DPPOs are only implemented on areas which have a problem with alcohol related crime and anti social behaviour.

As well as the use of a DPPO (now a Public Space Protection Order under the ASB Crime and Policing Act 2014) Wiltshire Police have also conducted operations with partner agencies at the licensed premises in this area in an effort to ensure compliance, police have objected to new licence applications and have submitted a review of a premises licence in relation to an off licence that has been witnessed to serve a well known street drinker and breach the mandatory condition of the sale of alcohol below the cost of duty plus VAT.

All of the off licences in this area have been provided with advice and guidance on serving to those who are drunk and have been given details of known street drinkers who they should avoid selling alcohol to in order to uphold the licensing objectives.

Despite this work reported alcohol related crime has risen in the area. There has been an increase in the number of offences within the area and most significantly in the last 2 years from 174 occurrences in 2012 to 226 in 2014. The percentage of crimes involving alcohol has also increased from the lowest in 2011 at 11.29% to 17.42% in 2014.

There has been an increase in crimes of assault occasioning actual bodily harm from 33 offences in 2013 with 7 involving alcohol and in 2014 44 offences with 11

involving alcohol. A similar pattern can be seen with the offence of drunk and disorderly. In 2014 there were 8 crimes and in 2013 there were just 3.

Wiltshire Police request that a cumulative impact area (CIA) is considered for the area of Broadgreen as defined in Map 1 below.

This is requested by the police in order that a proactive stance can be taken in the effort to reduce the harm that alcohol can cause, not only to individuals but also to the community as a whole, with the police focus being on crime, disorder and ASB. A CIA will assist in controlling the off licences that currently exist in the area, but will also enable authorities to protect the area from further licence applications in the future that would be likely to add to the problem, given that the area is currently saturated with off licences.

The main focus for the policy should be off licences. In relation to specifying licensable hours, because alcohol related offences occur in this area throughout the day and night police believe that the restriction should cover all applications regardless of intended hours of operation.

The area that should be specifically covered is highlighted on map 1.

The area contains the following streets

Bathurst Road

Broad street

Manchester Road

Elmina Road

Colbourne Street

Gooch Street

Station Road

Corporation Street

Aylesbury Street

Haydon Street

Alfred Street

Ponting Street

Gladstone Street

Salisbury Street

Graham Street

Roseberry Street

County Road

Cumulative Impact Policy – Broadgreen (DT11)

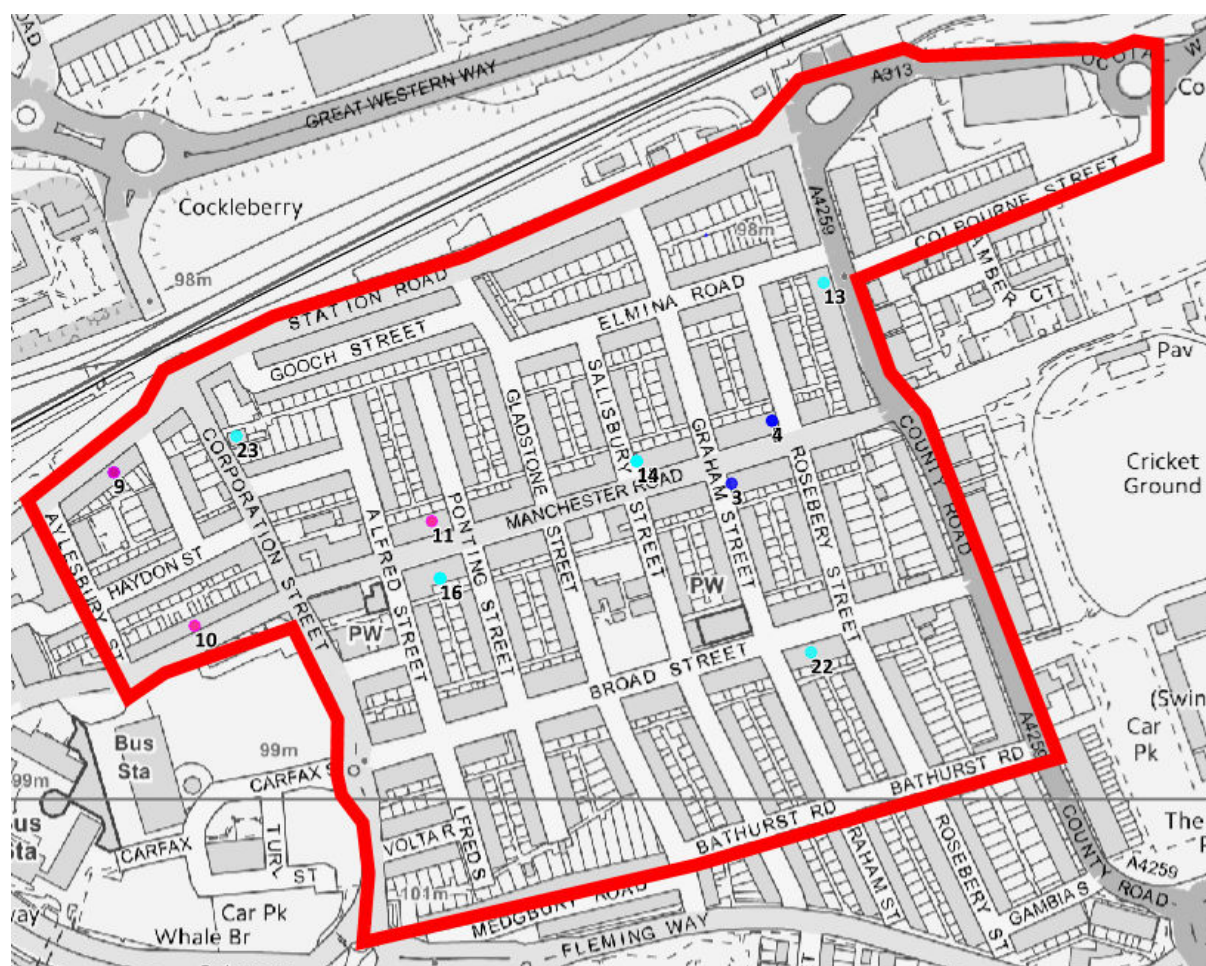
Methodology

Figures have been obtained regarding offences between 01/01/2009 and 31/12/2014 which contain either ASB, Drug, Criminal Damage or Violence for the police beat code DT11 (Broadgreen). These figures are to support the application for the Cumulative Impact Policy.

This data was cleaned remove any duplicates in the data and incidents that were under the no crime reason heading: ""Recorded in Error", "No offence Committed", "Part of a crime already recorded", "Crime committed outside force area" were deleted. The data was then further filtered to include only those incidents that occurred within the proposed Cumulative Impact Policy area (see Map 1 below).

The statistics **DO** include Crime Related Incidents.

Map 1. Proposed Cumulative Impact Policy Area



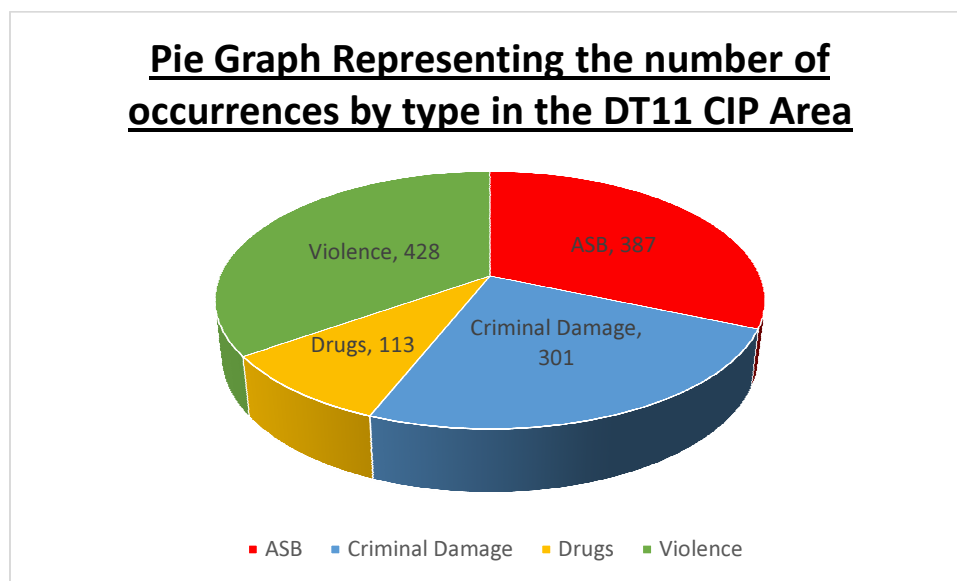
● Pub, Club or Bar	● Takeaway	● Off licence
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Note. Please see Appendix 1 for list of all premises above

Table 1. Overview of Statistics for the DT11 Community Impact Policy Area

Day	Number of Offences within proposed CIP Area						Total No. of Offences during each time period over 6 years
	2009	2010	2011	2012	2013	2014	
Monday	23	25	18	15	32	20	133
Tuesday	22	23	26	24	33	24	152
Wednesday	28	29	27	17	27	21	149
Thursday	29	31	23	29	25	30	167
Friday	31	30	37	32	31	45	206
Saturday	46	30	34	31	40	42	223
Sunday	29	38	31	26	31	44	199
Total Occurrences in Year	208	206	196	174	219	226	

Chart 3. Pie Graph Representing the number of ASB, Criminal Damage, Drug and Violence Against the Person occurrences within the proposed Cumulative Impact Policy Area



Occurrence	Total Incidents 01/01/2009 – 31/12/2014
ASB	387
Criminal Damage	301
Drugs	113
Violence	428
Total Offences:	1229

Please note for the purposes of the above table ASB includes Drunk and Disorderly

Table 2. Overview of Statistics for 5 years including the percentage reported as involving alcohol

Year	Total No. Stats Classes recorded	% involving alcohol	Time Period 1 (00:00:00 – 05:59:59)		Time Period 2 (06:00:00 – 11:59:59)		Time Period 3 (12:00:00 – 17:59:59)		Time Period 4 (18:00:00 – 23:59:59)	
			Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol
2009	148	17.57%	39	20.51%	8	0%	33	9.1%	68	22.1%
2010	136	16.91%	18	28%	19	5.26%	41	12.2%	58	20.7%
2011	124	11.29%	19	21.05%	8	0%	47	4.23%	50	16%
2012	103	13.59%	25	16%	0	0%	28	7.14%	41	19.51%
2013	149	12.08%	30	16.66%	23	8.69%	37	8.1%	59	13.56%
2014	155	17.42%	41	21.95%	16	18.75%	43	9.30%	55	20%

Table 3. Count of Stats Classifications for 2009 also split into time zones

Offence Classification	Total No.	No. Involving Alcohol	Time Period 1		Time Period 2		Time Period 3		Time Period 4	
			Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol
Attempt murder	1	0	0	0	0	0	0	0	1	0
Threats to kill	1	0	0	0	0	0	0	0	1	0
Wounding with intent to do GBH Section 18	2	1	1	1	0	0	0	0	1	0
Malicious Wounding:- Wounding or Inflicting grievous bodily harm (without intent Section 20)	1	0	0	0	0	0	1	0	0	0
Assault occasioning actual bodily harm (Section 47)	37	9	17	4	1	0	6	1	13	4
Possess an offensive weapon	1	0	0	0	1	0	0	0	0	0
DO NOT USE - Racially or religiously aggravated assault/actual bodily harm (Section 47)	1	0	0	0	0	0	0	0	1	0
DO NOT USE - Racially or religiously aggravated putting people in fear of violence (Sec 4 Harassment)	1	0	0	0	1	0	0	0	0	0
Theft other	1	0	0	0	0	0	1	0		0
Arson not endangering life	2	0	1	0	0	0	0	0	1	0
Criminal damage to a vehicle - over £5000	1	0	0	0	0	0	0	0	1	0
Affray	2	2	1	1	0	0	0	0	1	1
DO NOT USE - Racially or religiously aggravated fear of violence - words or writing (Sec 4 POA)	1	0	1	0	0	0	0	0	0	0
Possession Class A drug	3	0	0	0	1	0	1	0	1	0
Possess class B controlled drug - cannabis	7	0	1	0	2	0	2	0	2	0
Possession Class C drug (NOT Cannabis)	1	0	0	0	0	0	1	0	0	0
Assault a constable in the execution of his / her duty	2	2	0	0	0	0	0	0	2	2
Common assault (S39) and assault without injury (Class 105A)	18	6	2	1	0	0	4	0	12	5
Fear or provocation of violence (S4 POA)	2	1	1	0	0	0	1	1		0
Harassment, alarm or distress (S5 POA)	4	2	2	1	0	0	0	0	2	1
Vehicle interference/tampering - motor vehicle	2	0	0	0	0	0	1	0	1	0
Criminal damage to a dwelling - under £5000	13	1	4	0	1	0	2	0	6	1

Criminal damage to other building - under £5000	2	0	0	0	0	0	1	0	1	0	
Criminal damage to a vehicle - under £5000	23	2	4	0	0	0	8	1	11	1	
Criminal damage to other property - under £5000	17	0	3	0	1	0	4	0	9	0	
Racially/religiously aggravated criminal damage to a vehicle - value under £5000	1	0	0	0	0	0	0	0	1	0	
Harassment (S2 Harassment Act 1997)	1	0	1	0	0	0	0	0	0	0	
Total Number	Percentage Involving Alcohol	148	17.57%	39	20.51%	8	0%	33	9.1%	68	22.1%

Table 4. Count of Stats Classifications for 2010 also split into time zones

Offence Classification	Total No.	No. Involving Alcohol	Time Period 1		Time Period 2		Time Period 3		Time Period 4	
			Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol
Attempt murder	1	0	0	0	0	0	0	0	1	0
Malicious Wounding:- Wounding or Inflicting grievous bodily harm (without intent Section 20)	3	0	1	0	0	0	2	0	0	0
Assault occasioning actual bodily harm (Section 47)	28	3	3	1	5	0	11	0	9	2
Possess an offensive weapon	1	0	0	0	1	0	0	0	0	0
Having an article with a blade or point in a public place	1	0	0	0	1	0	0	0	0	0
Harassment - putting people in fear of violence	1	0	0	0	0	0	0	0	1	0
Racially or religiously aggravated intentional harassment, alarm or distress (Sec 4a POA)	2	0	0	0	0	0	2	0	0	0
Arson not endangering life	1	0	0	0	0	0	0	0	1	0
Criminal damage to a dwelling - over £5000	1	0	0	0	1	0	0	0	0	0
Criminal damage to other property - over £5000	1	0	0	0	0	0	1	0	0	0
Threat or possession with intent to commit criminal damage/to destroy own property	1	0	1	0	0	0	0	0	0	0
Affray	1	0	0	0	0	0	0	0	1	0
DO NOT USE - Racially or religiously aggravated fear of violence - words or writing (Sec 4 POA)	1	1	0	0	0	0	1	1	0	0
Produce cannabis a class B controlled drug	2	0	0	0	0	0	2	0	0	0
Possession Class A drug	5	0	0	0	1	0	2	0	2	0
Possess class B controlled drug - cannabis	8	1	1	0	1	0	2	0	4	1
Possession with intent to Supply Class A drug	2	0	0	0	0	0	0	0	2	0
Possess cannabis with intent to supply	1	0	0	0	0	0	0	0	1	0
Common assault (S39) and assault without injury (Class 105A)	20	3	1	0	2	0	6	0	11	3
Causing intentional harassment, alarm or distress (S4A POA)	1	0	0	0	0	0	1	0	0	0
Fear or provocation of violence (S4 POA)	1	0	0	0	0	0	0	0	1	0

Harassment, alarm or distress (S5 POA)	1	0	0	0	0	0	1	0	0	0	
Drunk and disorderly in a public place	10	10	1	1	1	1	4	4	4	4	
Criminal damage to a dwelling - under £5000	11	0	0	0	2	0	3	0	6	0	
Criminal damage to other building - under £5000	4	0	0	0	2	0	0	0	2	0	
Criminal damage to a vehicle - under £5000	14	2	5	2	0	0	1	0	8	0	
Criminal damage to other property - under £5000	13	3	5	1	2	0	2	0	4	2	
Total Number	Percentage Involving Alcohol	136	16.91%	18	28%	19	5.26%	41	12.2%	58	20.7%

Table 5. Count of Stats Classifications for 2011 also split into time zones

Offence Classification	Total No.	No. Involving Alcohol	Time Period 1		Time Period 2		Time Period 3		Time Period 4	
			Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol
Murder - victim one year of age or older	1	0	0	0	0	0	0	0	1	0
Wounding with intent to do GBH Section 18	2	0	0	0	0	0	1	0	1	0
Malicious Wounding:- Wounding or Inflicting grievous bodily harm (without intent Section 20)	2	0	0	0	0	0	1	0	1	0
Assault occasioning actual bodily harm (Section 47)	26	2	6	1	3	0	10	0	7	1
Possess an offensive weapon	2	0	0	0	0	0	0	0	2	0
Kidnapping/Hijacking/False Imprisonment	1	0	0	0	1	0	0	0		0
Arson not endangering life	5	0	0	0	0	0	1	0	4	0
Threat or possession with intent to commit criminal damage/to destroy own property	2	0	0	0	0	0	2	0	0	0
Affray	1	0	0	0	0	0	1	0	0	0
Racially or religiously aggravated fear of violence - words or writing (Sec 4 POA)	1	0	0	0	0	0	1	0	0	0
Produce cannabis a class B controlled drug	1	0	0	0	0	0	0	0	1	0
Supply Class A drug	7	0	0	0	0	0	5	0	2	0
Possession Class A drug	1	0	0	0	0	0	1	0		0
Possess class B controlled drug - cannabis	4	0	0	0	0	0	2	0	2	0
Possession with intent to Supply Class A drug	1	0	0	0	0	0	1	0		0
Assault a constable in the execution of his / her duty	1	0	0	0	0	0	0	0	1	0
Common assault (S39) and assault without injury (Class 105A)	18	4	1	1	0	0	9	1	8	2
Fear or provocation of violence (S4 POA)	1	0	0	0	0	0		0	1	0
Harassment, alarm or distress (S5 POA)	2	2	0	0	0	0	1	1	1	1
Drunk and disorderly in a public place	4	4	1	1	0	0	0	0	3	3
Criminal damage to a dwelling - under £5000	15	2	4	1	0	0	5	0	6	1
Criminal damage to other building - under £5000	4	0	1	0	0	0	2	0	1	0
Criminal damage to a vehicle - under £5000	19	0	6	0	2	0	3	0	8	0

Criminal damage to other property - under £5000		3	0	0	0	2	0	1	0	0	0
Total Number	Percentage Involving Alcohol	124	11.29%	19	21.05%	8	0%	47	4.23%	50	16%

Table 6. Count of Stats Classifications for 2012 also split into time zones

Offence Classification	Total No.	No. Involving Alcohol	Time Period 1		Time Period 2		Time Period 3		Time Period 4		
			Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	
Wounding with intent to do GBH Section 18	2	1	1	1	0	0	1	0	0	0	
Malicious Wounding:- Wounding or Inflicting grievous bodily harm (without intent Section 20)	1	0	1	0	0	0	0	0	0	0	
Assault occasioning actual bodily harm (Section 47)	23	2	3	1	3	0	9	0	8	1	
Possess an offensive weapon	1	0	1	0	0	0	0	0	0	0	
Arson endangering life	1	0	1	0	0	0	0	0	0	0	
Arson not endangering life	2	0	1	0	0	0	0	0	1	0	
Produce cannabis a class B controlled drug	1	0	1	0	0	0	0	0	0	0	
Possession Class A drug	3	0	1	0	0	0	0	0	2	0	
Possess class B controlled drug - cannabis	10	1	1	0	0	0	4	0	5	1	
Possess cannabis with intent to supply	1	0	0	0	0	0	0	0	1	0	
Assault a constable in the execution of his / her duty	1	0	1	0	0	0	0	0	0	0	
Common assault (S39) and assault without injury (Class 105A)	12	1	4	1	2	0	2	0	4	0	
Causing intentional harassment, alarm or distress (S4A POA)	1	0	1	0	0	0	0	0	0	0	
Harassment, alarm or distress (S5 POA)	1	0	0	0	0	0	1	0	0	0	
Vehicle interference/tampering - motor vehicle	1	0	0	0	0	0	1	0	0	0	
Drunk and disorderly in a public place	6	6	1	1	0	0	1	1	4	4	
Criminal damage to a dwelling - under £5000	13	2	5	0	0	0	3	0	5	2	
Criminal damage to other building - under £5000	1	0	0	0	1	0	0	0	0	0	
Criminal damage to a vehicle - under £5000	18	1	2	0	1	0	6	1	9	0	
Criminal damage to other property - under £5000	4	0	0	0	2	0	0	0	2	0	
Total Number	Percentage Involving Alcohol	103	13.59%	25	16%	0	0%	28	7.14%	41	19.51%

Table 7. Count of Stats Classifications for 2013 also split into time zones

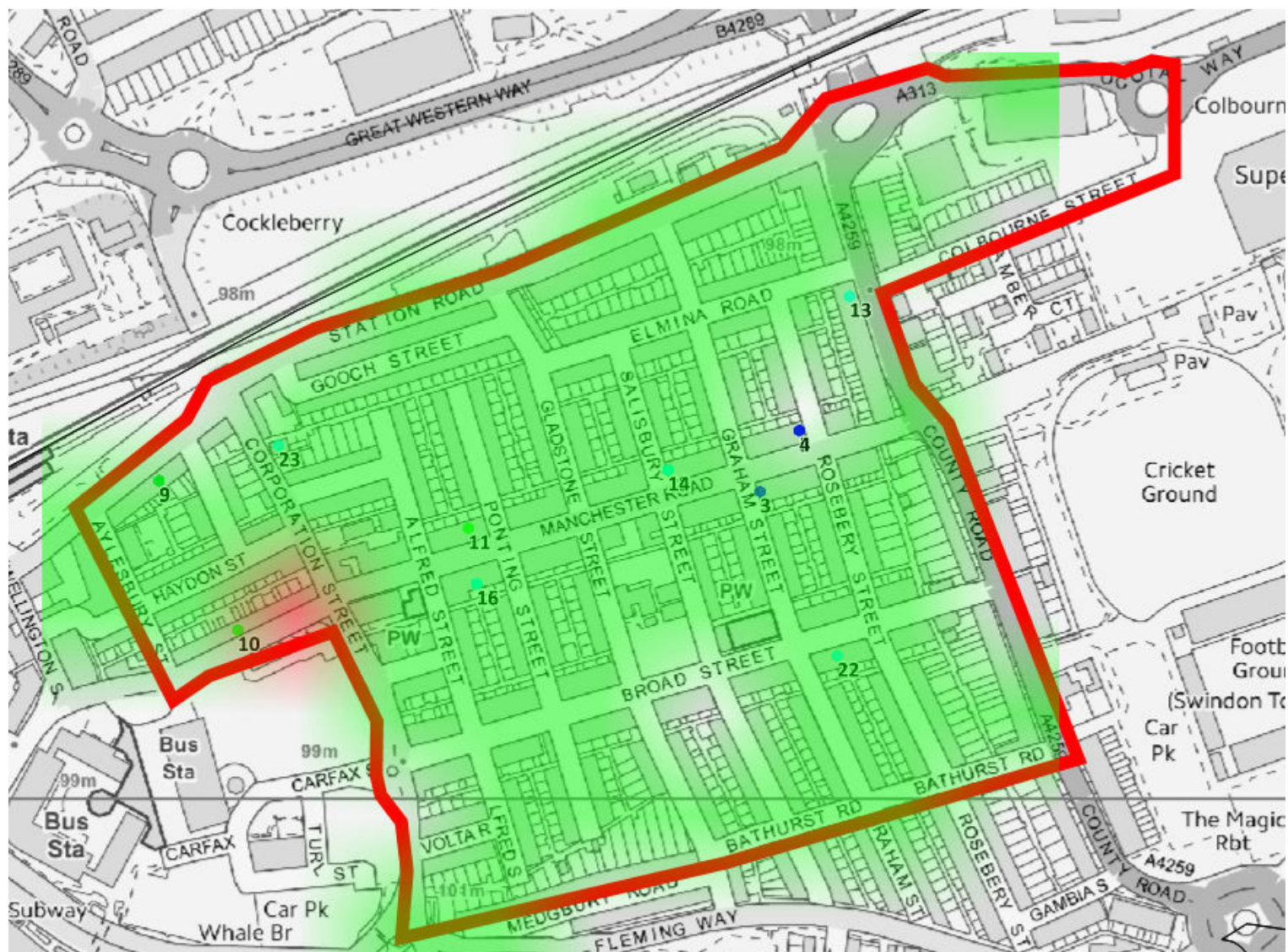
Offence Classification	Total No.	No. Involving Alcohol	Time Period 1		Time Period 2		Time Period 3		Time Period 4	
			Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol
Wounding with intent to do GBH Section 18	3	1	0	0	0	0	2	0	1	1
Assault occasioning actual bodily harm (Section 47)	33	7	8	1	2	2	8	2	15	2
Racially or religiously aggravated intentional harassment, alarm or distress (Sec 4a POA)	3	0	0	0	0	0	0	0	3	0
Racially or religiously aggravated common assault	1	0	0	0	0	0	0	0	1	0
Cruelty to and neglect of children	1	0	0	0	0	0	1	0	0	0
Robbery - Personal	1	1	1	1	0	0	0	0	0	0
Arson not endangering life	4	0	3	0	1	0	0	0	0	0
Supply Class A drug	7	0	0	0	1	0	6	0	0	0
Supply cannabis a class B controlled drug	2	0	1	0	1	0	0	0	0	0
Possession Class A drug	2	0	0	0	1	0	0	0	1	0
Possess class B controlled drug - cannabis	8	0	3	0	1	0	1	0	3	0
Possession with intent to Supply Class A drug	2	0	0	0	0	0	2	0	0	0
Assault a constable in the execution of his / her duty	2	1	0	0	0	0	1	1	1	0
Common assault (S39) and assault without injury (Class 105A)	22	2	3	0	6	0	3	0	10	2
Causing intentional harassment, alarm or distress (S4A POA)	1	0	1	0	0	0	0	0	0	0
Fear or provocation of violence (S4 POA)	3	0	0	0	1	0	0	0	2	0
Drunk and disorderly in a public place	3	2	1	1	0	0	0	0	2	1
Criminal damage to a dwelling - under £5000	6	1	0	0	2	0	0	0	4	1
Criminal damage to other building - under £5000	2	1	1	1	0	0	1	0	0	0
Criminal damage to a vehicle - under £5000	24	0	4	0	1	0	9	0	10	0
Criminal damage to other property - under £5000	14	2	3	1	4	0	1	0	6	1
Racially/religiously aggravated criminal damage - under £5000	1	0	1	0	0	0	0	0	0	0
Harassment (S2 Harassment Act 1997)	4	0	0	0	2	0	2	0	0	0

Total Number	Percentage Involving Alcohol	149	12.08%	30	16.66%	23	8.69%	37	8.1%	59	13.56%
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Table 8. Count of Stats Classifications for 2014 also split into time zones

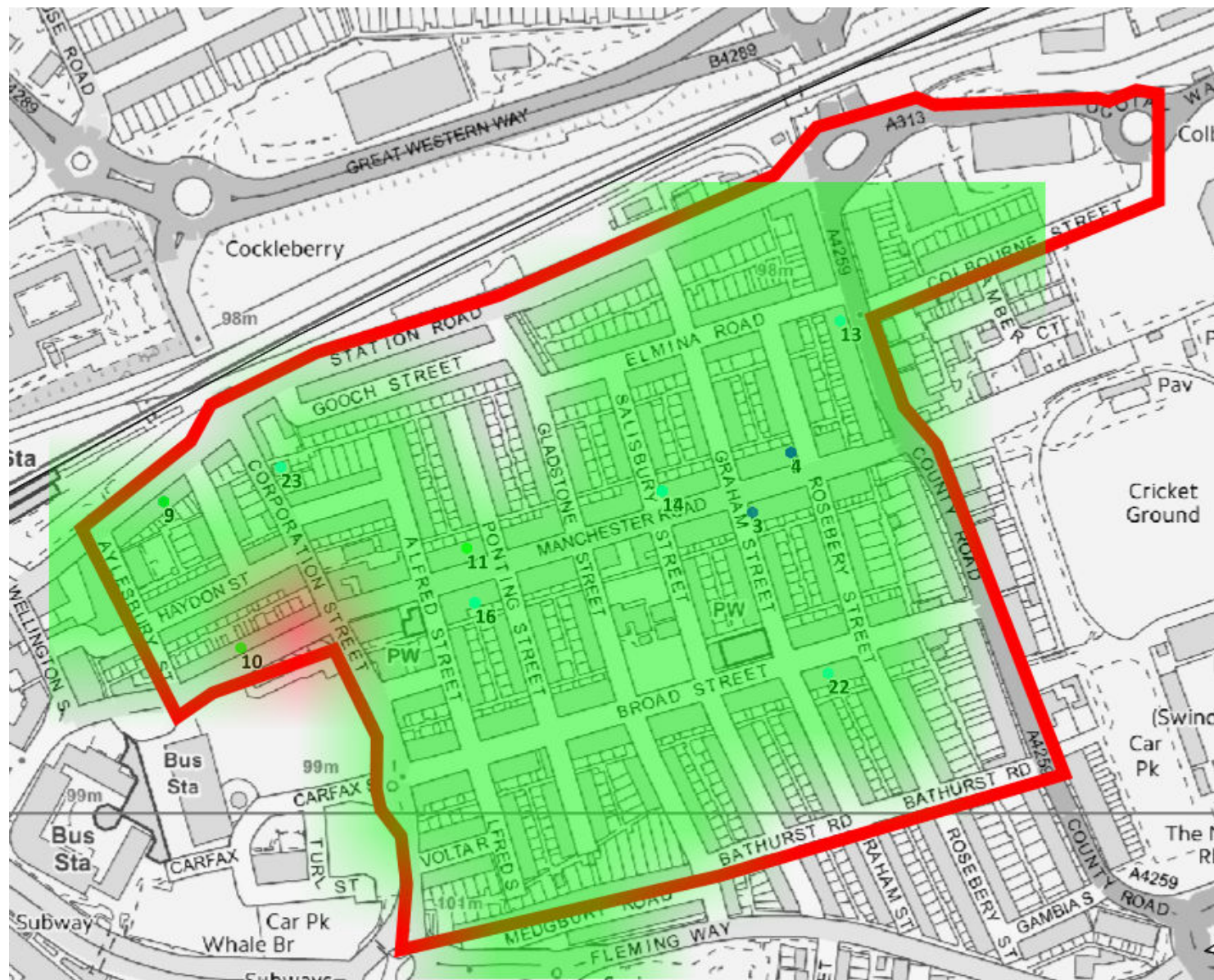
Offence Classification	Total No.	No. Involving Alcohol	Time Period 1		Time Period 2		Time Period 3		Time Period 4		
			Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	
Threats to kill	3	0	2	0	0	0	1	0	0	0	
Wounding with intent to do GBH Section 18	1	0	1	0	0	0	0	0	0	0	
Malicious Wounding:- Wounding or Inflicting grievous bodily harm (without intent Section 20)	1	0	0	0	1	0	0	0	0	0	
Assault occasioning actual bodily harm (Section 47)	44	11	14	5	5	1	9	1	16	4	
Racially or religiously aggravated intentional harassment, alarm or distress (Sec 4a POA)	1	0	0	0	0	0	1	0	0	0	
Attempt burglary dwelling	1	0	0	0	0	0	1	0	0	0	
Kidnapping/Hijacking/False Imprisonment	2	0	0	0	0	0	0	0	2	0	
Arson endangering life	1	0	1	0	0	0	0	0	0	0	
: Arson not endangering life	5	0	3	0	0	0	1	0	1	0	
Criminal damage to other building - over £5000	1	0	0	0	0	0	0	0	1	0	
Produce cannabis a class B controlled drug	1	0	0	0	0	0	1	0	0	0	
Supply Class A drug	3	0	1	0	0	0	2	0	0	0	
Possession Class A drug	2	0	0	0	0	0	1	0	1	0	
Possess class B controlled drug - cannabis	6	0	3	0	0	0	1	0	2	0	
Common assault (S39) and assault without injury (Class 105A)	32	6	3	0	6	1	15	2	8	3	
Drunk and disorderly in a public place	8	8	3	3	1	1	1	1	3	3	
Criminal damage to a dwelling - under £5000	12	1	5	1	2	0	1	0	4	0	
Criminal damage to other building - under £5000	3	0	0	0	0	0	2	0	1	0	
Criminal damage to a vehicle - under £5000	23	0	4	0	1	0	5	0	13	0	
Criminal damage to other property - under £5000	5	1	1	0	0	0	1	0	3	1	
Total Number	Percentage Involving Alcohol	155	17.42%	41	21.95%	16	18.75%	43	9.30%	55	20%


Map 2. 2009 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person



Legend		
● Pub, Club or Bar	● Takeaway	● Off licence
Hotspot colours		
1 – 14 Incidents	15 – 29 Incidents	30 + Incidents

Map 3. 2010 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person



Legend					
	Pub, Club or Bar		Takeaway		Off licence

Map 3. 2010 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person

Hotspot colours		
1 – 11 Incidents	12– 23 Incidents	24 + Incidents

Map 4. 2011 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person






Legend		
● Pub, Club or Bar	● Takeaway	● Off licence
Hotspot colours		
1 – 9 Incidents	10 – 19 Incidents	20 + Incidents

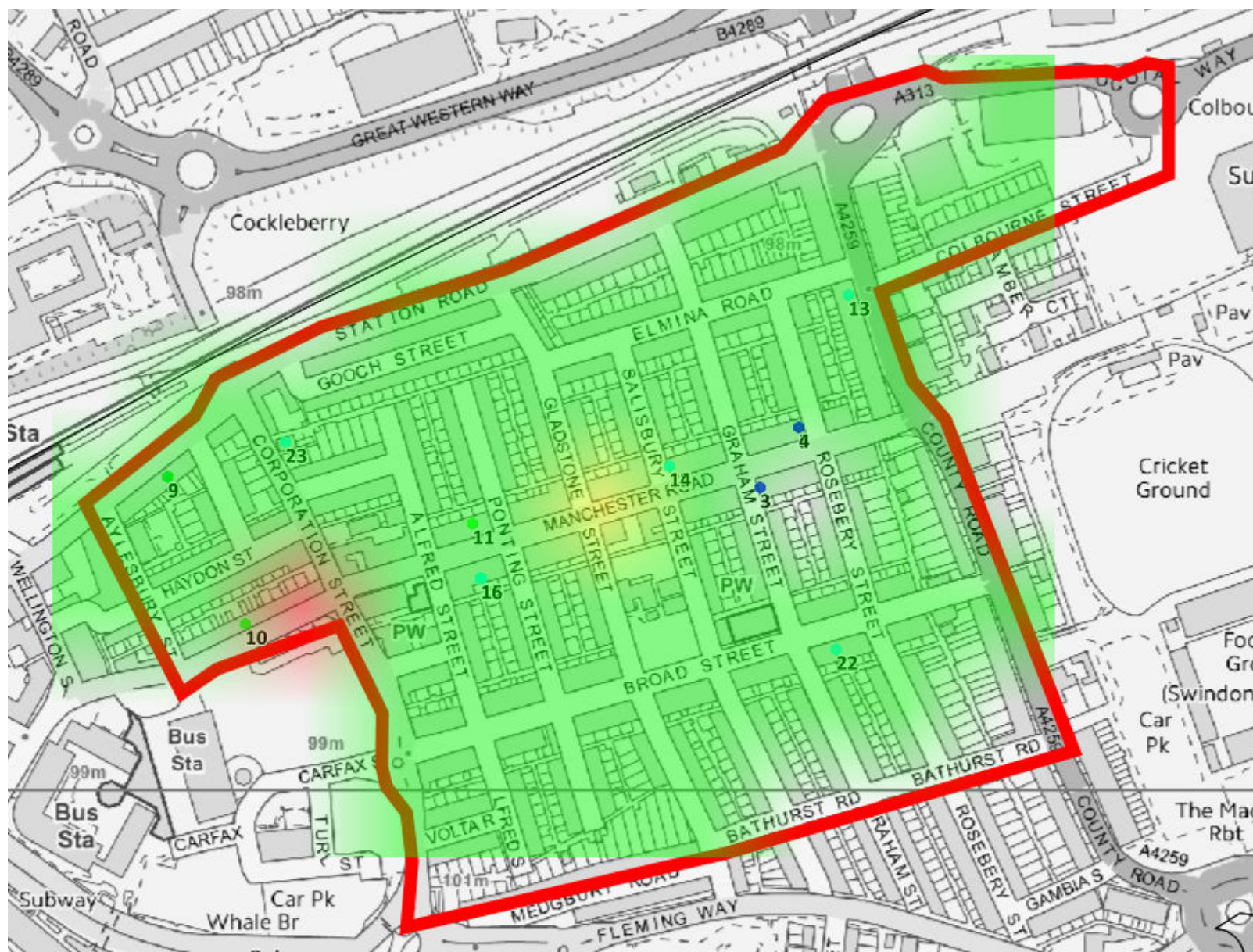
Map 5. 2012 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person






Map 5. 2012 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person

Legend					
	Pub, Club or Bar		Takeaway		Off licence
Hotspot colours					
1 – 7 Incidents		8 – 14 Incidents		15 + Incidents	

Map 6. 2013 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person

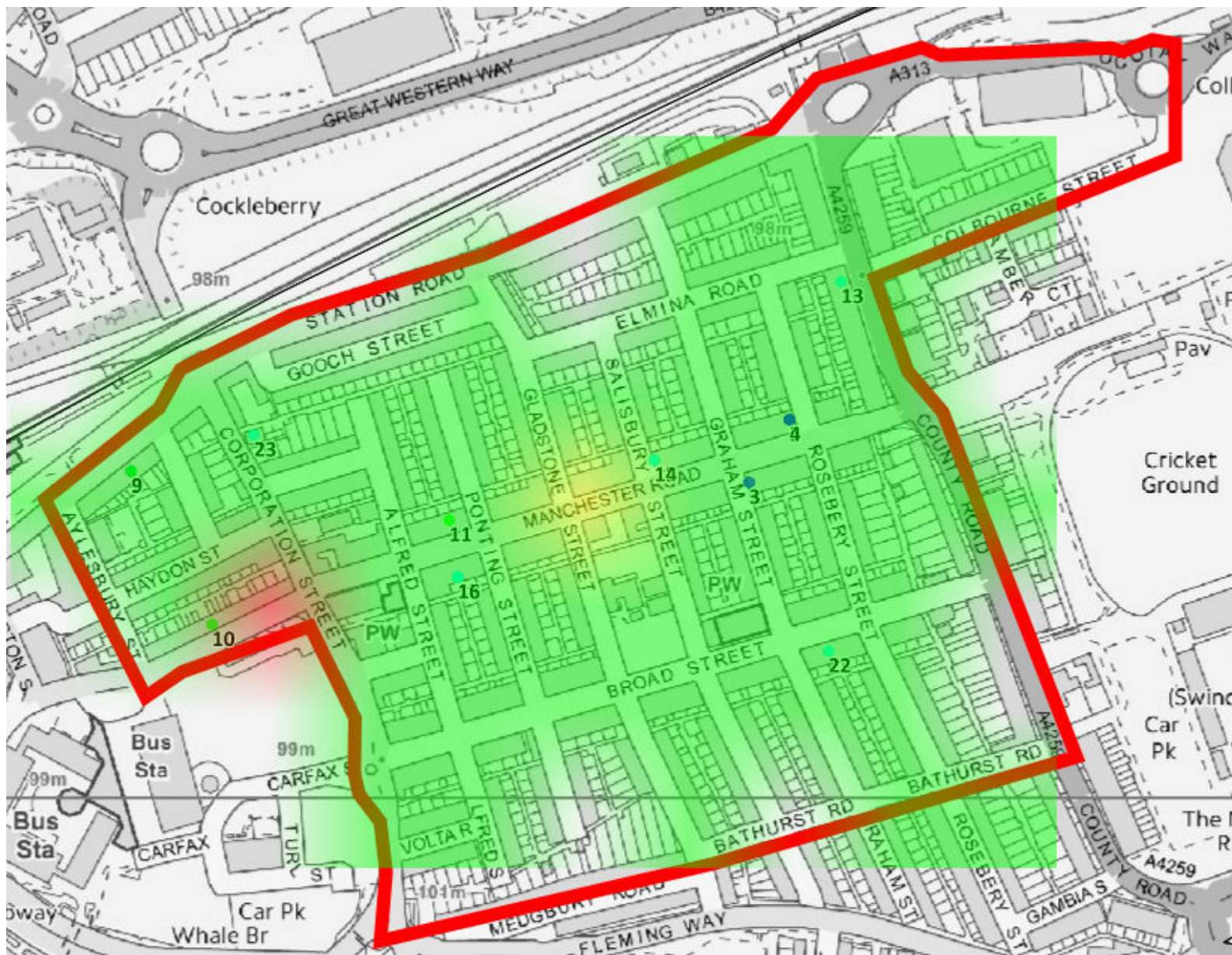


Legend					
	Pub, Club or Bar		Takeaway		Off licence

Map 6. 2013 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person

Hotspot colours		
1 – 11 Incidents	12 – 22 Incidents	23 + Incidents

Map 7. 2014 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person



Legend			
●	Pub, Club or Bar	●	Takeaway
		●	Off licence

Map 7. 2014 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person

Hotspot colours		
1 – 11 Incidents	12 – 22 Incidents	23 + Incidents

Table 8. Top five streets with most occurrences of ASB, Criminal Damage, Drugs and Violence Against Person offences between 2009 - 2014

Street Position	2009	2010	2011	2012	2013	2014
1	Manchester Road (70)	Manchester Road (69)	Manchester Road (59)	Manchester Road (49)	Manchester Road (72)	Manchester Road (72)
2	Broad Street (24)	Broad Street (22)	Broad Street (34)	Broad Street (23)	Broad Street (34)	County Road (23)
3	Graham Street (12)	Salisbury Street (13)	Rosebery Street (14)	County Road (14)	County Road (19)	Broad Street (22)
4	Brunswick House, Corporation Street / County Road (11)	Station Road / Haydon Street / Gladstone Street (10)	Gladstone Street (8)	Salisbury Street (11)	Rosebery Street (16)	Graham Street (15)
5	Station Road (9)	Corporation Street (9)	Graham Street / County Road / Haydon Street / Gooch Street (7)	Rosebery Street (10)	Station Road (12)	Ponting Street (13)

Summary of the top streets with most occurrences.

Table 8 above shows that the main street where the most occurrences for ASB, Criminal Damage, drugs and Violence offences is Manchester Road with the number of offences increasing from 49 in 2012 to 72 in 2014. This is a similar pattern in the tables 9-13 which looks at peak times, streets and days for the individual 4 offences. In relation to Violence against the Person there has been an increase in 2012 from 48 to 87 in 2014 with the peak time for offences being much earlier between 1500-1730 hours.

The common theme throughout all the tables is that Manchester Road is the prominent street where offences take place and this also relates to the location with the majority of offences present.

Table 9.

Occurrence Type:		ASB (Inc. Drunk & Disorderly)				
Year	Number of Occurrences	Top 3 Streets* (No. of Occurrences)	Peak Time	Peak Day of Week	Peak Month	Avg. Per Month
2009	58	Manchester Road (24)	17:30:00 – 22:30:00	Sunday	October	5
		Broad Street (9)				
		Alfred Street (4)				
2010	74	Manchester Road (26)	14:30:00 - 22:30:00	Sunday and Wednesday	July	6
		Broad Street (13)				
		Gladstone Street (6)				
2011	56	Manchester Road (16)	15:00:00 – 23:00:00	Saturday	July	5
		Broad Street (11)				
		Haydon Street / Rosebery Street / Salisbury Street / Graham Street / Gooch Street (3)				
2012	66	Manchester Road (19)	No discernible peak	Thursday - Saturday	January / July	6
		Broad Street (12)				
		Rosebery Street / Salisbury Street / County Road (6)				
2013	61	Manchester Road / Broad Street (16)	16:00:00 – 22:00:00	Monday and Wednesday	May	5
		Rosebery Street (6)				
		County Road / Graham Street (4)				
2014	72	Manchester Road (27)	23:00:00 – 00:30:00	Sunday	September	6
		Ponting Street (10)				
		Broad Street (8)				

*Streets where only 1 occurrence has been reported have not been included in the Top 5

Table 10.

Occurrence Type:		Violence Against the Person (VAP)				
Year	Number of Occurrences	Top 3 Streets* (No. of Occurrences)	Peak Time	Peak Day of Week	Peak Month	Avg. Per Month
2009	77	Manchester Road (32)	No discernible peak time	Friday and Sunday	February / July	6
		Broad Street (8)				
		Brunswick House, Corporation Street (7)				
2010	67	Manchester Road (30)	13:00:00	Friday	October	6
		Broad Street (8)	–			
		Ponting Street / Corporation Street / Graham Street / Gladstone Street (4)	20:00:00			
2011	68	Manchester Road (29)	15:30:00	Sunday	April	6
		Broad Street (15)	–			
		Gladstone Street (6)	21:30:00			
2012	48	Manchester Road (22)	19:30:00 – 21:30:00	Friday	January	4
		Salisbury Street / Broad Street / County Road (4)				
		Rosebery Street (3)				
2013	81	Manchester Road (31)	17:30:00	Thursday, Saturday, Sunday	November	7
		County Road (12)	–			
		Broad Street (7)	23:00:00			
2014	87	Manchester Road (34)	15:00:00	No discernible peak day	July	7
		County Road (13)	–			
		Rosebery Street / Broad Street (5)	17:30:00			

*Streets where only 1 occurrence has been reported have not been included in the Top 5

Table 11.

Occurrence Type:	Criminal Damage
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Year	Number of Occurrences	Top 3 Streets* (No. of Occurrences)	Peak Time	Peak Day of Week	Peak Month	Avg. Per Month
2009	62	Manchester Road (13)	22:00:00 – 06:00:00	Saturday PM – Sunday AM	January	5
		Broad Street / Elmina Road (6)				
		Station Road / Gladstone Street / Graham Street (5)				
2010	46	Manchester Road (11)	23:30:00 – 03:30:00	Sunday, Tuesday and Wednesday	April / November	4
		Salisbury Street (9)				
		Rosebery Street (4)				
2011	49	Manchester Road (7)	21:00:00 – 05:30:00	Sunday	October / November	7
		Rosebery Street (5)				
		Broad Street / Graham Street (4)				
2012	40	Ponting Street (6)	22:30:00 – 06:00:00	Saturday	April / May	3
		Manchester Road (5)				
		Graham Street / Broad Street / County Road (4)				
2013	52	Manchester Road (14)	22:30:00 – 05:30:00	Sunday and Monday	September	4
		Station Road / Broad Street (6)				
		Rosebery Street (4)				
2014	52	Broad Street (8)	23:00:00 – 06:00:00	Friday PM – Saturday AM	November	5
		Manchester Road (7)				
		Graham Street (6)				

*Streets where only 1 occurrence has been reported have not been included in the Top 5

Table 12.

Occurrence Type:		Drugs				
Year	Number of Occurrences	Top 3 Streets* (No. of Occurrences)	Peak Time	Peak Day of Week	Peak Month	Avg. Per Month
2009	11	Haydon Street (3)	10:00:00 – 11:00:00 and 20:30:00 – 21:30:00	No discernible peak day	February / May / December	1
		-				
		-				
2010	19	Rosebery Street (4)	No discernible peak time	Thursday	March	2
		Colbourne Street (3)				
		Haydon Street / Manchester Road / Armstrong Street / Aylesbury Street (2)				
2011	23	Manchester Road (7)	16:00:00 – 20:30:00	Tuesday	April	2
		Broad Street (4)				
		Rosebery Street (3)				
2012	20	Manchester Road / Corporation Street / Broad Street (3)	21:00:00 – 23:30:00	Saturday	August	2
		Elmina Road / Gladstone Street (2)				
		-				
2013	25	Manchester Road (11)	15:00:00 – 16:30:00	No discernible peak day	April / August / October	2
		Broad Street (5)				
		Ponting Street (2)				
2014	15	Manchester Road (4)	No discernible peak time	Wednesday	March	2
		Station Road (3)				
		County Road / Gladstone Street (2)				

*Streets where only 1 occurrence has been reported have not been included in the Top 5

Table 13.

Occurrence Type:		Drunk & Disorderly				
Year	Number of Occurrences	Top 3 Streets* (No. of Occurrences)	Peak Time	Peak Day of Week	Peak Month	Avg. Per Month
2009	5	Manchester Road (2)	18:00:00	No discernible peak day	April	1
		-	-			
		-	00:00:00			
2010	20	Manchester Road (10)	13:00:00	Sunday	November	2
		Broad Street (5)	-			
		-	18:30:00			
2011	4	Manchester Road (2)	22:00:00	Saturday	January / February / March / July	1
		-	-			
		-	23:30:00			
2012	8	Manchester Road (7)	22:00:00	No discernible peak day	July / August	1
		-	-			
		-	23:00:00			
2013	9	Manchester Road (4)	00:00:00	Tuesday	February / May / September	2
		Broad Street (2)	-			
		-	01:00:00			
2014	10	Manchester Road / Elmina Road (3)	01:30:00	Sunday	October	2
		-	-			
		-	04:00:00			

*Streets where only 1 occurrence has been reported have not been included in the Top 5

APPENDIX 1	
No.	Premises Name
1	The Queens Tap, 74 Station Road, SN1 1DG
2	Great Western Hotel, 73 Station Road, SN1 1DH
3	Tap and Barrel, 115 Manchester Road, SN1 2AJ
4	Portuguesa, 64 Manchester Road, SN1 2AQ
5	Little Vegas, 66 Manchester Road, SN1 2AQ
6	County Ground Hotel, 115 County Road, SN1 2EB
7	Giraffe, Ocotal Way, SN1 2EH
8	Le Rendevous, 36-39 Haydon Street, SN1 2EB
9	J&J Fishbar, 47 Station Road, SN1 1DH
10	Ming Dynasty, 175 Manchester Road, SN1 1TU
11	Pizza King, 25 Manchester Road, SN1 2AB
12	Swindon Kebab House, 35 Manchester Road, SN1 2AG
13	AAA Stores , 30 County Road, SN1 2EW
14	Premier Stores, 50 Manchester Road, SN1 2AG
15	LJ Food n Wine, 42 Manchester Road, SN1 2AG
16	Istanbul Market, 123 Manchester Road, SN1 2AF
17	EFES , 131 Manchester Road, SN1 2 AF
18	Kubis Polski Sklep, 126 Manchester Road, SN1 2AF
19	Abbys Store, 147 Manchester Road, SN1 2AF
20	European off licence, 142 Manchester Road, SN1 2AF
21	9 o clock shop, 54 Manchester Road, SN1 2AG
22	ACP Food and Wine, 93 Broad Street, SN1 2DU
23	Vegland, 7 Corporation Street, SN1 1DS
24	Texaco, Fleming Way, SN1 2NG
25	Aldi, Drove Road, SN1 3AD
26	Tesco, Ocotal Way, SN1 2EH
27	B&M Bargains, Unit 2 , SN1 2EL

Appendix 2.

Nature of licensed premises operating at any particular time in the Broadgreen Cumulative impact Zone

On licence premises

Tap and Barrel	115 Manchester Road	SN1 2AJ
Portuguesa	64 Manchester Road	SN1 2AQ
Little Vegas	66 Manchester Road	SN1 2AQ
County Ground Hotel	115 County Road	SN1 2EB

Restaurants with on licence

Le Rendevous	36-39 Haydon Street	Sn1 2EB
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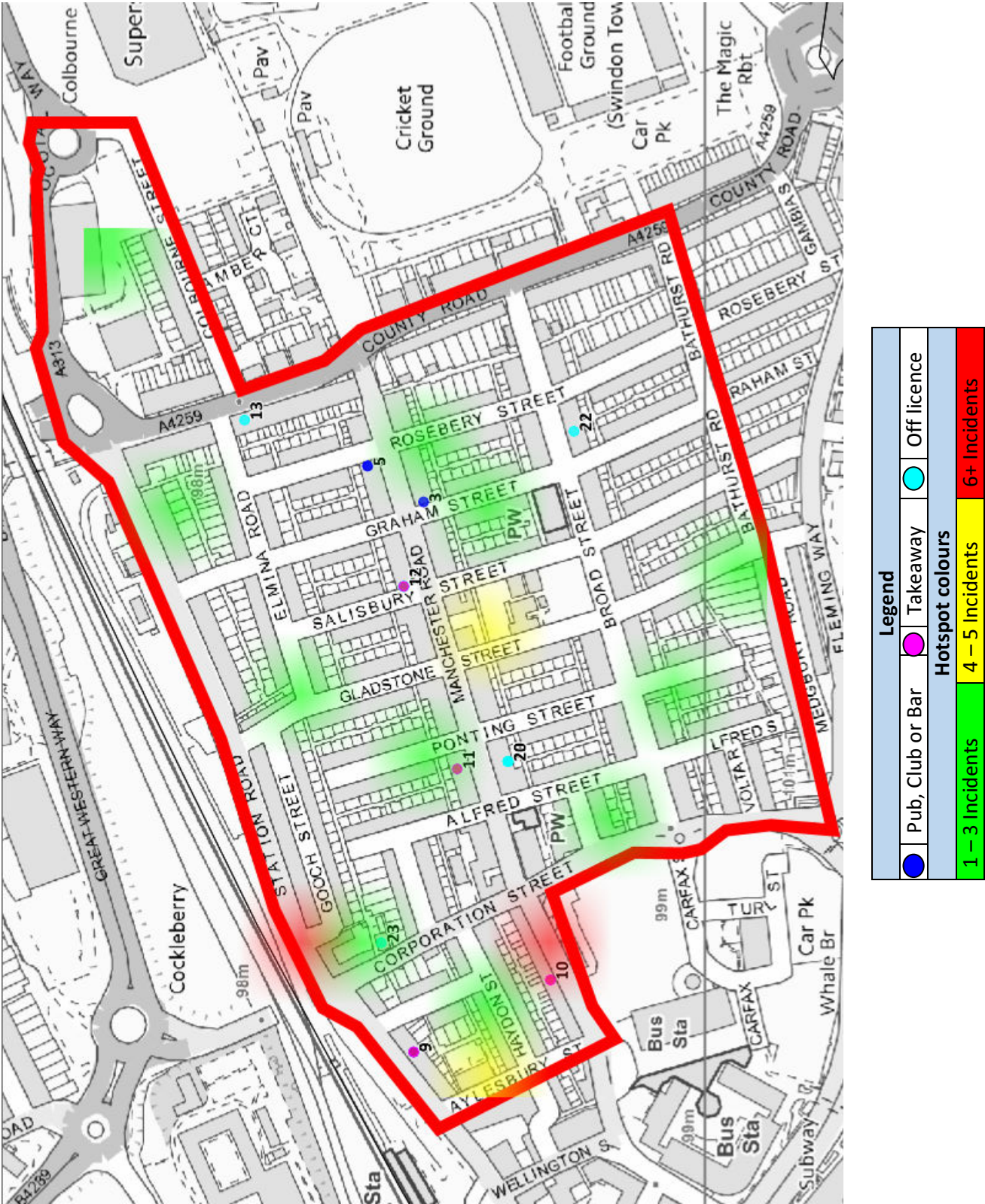
Late night Refreshments

Ming Dynasty	175 Manchester Road	SN1 1TU
Pizza King	25 Manchester Road	SN1 2AB
Swindon Kebab House	35 Manchester Road	SN1 2AG

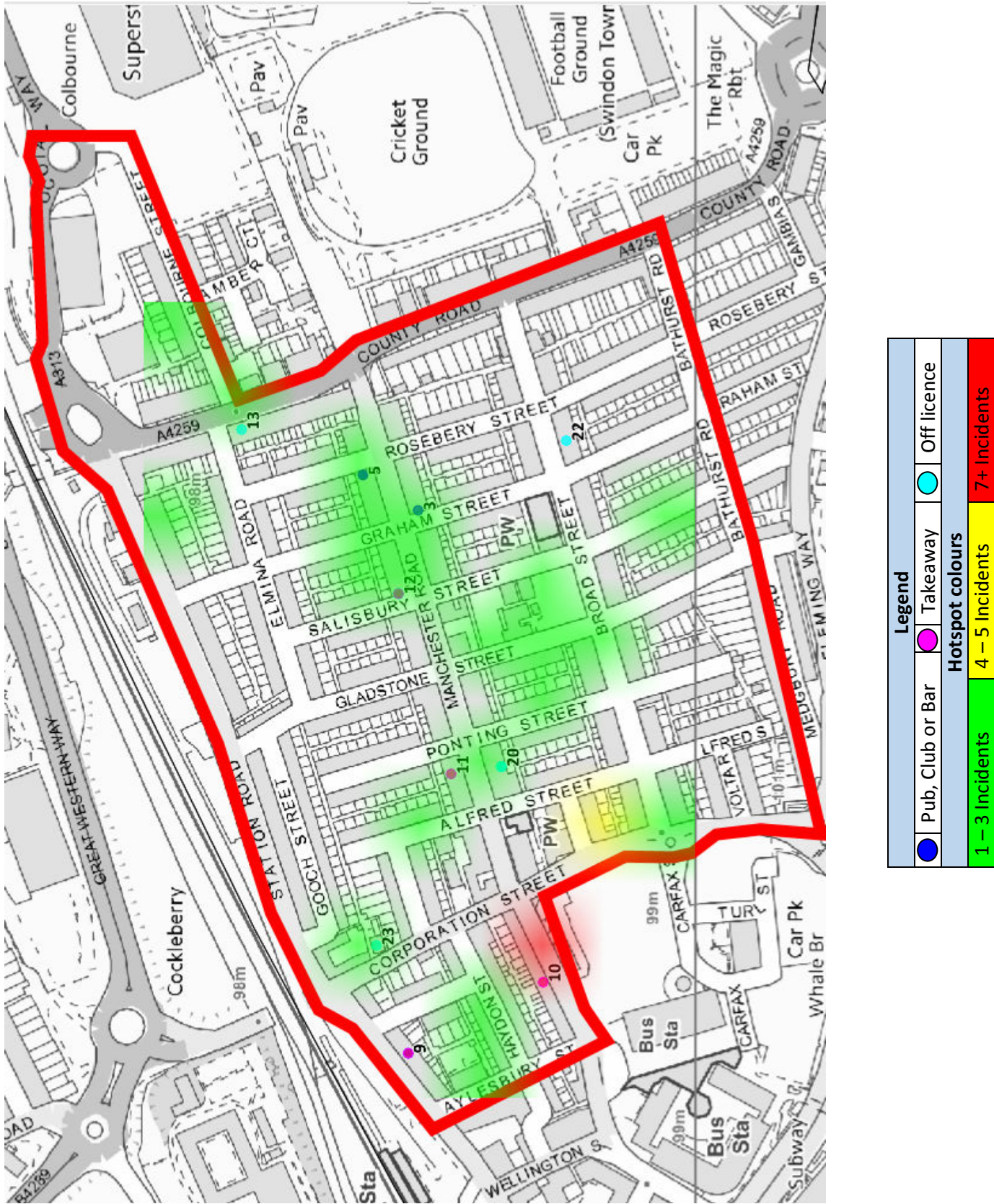
Off Licence

AAA Stores	30 County Road	SN1 2EW
Premier Stores	50 Manchester Road	SN1 2AG
LJ Food n Wine	42 Manchester Road	SN1 2AG
Istanbul Market	123 Manchester Road	SN1 2AF
EFES	131 Manchester Road	SN1 2 AF
Kubis Polski Sklep	126 Manchester Road	SN1 2AF
Abbys Store	147 Manchester Road	SN1 2AF
European off licence	142 Manchester Road	SN1 2AF
9 o clock shop	54 Manchester Road	SN1 2AG
ACP Food and Wine	93 Broad Street	SN1 2 DU
Vegland	7 Corporation Street	SN1 1DS

Map 2. 2009 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person involving Alcohol









Map 3. 2010 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person involving Alcohol



Map 4. 2011 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person involving Alcohol



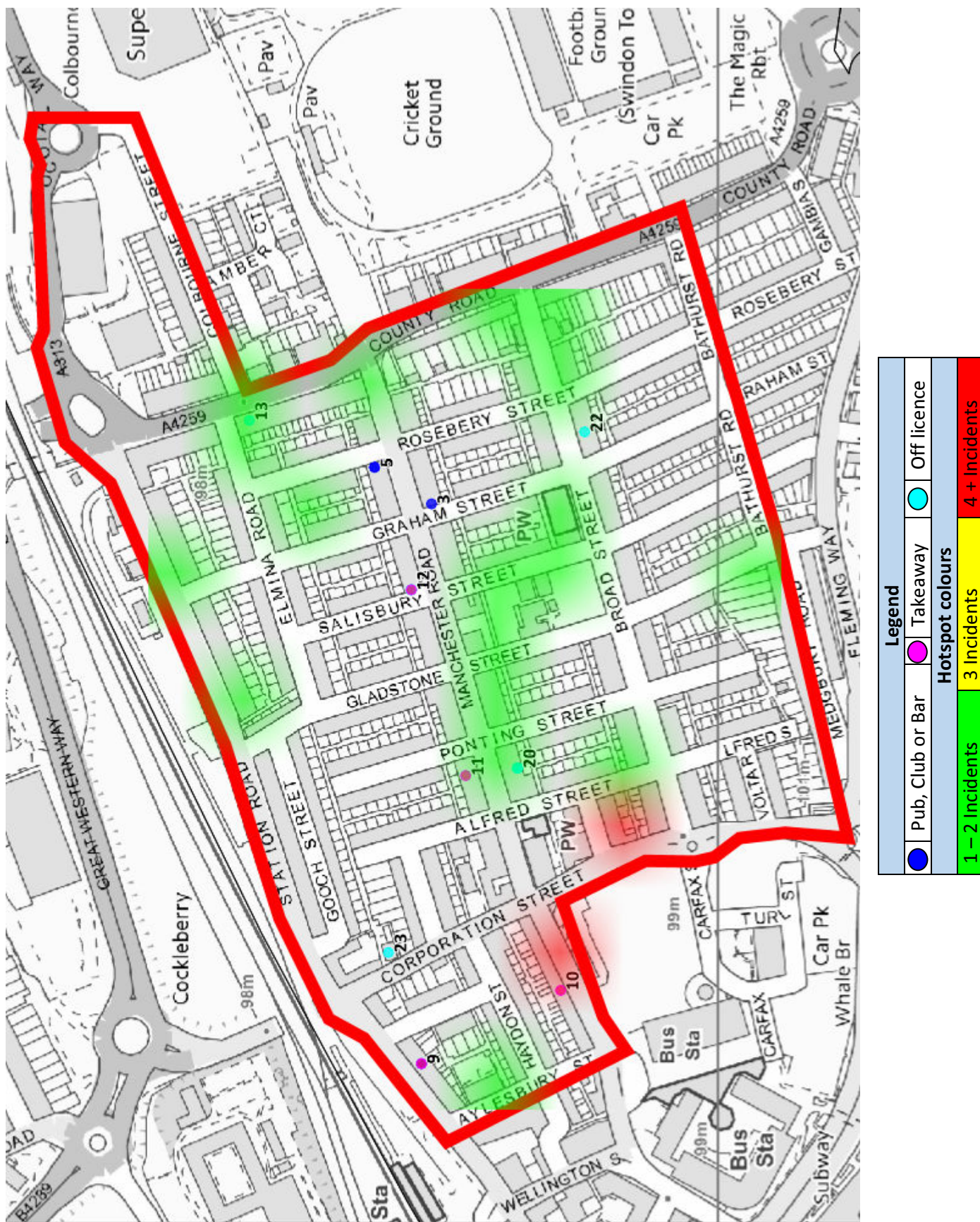
Legend			
	Pub, Club or Bar		Takeaway
			Off licence
Hotspot colours			
	1 – 3 Incidents		4 – 5 Incidents
			6 + Incidents

Map 5. 2012 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person involving Alcohol



Legend			
	Pub, Club or Bar		Takeaway
	Off licence		
Hotspot colours			
	1 – 7 Incidents		8 – 14 Incidents
	15 + Incidents		

Map 6. 2013 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person involving Alcohol





Legend			
●	Pub, Club or Bar	●	Takeaway
●	Off licence		
Hotspot colours			
	1 – 2 Incidents		3 Incidents
	4 + Incidents		

Cumulative Impact Policy Police Summary for The Town Centre and Old Town Area.

Swindon Town Centre has for many years been the main night time economy area for Swindon and is predominantly two main streets of licensed premises (Fleet St; Bridge St). The premises in this area are mainly vertical drinking establishments that aim to sell high volumes of alcohol at low prices.

Old Town has seen a rise in custom over the last 3 years and is now the busier of the 2 night time economy areas. To accommodate this change many of the Old Town licensed premises have adapted to become vertical drinking establishments at evenings and weekends and increasing their hours into the early hours of the morning which has also seen levels of alcohol related crime and disorder rise in this area.

The on licence premises in these two areas are surrounded by late night refreshment premises which exacerbate incidents in the early hours of the morning. Crowds gather together from the various premises within the locality which leads to incidents of disorder and anti-social behaviour. Regularly the weight of numbers often makes it impossible for police to robustly deal with individuals who in other circumstances would face arrest.

The two areas are linked by Victoria road and Regent Street which sees a volume of foot traffic throughout the evening and weekends and is often the scene of incidents and crimes.

Wiltshire Police have produced evidence (attached) to show that the concentration of alcohol led late night venues results in a high number of assaults and other related crime and disorder including public nuisance and risks to public safety.

Despite there being some reduction in incidents of crime and disorder between 2009 - 2014 Wiltshire Police believe this is due to the level of policing of the Night Time Economy and licensed premises that have been undertaken in the last couple of years.

Police officers policing the night time economy have been making use of the dispersal powers to deal with drunk individuals involved in disorder and the use of these are shown in the form of the s.27 direction to leave notices issued which have been recently replaced by s.35 dispersal powers to remove a person from an area for up to 48 hours. In the period of September 2012 – September 2014 an average of 30 s.27 direction to leave notices each month were issued within the NTE area.

The main focus of the policy for the area of the Town Centre and Old Town should be alcohol led establishments, and premises that keep customers in the area in the early hours of the morning. Limits could be placed on licensed bars, nightclubs and late night refreshment premises, with a particular focus on those that are open between the hours of 2100-0600hours.

The area that police recommend should be covered by the cumulative impact policy is indicated at page 5 Map 1 of the statistics. This area is also used to describe the Night Time Economy areas for the dispersal orders given to individuals, and also for

bail conditions that require a person to stay out of the area when they have committed alcohol related offences in the town. The s.35 and bail map for the NTE is provided at Appendix 2 page 40. It would seem appropriate to mirror the areas that are already familiar to individuals and agencies, and cover the streets that are already affected by crime and anti social behaviour.

The area borders the following streets:

Corporation Street

Station Road

Milton Road,

Cromby Street

Prospect Hill

Avenue Road

Newport Street

Marlborough Road/Cricklade Street

Belgrave Street

Wells Street

Spring Gardens

Wiltshire Police are not looking to prevent the regeneration of these areas and are looking forward to the introduction of more diverse and family focussed businesses that are already being seen around the area of Regent Circus.

We believe the introduction of a cumulative impact policy will

1. Assist in controlling what is occurring in these areas now. (current licensed premises requesting extensions of hours)
2. Protect the area from becoming worse in the future. (restricting applications for similar types of venue)

Cumulative Impact Areas have proved successful in other towns; an enquiry made with Thames Valley Police, where Cumulative Impact Areas have been introduced showed a positive response:

“..... We actually have a number of Cumulative Impact policies across the Force area, including Oxford (which has two zones), Reading, and Aylesbury. The common theme in each area is a persistent reduction in crime since the policies have been in place and although there will have been many other initiatives and efforts that have contributed to that reduction...”

Oxford – “We have seen a decrease in violent crime during the NTE period since its introduction, but also there has been a noticeable change in the physicality of the area. George Street once featured in the Daily Mail labelled as ‘vomit alley’ and one

of the club strips now features more high-end restaurants and is a more pleasant place to walk down at night.”

Aylesbury – “What we have found is that many places would like to go for extra hours but because the policy is in place they are advised by whoever is representing them not to go for it. Both Amersham and Chesham have a policy. I can confirm that we have seen reductions in all areas during the NTE hours.”

Cumulative Impact Policy - Town Centre and Old Town (DS12, DT15, DT18)

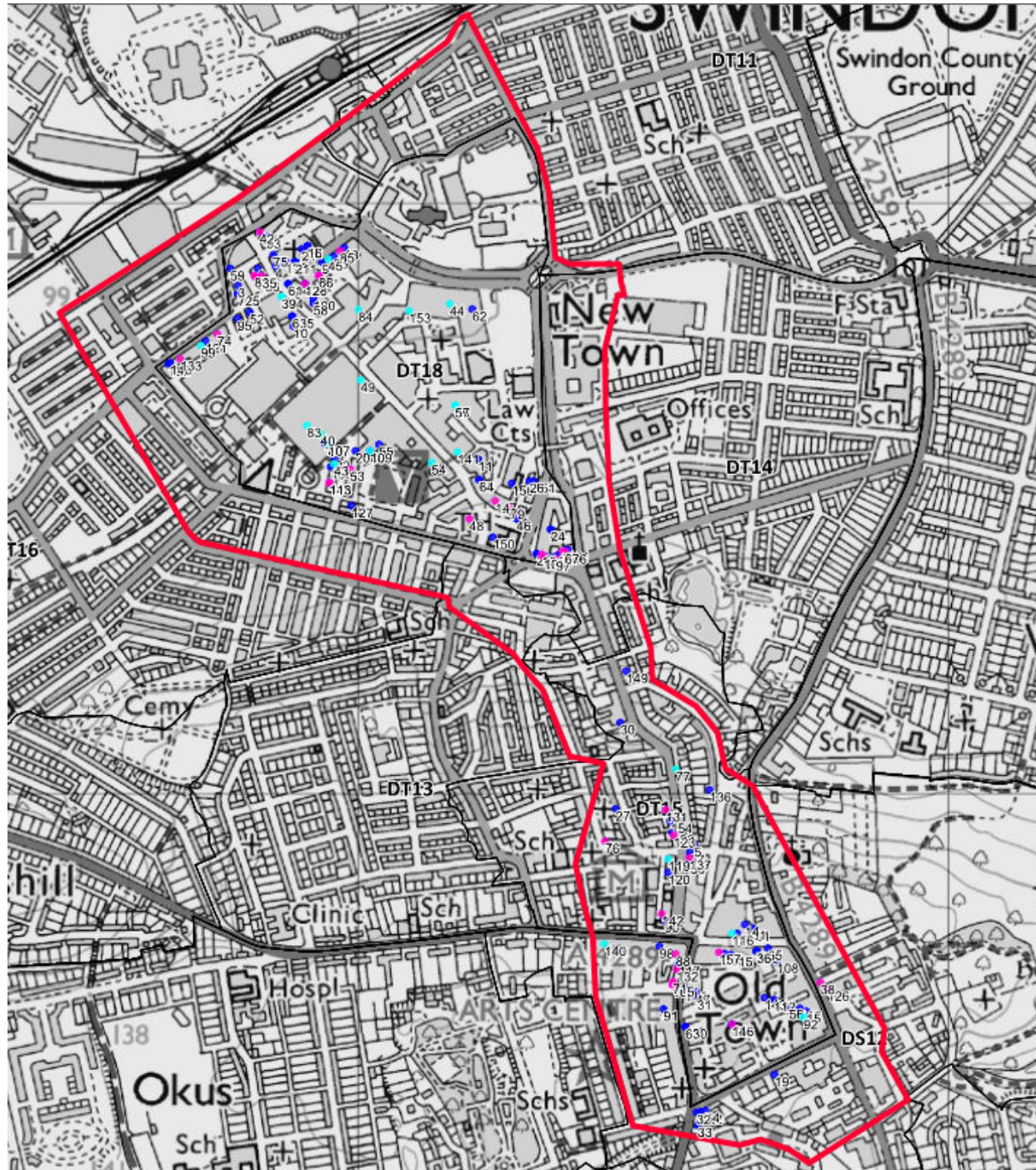
Methodology

Figures have been obtained regarding offences between 01/01/2009 and 31/12/2014 which relate to either ASB, Drug, Criminal Damage or Violence for the police beat codes DT15, DT18, DS12 (Town Centre). These figures are to support the application for a Cumulative Impact Policy (see Map 1 below).

This data was cleaned to include only occurrences that happened during Night Time Economy hours (between 21:00 Thursday until 06:00 Monday), removing any duplicates in the data and deleted incidents that were under the no crime reason heading: ""Recorded in Error", "No offence Committed", "Part of a crime already recorded", "Crime committed outside force area". The data was then further filtered to include only those incidents that occurring within the proposed Cumulative Impact Policy area.

The statistics **DO** include Crime Related Incidents.

Map 1. Proposed Cumulative Impact Policy Area



Legend		
●	Pub, Club or Bar	●
●	Takeaway	●
	Off licence	

Note. Please see Appendix 1 for list of all premises above

GWH ASSAULT DATA

The table below highlights the percentage of assault reports passed to the police and the number of assault reports seen by GWH A&E between 01/01/2011 – 31/12/2014. The figures below have been filtered to include only incidents during the NTE time period however the figures are for the entirety of Swindon. If an incident time has not been recorded by GWH these incidents have been removed from the data therefore these figures are likely to be below those actually seen by GWH during the NTE period.

Chart 1. Percentage share of assaults recorded by GWH across Swindon between 01/01/2011 – 01/01/2014 based on the data in Table 1.

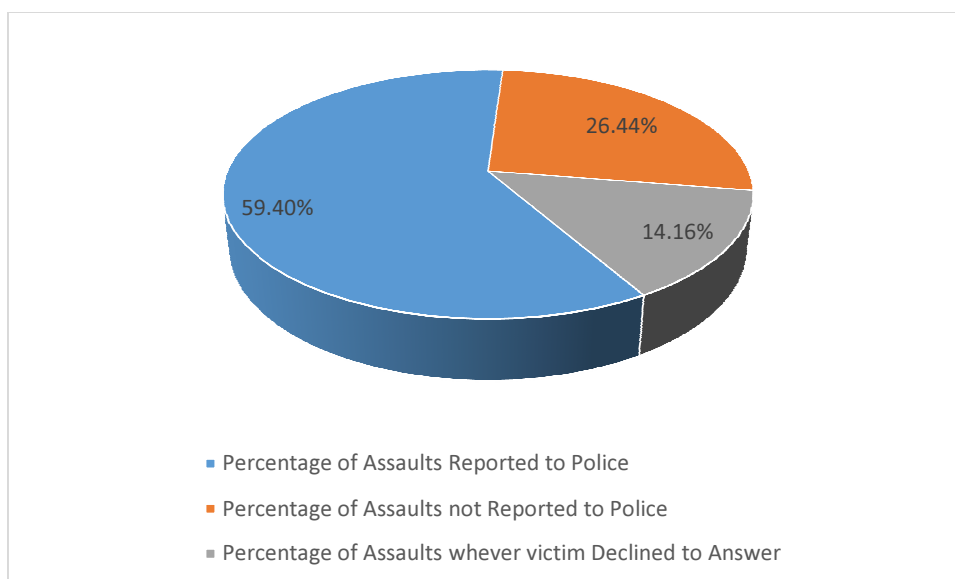


Table 1. Breakdown of Assaults seen by GWH and reported to police

Year	No. Assaults Reported to Police	No. Assaults not Reported to Police	No. Declined to Answer	Total No. of Assaults recorded by GWH
2011	170	54	34	260
2012	132	60	25	217
2013	125	56	25	206
2014	110	69	44	223
TOTAL:	537	239	128	904

Chart 2. Percentage share of assaults recorded by GWH from Licenced Premises between 01/01/2011 – 01/01/2014 based on the data in Table 2.

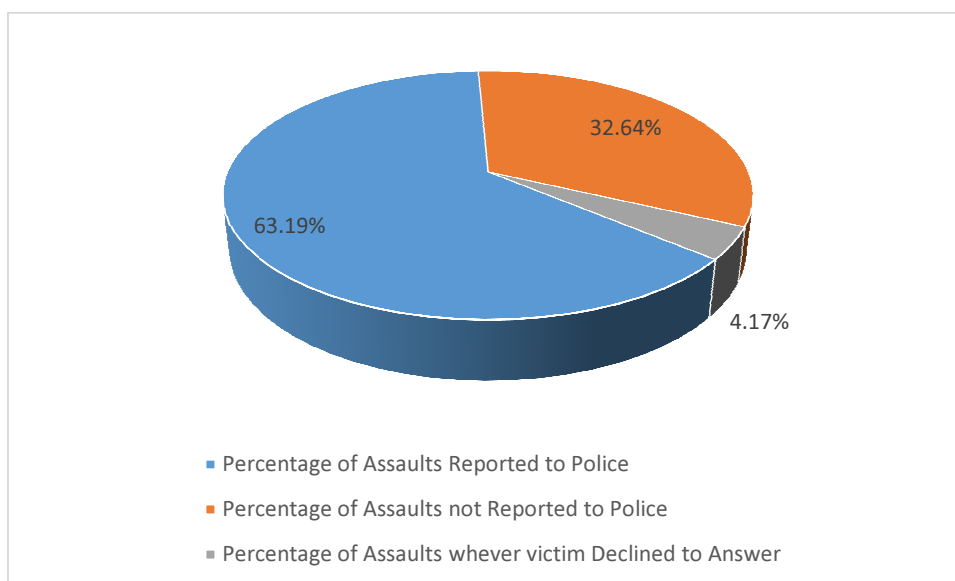
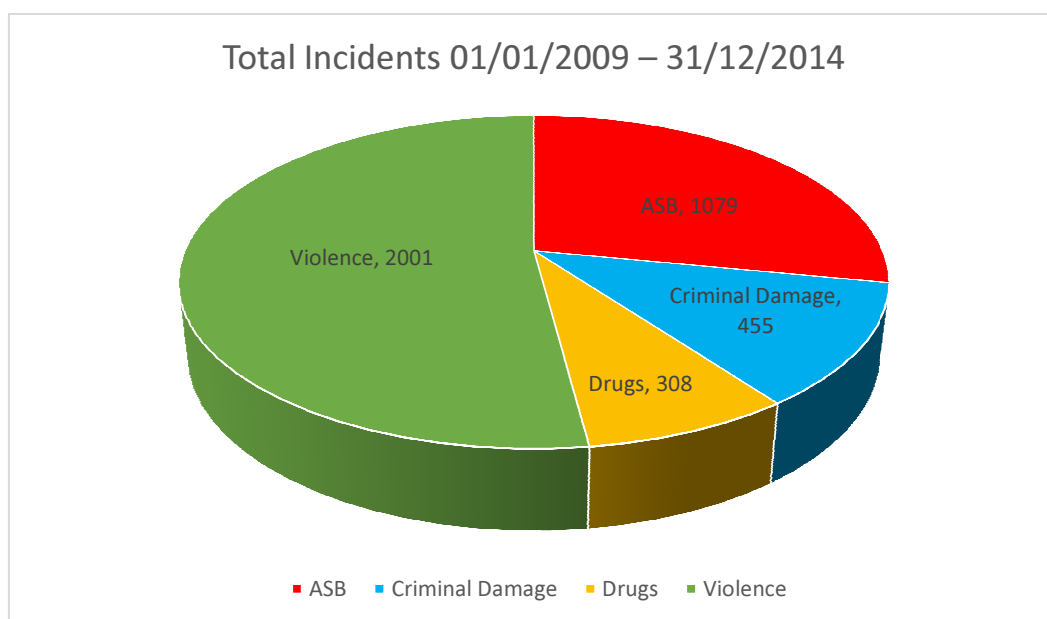


Table 2. Breakdown of Assaults seen by GWH from Licenced Premises and reported to police

Report by GWH as from Licenced Premises				
Year	No. Assaults Reported to Police	No. Assaults not Reported to Police	No. Declined to Answer	Total No. of Assaults recorded by GWH
2011	23	10	1	34
2012	29	10	1	40
2013	19	14	0	33
2014	20	13	4	37
TOTAL:	91	47	6	144

As can be seen from the pie charts above there is a disparity between assault data reported to GWH and assault data reported to the police. By extension it can be safely inferred that all NTE incidents are under reported to the police. Therefore it should be noted that all the figures contained within the remainder of this report are likely to be less than the actual figures.

Chart 3. Pie Graph Representing the number of ASB, Criminal Damage, Drug and Violence Against the Person occurrences within the proposed Cumulative Impact Policy Area during NTE hours



Occurrence	Total Incidents 01/01/2009 – 31/12/2014
ASB	1056
Criminal Damage	405
Drugs	300
Violence	1972
NTE Offences Total:	3733

Please note for the purposes of the above table ASB includes Drunk and Disorderly

Table 3. Overview of Statistics for ASB, Criminal Damage, Drug and Violence against the Person Stats Classes for 5 years including the percentage reported as involving alcohol

Year	Total No. Stats Classes recorded	% involving alcohol	Time Period 1 (21:00:00 – 23:59:59)		Time Period 2 (00:00:00 – 02:59:59)		Time Period 3 (03:00:00 – 05:59:59)	
			Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol
2009	555	34.41%	134	27.61%	298	39.6%	123	29.27%
2010	549	49.54%	116	31.03%	326	57.06%	107	46.73%
2011	491	52.75%	66	43.94%	323	53.87%	102	54.90%
2012	529	44.80%	103	36.89%	317	48.58%	109	41.28%
2013	517	52.42%	92	38.04%	285	57.89%	140	50.71%
2014	441	47.85%	110	42.72%	232	48.28%	99	52.52%

Table 4. Count of Stats Classifications for 2009 also split into time zones

Offence Classification	Total No.	No. Involving Alcohol	Time Period 1		Time Period 2		Time Period 3	
			Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol
Wounding with intent to do GBH Section 18	9	3	1	1	7	1	1	1
Attempt Wounding with intent to do GBH Section 18	2	0	0	0	1	0	1	0
Malicious Wounding:- Wounding or Inflicting grievous bodily harm (without intent Section 20)	15	4	3	1	8	3	4	0
Assault occasioning actual bodily harm (Section 47)	182	74	27	11	109	48	46	15
Possess an offensive weapon	3	1	1	0	2	1	0	0
Having an article with a blade or point in a public place	2	0	0	0	2	0	0	0
DO NOT USE - Racially or religiously aggravated assault/actual bodily harm (Section 47)	3	2	1	0	2	2	0	0
DO NOT USE - Racially or religiously aggravated common assault	2	0	1	0	1	0	0	0
DO NOT USE - Racially or religiously aggravated intentional harassment, alarm or distress (Sec 4A POA)	3	1	2	1	1	0	0	0
Arson not endangering life	1	0	1	0	0	0	0	0
Threat or possession with intent to commit criminal damage/to destroy own property	1	0	0	0	0	0	1	0
Violent disorder	1	1	1	1	0	0	0	0
Affray	6	3	1	1	4	1	1	1
Possession Class A drug	27	0	15	0	9	0	3	0
Possess class B controlled drug - cannabis	21	2	11	1	8	1	2	0
Possession Class B drug	2	0	2	0	0	0	0	0
Possession Cannabis Class C drug (ONLY use if offence Pre 26/01/09)	1	0	1	0	0	0	0	0
Possession Class C drug (NOT Cannabis)	2	1	0	0	2	1	0	0
Possession with intent to Supply Class A drug	2	0	1	0	1	0	0	0
Permitting premises to be used for Class C drug offences	1	0	1	0	0	0	0	0
Assault a constable in the execution of his / her duty	10	7	2	2	7	5	1	0
Common assault (S39) and assault without injury (Class 105A)	68	23	12	2	43	16	13	5
Causing intentional harassment, alarm or distress (S4A POA)	1	1	1	1	0	0	0	0
Fear or provocation of violence (S4 POA)	11	5	4	2	4	3	3	0

Harassment, alarm or distress (S5 POA)	78	40	10	5	50	27	18	8		
DO NOT USE - Racially or religiously aggravated harassment, alarm or distress (S5 POA)	5	3	0	0	3	2	2	1		
Vehicle interference/tampering - motor vehicle	1	0	1	0	0	0	0	0		
Drunk and disorderly in a public place	1	1	0	0	1	1	0	0		
Criminal damage to a dwelling - under £5000	12	3	5	1	4	1	3	1		
Criminal damage to other building - under £5000	36	9	10	4	10	3	16	2		
Criminal damage to a vehicle - under £5000	26	4	13	2	9	1	4	1		
Criminal damage to other property - under £5000	19	3	6	1	9	1	4	1		
Harassment (S2 Harassment Act 1997)	1	0	0	0	1	0	0	0		
Total Number	Percentage Involving Alcohol		555	34.41%	134	27.61%	298	39.6%	123	29.27%

Table 5. Count of Stats Classifications for 2010 also split into time zones

Offence Classification	Total No.	No. Involving Alcohol	Time Period 1		Time Period 2		Time Period 3	
			Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol
Wounding with intent to do GBH Section 18	13	6	0	0	11	6	2	0
Attempt Wounding with intent to do GBH Section 18	7	5	3	2	2	2	2	1
Malicious Wounding:- Wounding or Inflicting grievous bodily harm (without intent Section 20)	6	4	1	0	5	4	0	0
008/06/OF61102: Assault occasioning actual bodily harm (Section 47)	197	101	29	14	124	68	44	19
Possess an offensive weapon	4	2	1	1	3	1	0	0
Having an article with a blade or point in a public place	3	0	3	0	0	0	0	0
DO NOT USE - Racially or religiously aggravated intentional harassment, alarm or distress (Sec 4A POA)	1	0	0	0	1	0	0	0
DO NOT USE - Racially or religiously aggravated putting people in fear of violence (Sec 4 Harassment)	1	0	0	0	0	0	1	0
Racially or religiously aggravated intentional harassment, alarm or distress (Sec 4a POA)	3	1	1	0	2	1	0	0
Racially or religiously aggravated assault occasioning actual bodily harm (Sec 47)	2	2	0	0	2	2	0	0
Robbery - Personal	2	0	0	0	2	0	0	0
Arson not endangering life	1	0	1	0	0	0	0	0
Affray	2	1	0	0	1	1	1	0
Racially or religiously aggravated fear of violence - words or writing (Sec 4 POA)	1	1	0	0	0	0	1	1
Possession of firearm offences (Class 10B)	1	0	1	0	0	0	0	0
Supply cannabis a class B controlled drug	1	0	1	0	0	0	0	0
Possession Class A drug	17	3	5	0	10	3	2	0
Possess class B controlled drug - cannabis	16	1	9	0	6	1	1	0
Possession Class B drug	1	0	0	0	1	0	0	0
Possession Class C drug (NOT Cannabis)	2	0	1	0	1	0	0	0
Possession with intent to Supply Class A drug	1	0	0	0	0	0	1	0
Assault a constable in the execution of his / her duty	9	5	2	1	5	4	2	0
Common assault (S39) and assault without injury (Class 105A)	70	39	15	4	37	25	18	10

Causing intentional harassment, alarm or distress (S4A POA)	3	1	3	1	0	0	0	0		
Fear or provocation of violence (S4 POA)	9	7	1	0	5	4	3	3		
Harassment, alarm or distress (S5 POA)	50	29	10	7	34	19	6	3		
Racially or religiously aggravated harassment, alarm or distress (Sec 5 POA)	3	1	0	0	3	1	0	0		
Drunk and disorderly in a public place	46	46	5	5	35	35	6	6		
Criminal damage to a dwelling - under £5000	12	1	6	1	5	0	1	0		
Criminal damage to other building - under £5000	29	5	6	0	14	3	9	2		
Criminal damage to a vehicle - under £5000	20	4	11	0	4	0	5	4		
Criminal damage to other property - under £5000	16	7	1	0	13	6	2	1		
Total Number	Percentage Involving Alcohol		549	49.54%	116	31.03%	326	57.06%	107	46.73%

Table 6. Count of Stats Classifications for 2011 also split into time zones

Offence Classification	Total No.	No. Involving Alcohol	Time Period 1		Time Period 2		Time Period 3	
			Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol
Murder - victim one year of age or older	1	0	0	0	1	0	0	0
Wounding with intent to do GBH Section 18	5	1	1	0	3	0	1	1
Malicious Wounding:- Wounding or Inflicting grievous bodily harm (without intent Section 20)	15	7	0	0	8	4	7	3
Assault occasioning actual bodily harm (Section 47)	167	70	20	4	111	48	36	18
Possess an offensive weapon	2	1	0	0	1	1	1	0
Having an article with a blade or point in a public place	1	0	0	0	1	0	0	0
Racially or religiously aggravated intentional harassment, alarm or distress (Sec 4a POA)	1	0	0	0	1	0	0	0
Racially or religiously aggravated common assault	1	0	0	0	1	0	0	0
Sexual assault on a female aged 13 or over (S3, SOA 2003)	1	0	1	0		0	0	0
Burglary in a building other than a dwelling	1	0	0	0	1	0	0	0
Robbery - Personal	3	1	2	1	0	0	1	0
Theft from automatic machine or meter	1	0	0	0	0	0	1	0
Theft other	1	0	0	0	1	0	0	0
Affray	6	4	0	0	6	4	0	0
Possession Class A drug	14	2	2	1	11	1	1	0
Possess class B controlled drug - cannabis	18	2	3	0	12	1	3	1
Possession Class B drug	5	0	1	0	4	0	0	0
Possession Class C drug (NOT Cannabis)	1	0	0	0	1	0	0	0
Assault a constable in the execution of his / her duty	4	3	0	0	4	3	0	0
Common assault (S39) and assault without injury (Class 105A)	54	32	10	5	35	23	9	4
Causing intentional harassment, alarm or distress (S4A POA)	1	1	0	0	1	1	0	0
Fear or provocation of violence (S4 POA)	10	7	1	1	6	4	3	2
Harassment, alarm or distress (S5 POA)	19	9	1	0	11	5	7	4
Racially or religiously aggravated harassment, alarm or distress (Sec 5 POA)	1	1	0	0	0	0	1	1
Drunk and disorderly in a public place	102	102	15	15	68	68	19	19

Criminal damage to other building - under £5000	27	8	5	1	14	4	8	3
Criminal damage to a vehicle - under £5000	15	5	2		11	5	2	0
Criminal damage to other property - under £5000	12	3	2	1	10	2	0	0
Racially/religiously aggravated criminal damage to a vehicle - value under £5000	1	0	0	0	0	0	1	0
Harassment (S2 Harassment Act 1997)	1	0	0	0	0	0	1	0
Total Number	491	52.75%	66	43.94%	323	53.87%	102	54.90%
Percentage Involving Alcohol								

Table 7. Count of Stats Classifications for 2012 also split into time zones

Offence Classification	Total No.	No. Involving Alcohol	Time Period 1		Time Period 2		Time Period 3	
			Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol
Wounding with intent to do GBH Section 18	7	5	2	1	5	4	0	0
Malicious Wounding:- Wounding or Inflicting grievous bodily harm (without intent Section 20)	8	2	0	0	5	2	3	0
Assault occasioning actual bodily harm (Section 47)	168	52	15	8	105	31	48	13
Possess an offensive weapon	2	1	1	0	1	1	0	0
Racially or religiously aggravated intentional harassment, alarm or distress (Sec 4a POA)	3	1	0	0	2	0	1	1
Racially or religiously aggravated common assault	1	0	1	0	0	0	0	0
Racially or religiously aggravated assault occasioning actual bodily harm (Sec 47)	1	0	1	0	0	0	0	0
Arson not endangering life	1	0	0	0	0	0	1	0
Criminal damage to a vehicle endangering life	1	0	0	0	0	0	1	0
Affray	3	1	0	0	1	0	2	1
Possession Class A drug	20	1	9	0	10	1	1	0
Possess class B controlled drug - cannabis	33	1	19	0	13	1	1	0
Possession Class B drug	9	1	3	0	6	1	0	0
Possession with intent to Supply Class A drug	2	0	1	0	1	0	0	0
Assault a constable in the execution of his / her duty	9	7	3	3	6	4	0	0
Common assault (S39) and assault without injury (Class 105A)	57	20	10	2	40	16	7	2
Causing intentional harassment, alarm or distress (S4A POA)	2	0	0	0	1	0	1	0
Fear or provocation of violence (S4 POA)	7	2	0	0	5	1	2	1
Harassment, alarm or distress (S5 POA)	11	7	2	1	8	6	1	0
Racially or religiously aggravated harassment, alarm or distress (Sec 5 POA)	1	1	0	0	1	1	0	0
Drunk and disorderly in a public place	128	122	22	20	83	79	23	23
Criminal damage to a dwelling - under £5000	4	0	1	0	2	0	1	0
Criminal damage to other building - under £5000	20	3	5	1	7	1	8	1
Criminal damage to a vehicle - under £5000	19	6	5	1	8	3	6	2
Criminal damage to other property - under £5000	10	4	2	1	6	2	2	1

Racially/religiously aggravated criminal damage - under £5000		1	0	1	0	0	0	0	0
Harassment (S2 Harassment Act 1997)		1	0	0	0	1	0	0	0
Total Number	Percentage Involving Alcohol	529	44.80%	103	36.89%	317	48.58%	109	41.28%

Table 8. Count of Stats Classifications for 2013 also split into time zones

Offence Classification	Total No.	No. Involving Alcohol	Time Period 1		Time Period 2		Time Period 3	
			Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol
Wounding with intent to do GBH Section 18	4	2	1	0	2	1	1	1
Malicious Wounding:- Wounding or Inflicting grievous bodily harm (without intent Section 20)	12	5	3	1	7	3	2	1
Assault occasioning actual bodily harm (Section 47)	163	82	17	8	90	48	56	26
Possess an offensive weapon	2	0	0	0	2	0	0	0
Breach of anti-social behaviour order (ONLY to be used for offences recorded on or after 1st April 2005)	1	1	1	1	0	0	0	0
Racially or religiously aggravated intentional harassment, alarm or distress (Sec 4a POA)	4	0	0	0	3	0	1	0
Racially or religiously aggravated common assault	1	0	0	0	0	0	1	0
Racially or religiously aggravated assault occasioning actual bodily harm (Sec 47)	1	1	0	0	1	1	0	0
Robbery - Personal	2	0	2	0	0	0	0	0
Arson not endangering life	2	0	0	0	0	0	2	0
Possession Class A drug	23	3	9	0	13	3	1	0
Possess class B controlled drug - cannabis	22	5	10	1	9	4	3	0
Possession Class B drug	4	0	0	0	3	0	1	0
Possession Class C drug (NOT Cannabis)	2	0	0	0	2	0	0	0
Possession with intent to Supply Class A drug	1	0	0	0	1	0	0	0
Assault a constable in the execution of his / her duty	4	3	3	2	1	1	0	0
Common assault (S39) and assault without injury (Class 105A)	59	22	7	2	35	14	17	6
Fear or provocation of violence (S4 POA)	5	2	2	1	1	0	2	1
Harassment, alarm or distress (S5 POA)	16	6	1	0	9	4	6	2
Racially or religiously aggravated harassment, alarm or distress (Sec 5 POA)	4	2	0	0	3	1	1	1
Drunk and disorderly in a public place	133	130	17	17	82	81	34	32
Criminal damage to a dwelling - under £5000	1	0	0	0	1	0	0	0
Criminal damage to other building - under £5000	22	2	11	1	9	1	2	0
Criminal damage to a vehicle - under £5000	17	2	4	1	5	1	8	0

Criminal damage to other property - under £5000		12	3	4	0	6	2	2	1
Total Number	Percentage Involving Alcohol	517	52.42%	92	38.04%	285	57.89%	140	50.71%

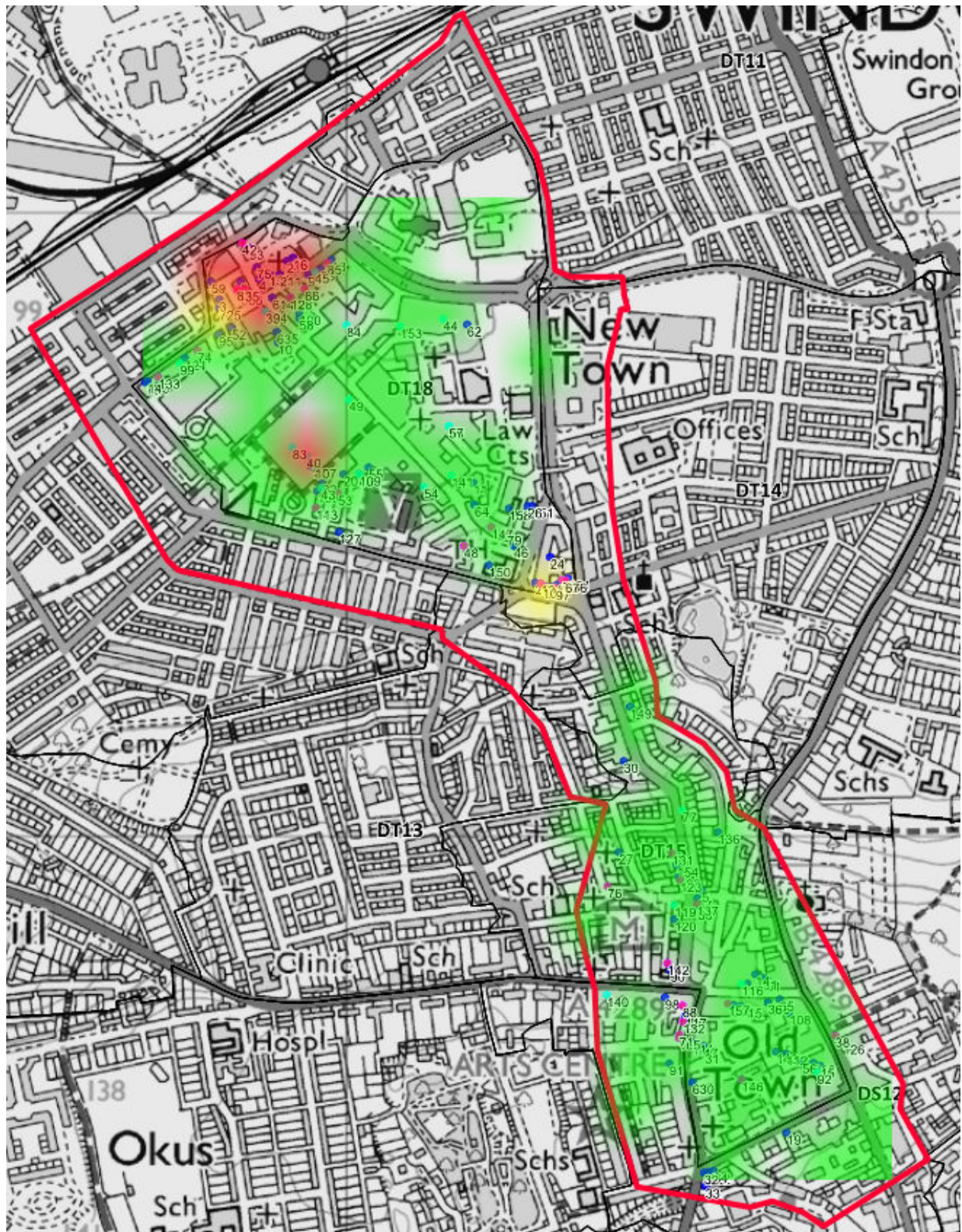
Table 9. Count of Stats Classifications for 2014 also split into time zones

Offence Classification		Total No.	No. Involving Alcohol	Time Period 1		Time Period 2		Time Period 3	
				Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol	Total No.	No. Involving Alcohol
Threats to kill		1	0	1	0	0	0	0	0
Wounding with intent to do GBH Section 18		2	1	1	0	0	0	1	1
Malicious Wounding:- Wounding or Inflicting grievous bodily harm (without intent Section 20)		12	5	0	0	5	1	7	4
Assault occasioning actual bodily harm (Section 47)		155	67	33	15	84	36	38	16
Breach of anti-social behaviour order (ONLY to be used for offences recorded on or after 1st April 2005)		1	1	1	1	0	0	0	0
Racially or religiously aggravated common assault		1	0	0	0	0	0	1	0
Racially or religiously aggravated assault occasioning actual bodily harm (Sec 47)		1	1	0	0	1	1	0	0
Produce cannabis a class B controlled drug		1	0	1	0	0	0	0	0
Possession Class A drug		23	4	8	1	14	3	1	0
Possess class B controlled drug - cannabis		18	2	10	0	8	2	0	0
Possession Class B drug		1	0	1	0	0	0	0	0
Possession with intent to Supply Class A drug		1	0	1	0	0	0	0	0
Assault a constable in the execution of his / her duty		12	9	4	4	5	4	3	1
Common assault (S39) and assault without injury (Class 105A)		67	26	17	7	37	15	13	4
Assault designated / accredited person - Police Reform Act 2002		1	1	0	0	1	1	0	0
Fear or provocation of violence (S4 POA)		1	1	0	0	1	1	0	0
Harassment, alarm or distress (S5 POA)		3	1	0	0	1	0	2	1
Drunk and disorderly in a public place		81	78	18	17	40	39	23	22
Criminal damage to a dwelling - under £5000		3	0	1	0	2	0	0	0
Criminal damage to other building - under £5000		29	7	5	0	20	6	4	1
Criminal damage to a vehicle - under £5000		13	5	4	1	4	2	5	2
Criminal damage to other property - under £5000		14	2	4	1	9	1	1	0
Total Number	Percentage Involving Alcohol	441	47.85%	110	42.72%	232	48.28%	99	52.52%

Summary of Stats Classifications for 2009 - 2014 also split into time zones

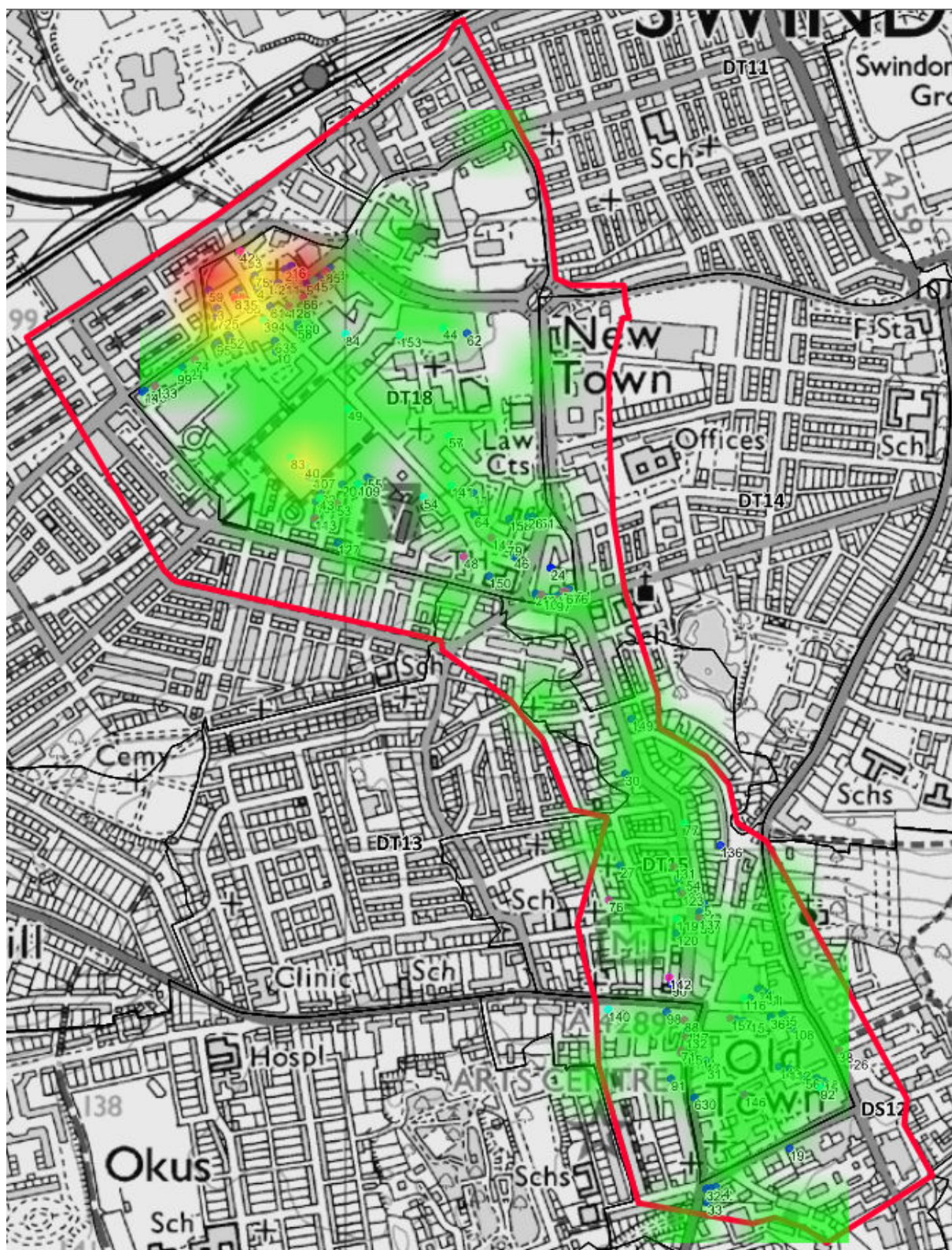
Tables 3-9 show the number of offences that occur within the night time economy hours of 2100-0600 Thursday – Sunday and indicated the percentage of the offences that involve alcohol. Throughout the years the time period 2 (00.00-02.59) has a higher percentage of crimes being reported which relates to the closing times of the majority of on licensed premises in the area. However the highest number of offences that occur involving alcohol increases in time period 3 (0300-05.59) where people have consumed alcohol into the early hours of the morning. The highest number of crime types are assault occasioning actual bodily harm and common assaults and this is a theme that runs throughout the years. By limiting further late night licensed premises we will be able to prevent further alcohol related crime and disorder from occurring and reduce potential victims of crime.

Map 2. 2009 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person during NTE hours



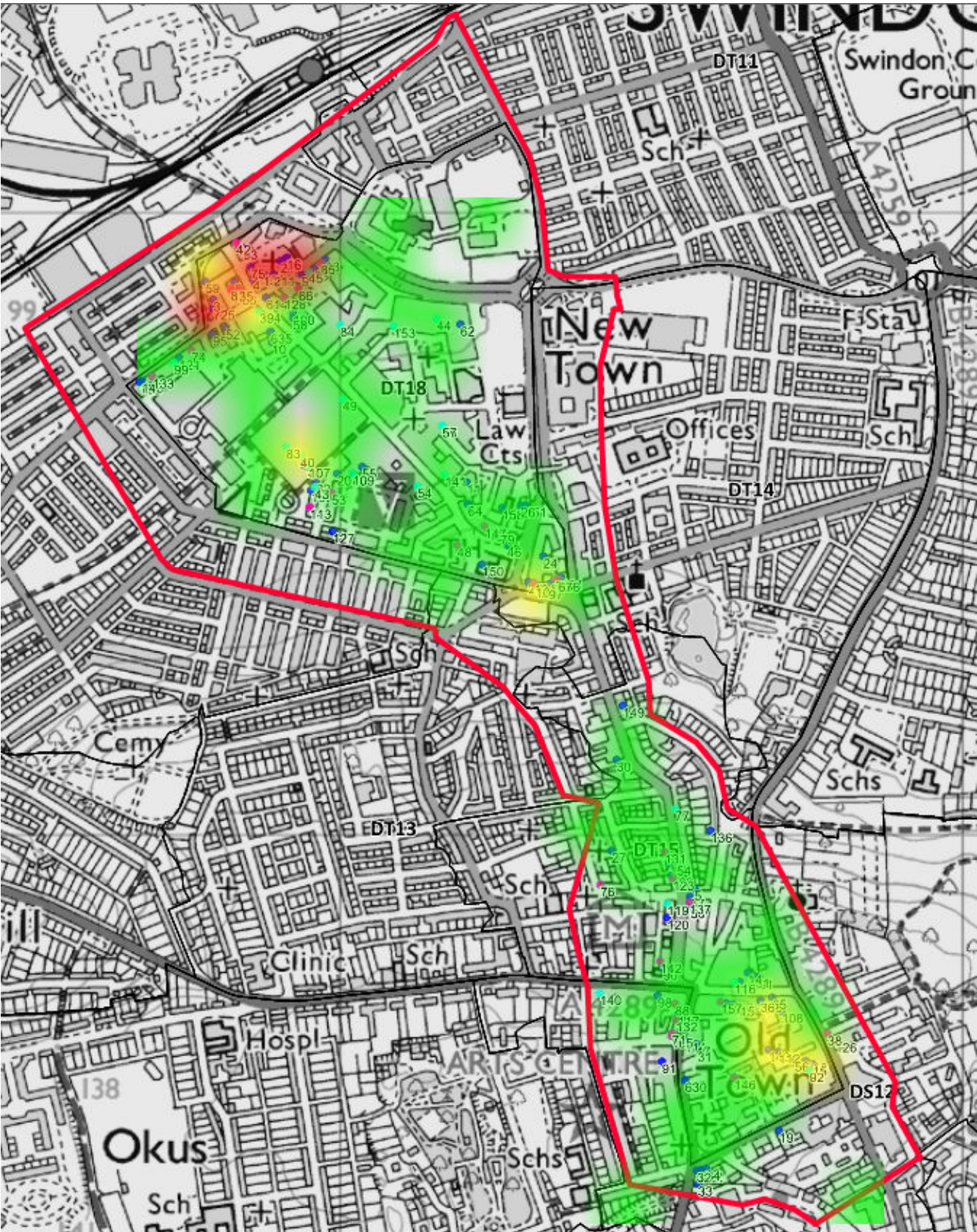
Legend		
● Pub, Club or Bar	● Takeaway	● Off licence
Hotspot colours		
1 – 24 Incidents	25 – 48 Incidents	49 + Incidents

Map 3. 2010 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person during NTE hours



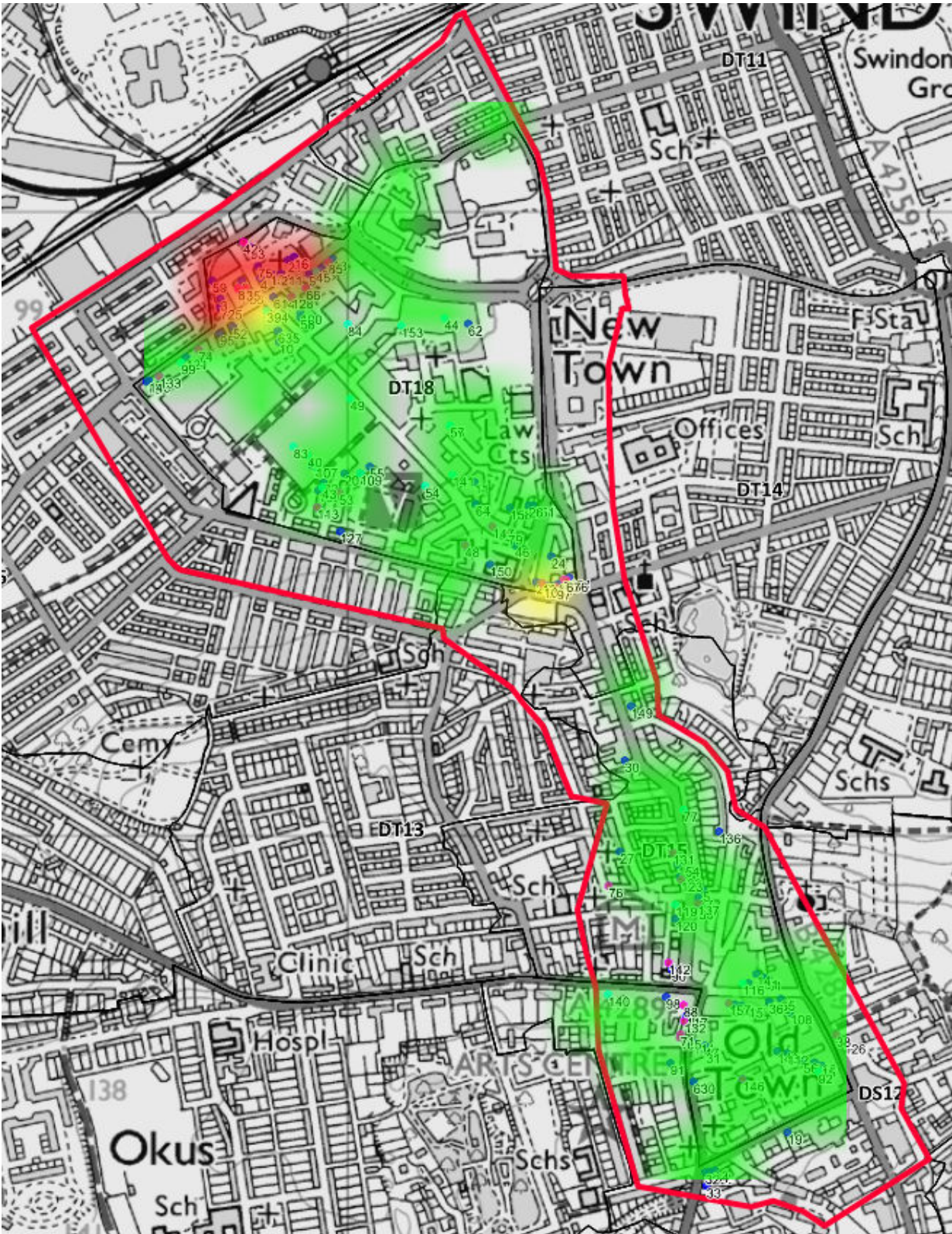
Legend		
● Pub, Club or Bar	● Takeaway	● Off licence
Hotspot colours		
1 – 29 Incidents	30 – 59 Incidents	60 + Incidents

Map 4. 2011 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person during NTE hours



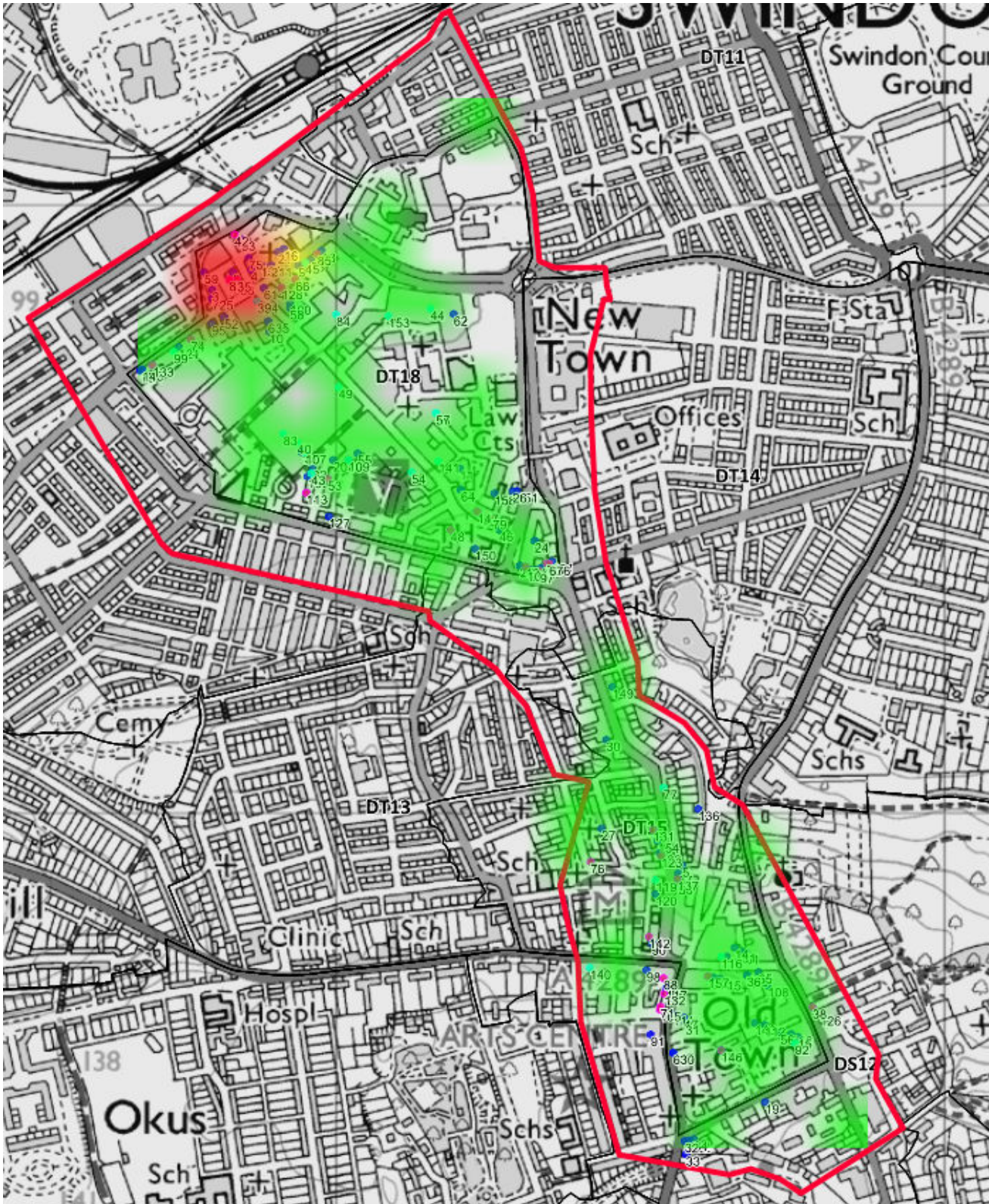
Legend			
●	Pub, Club or Bar	●	Takeaway
●	Off licence		
Hotspot colours			
1 – 21 Incidents	22 – 42 Incidents	43 + Incidents	

Map 5. 2012 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person during NTE hours

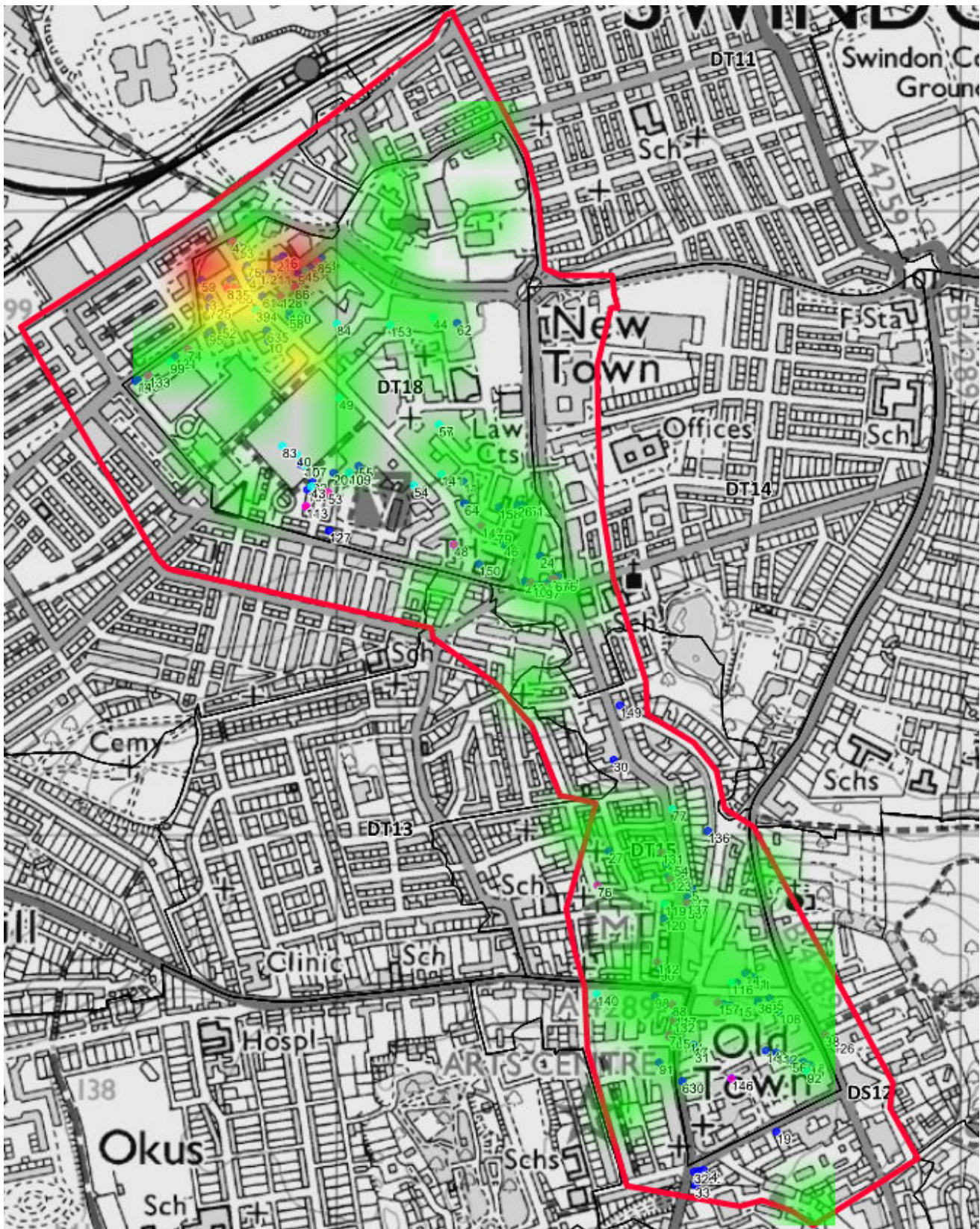


Legend		
● Pub, Club or Bar	● Takeaway	● Off licence
Hotspot colours		
1 – 27 Incidents	28 – 54 Incidents	55 + Incidents

Map 6. 2013 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person during NTE hours



Legend		
● Pub, Club or Bar	● Takeaway	● Off licence
Hotspot colours		
1 – 25 Incidents	26 – 50 Incidents	51 + Incidents



Legend		
● Pub, Club or Bar	● Takeaway	● Off licence
Hotspot colours		
1 – 26 Incidents	27 – 53 Incidents	53 + Incidents

Table 10. Top five streets with most occurrences of ASB, Criminal Damage, Drugs and Violence Against Person offences during NTE hours between 2009 - 2014

Street Position	2009	2010	2011	2012	2013	2014
1	Fleet Street (176)	Fleet Street (238)	Fleet Street (157)	Fleet Street (223)	FLEET STREET (185)	FLEET STREET (175)
2	Havelock Square (80)	Havelock Square (55)	Victoria Road (62)	John Street (55)	BRIDGE STREET (79)	BRIDGE STREET (72)
3	Bridge Street (75)	Bridge Street (50)	Wood Street (53)	Victoria Road (54)	WOOD STREET (49)	WOOD STREET (62)
4	Victoria Road (53)	Victoria Road (41)	John Street (46)	Bridge Street (46)	VICTORIA ROAD (44)	VICTORIA ROAD (43)
5	Regent Street (33)	High Street (38)	Bridge Street (42)	Wood Street (43)	JOHN STREET (27)	JOHN STREET (33)

Summary of Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person during NTE hours

Maps 2-7 illustrate the hotspot locations for offences in the NTE and demonstrate that the most crimes occur in the areas that licensed premises are in close proximity of each other. This is also shown in Table 10 where the top 5 streets are all locations with a number of licensed premises positioned.

The tables below further demonstrate crimes occurring in close proximity of licensed premises and that offences occur throughout the NTE however most occur after midnight and well into the early hours of the morning. By 2014 the peak times of offences has become wider and also extended into the early hours of the morning.

Table 11.

Occurrence Type:		ASB (including D&D)					
Year	Number of Occurrences	Top Beat	Top 5 Streets* (No. of Occurrences)	Peak Time	Peak Day	Peak Month	Avg. Per Month
2009	115	DT18 (96)	Fleet Street (38) Bridge Street (18) Victoria Road (7) Havelock Square/John Street (5) Henry Street/Regent Street (4)	01:00:00 – 03:00:00	Friday PM – Saturday AM	August (17)	10
2010	182	DT18 (154)	Fleet Street (85) Bridge Street (16) Havelock Square (14) John Street (10) Wood Street (6)	00:30:00 – 03:30:00	Saturday PM – Sunday AM	August (25)	15
2011	172	DT18 (126)	Fleet Street (51) Wood Street (23) John Street (19) Bridge Street (16) Victoria Road (12)	0:30:00 – 03:00:00	Saturday PM – Sunday AM	December (22)	14
2012	204	DT18 (159)	Fleet Street (86) Bridge Street (21) John Street (16) Victoria Road/Wood Street (12) Godwin Court (8)	01:00:00 – 03:00:00	Saturday PM – Sunday AM	December (30)	17
2013	217	DT18 (163)	Fleet Street (69) Bridge Street (34) Wood Street (22) Havelock Square (11) John Street/Regent Street (10)	00:30:00 – 03:00:00	Friday PM – Saturday AM	February (25)	18
2014	164	DT18 (128)	Fleet Street (70) Bridge Street (26) Wood Street (18) John Street (8) Victoria Road / Regent Circus (5)	23:30:00 – 03:00:00	Saturday PM – Sunday AM	May (25)	14

*Streets where only 1 occurrence has been reported have not been included in the Top 5

Table 12.

Occurrence Type:		Violence Against Person (VAP)					
Year	Number of Occurrences	Top Beat	Top 5 Streets* (No. of Occurrences)	Peak Time	Peak Day	Peak Month	Avg Per Month
2009	401	DT18 (327)	Fleet Street (101) Havelock Square (53) Bridge Street (49) Victoria Road (33) Regent Street (23)	01:00:00 – 03:00:00	Saturday PM – Sunday AM	December	33
2010	386	DT18 (281)	Fleet Street (132) Havelock Square (31) Bridge Street/High Street (28) Victoria Road (24) Godwin Court / Regent Street (18)	01:00:00 – 03:00:00	Saturday PM – Sunday AM	May	32
2011	319	DT18 (224)	Fleet Street (85) Victoria Road (44) Havelock Square (29) Wood Street (23) High Street (22)	00:00:00 – 03:30:00	Saturday PM – Sunday AM	December	27
2012	306	DT18 (215)	Fleet Street (101) Victoria Road (36) John Street (30) Godwin Court/High Street/Wood Street (19) Bridge Street (15)	00:30:00 – 03:00:00	Saturday PM – Sunday AM	December	26
2013	295	DT18 (229)	Fleet Street (95) Bridge Street (37) Victoria Road (30) John Street (16)	00:00:00 – 04:00:00	Saturday PM – Sunday AM	October	25

			Wood Street (15)				
2014	265	DT18 (203)	Fleet Street (81) Wood Street (33) Bridge Street (32) Victoria Road (26) John Street (22)	00:00:0 – 04:00:00	Saturday PM – Sunday AM	December	22

*Streets where only 1 occurrence has been reported have not been included in the Top 5

Table 13.

Occurrence Type:	Criminal Damage						
Year	Number of Occurrences	Top Beat	Top 5 Streets* (No. of Occurrences)	Peak Time	Peak Day	Peak Month	Avg Per Month
2009	95	DT18 (55)	Fleet Street (13) Victoria Road (12) Bridge Street (6) Belle Vue Road (5) High Street/Regent Street/Regent Circus/Fleming Way (4)	00:30:00 – 05:30:00	Saturday PM – Sunday AM	December	8
2010	74	DT18 (36)	Victoria Road (12) Fleet Street (10) High Street (5) Havelock Square (4) Brunel Plaza/Faringdon Road/Bath Road/Regent Street/Wood Street (3)	22:30:00 – 03:30:00	Saturday PM – Sunday AM	January	6
2011	61	DT18 (43)	Fleet Street (12) John Street (7) Victoria Road/Wood Street (5) Bridge Street (4)	00:30:00 – 04:00:00	Saturday PM – Sunday AM	April/October	5
2012	59	DT18 (39)	Fleet Street (13) Godwin Court / John Street / Regent Street (4) Victoria Road (3) Fleming Way (3) College Street/Union Street/Canal Walk/Wood Street/High Street (2)	00:00:00 – 04:00:00	Saturday PM – Sunday AM	September	5
2013	53	DT18 (30)	Victoria Road (7) Fleet Street / Wood Street (6) Bridge Street (4) Regent Street / North Street / Fleming Way (3) Commercial Road / Faringdon Road / Godwin Court / Canal Walk / High Street (2)	01:00:00 – 05:30:30	Saturday PM – Sunday AM	February	4
2014	63	DT18 (38)	Fleet Street (10) Victoria Road (9) Bridge Street (6) High Street (4) Cross Street / Wood Street / John Street (3)	00:30:00 – 06:00:00	Saturday PM – Sunday AM	March/ December	5

*Streets where only 1 occurrence has been reported have not been included in the Top 5

Table 14.

Occurrence Type:	Drug Offences						
Year	Number of Occurrences	Top Beat	Top 5 Streets* (No. of Occurrences)	Peak Time	Peak Day	Peak Month	Avg Per Month
2009	57	DT18 (54)	Fleet Street (24) Havelock Square (18) Bridge Street / Islington Street (2) -	22:00:00 – 00:30:00	Saturday PM – Sunday AM	April	5
2010	41	DT18 (36)	Fleet Street (11) Bridge Street / John Street / Havelock Square (6) High Street / Linden Court, Henry Street / Central Trading Estate, Signal Way (2) -	22:00:00 – 03:00:00	Friday PM – Saturday AM and Saturday PM – Sunday AM	April	3
2011	38	DT18 (33)	Bridge Street / Fleet Street (9) Regent Street (3) High Street / Havelock Square / High Street(2) -	23:00:00 – 02:00:00	Friday PM – Saturday AM	April	4
2012	66	DT18 (51)	Fleet Street (23) Wood Street (10) Bridge Street (9) John Street (4) Regent Street / Canal Walk (3)	21:00:00 – 02:30:00	Saturday PM – Sunday AM	December	6
2013	52	DT18 (38)	Fleet Street (15) Wood Street (6) Linden Court, Henry Street / Bridge Street (4) The Parade (3) High Street(2)	22:00:00 – 02:30:00	Friday PM – Saturday AM and Saturday PM – Sunday AM	December	4
2014	46	DT18 (34)	Fleet Street (14) Bridge Street / Wood Street (8) Queen Street / Victoria Road (3) -	21:30:00 – 02:00:00	Friday PM – Saturday AM	October	4

*Streets where only 1 occurrence has been reported have not been included in the Top 5

Occurrence Type:		Drunk & Disorderly					
Year	Number of Occurrences	Top Beat	Top 5 Streets (No. of Occurrences)	Peak Time	Peak Day	Peak Month	Avg Per Month
2009	48	DT18 (41)	Fleet Street (16) Bridge Street (7) Henry Street (5) John Street / Victoria Road (3) Fleming Way/Godwin Court/High Street (2)	00:00:00 – 03:00:00	Friday PM – Saturday AM and Saturday PM and Sunday AM	August	4
2010	100	DT18 (88)	Fleet Street (52) Havelock Square / Bridge Street / John Street (8) Regent Street (4) Victoria Road (3) Wood Street/High Street/Brunel Plaza/Hooper Place/Godwin Court/Linden Court (2)	00:00:00 – 04:00:00	Saturday PM and Sunday AM	December/October	8
2011	118	DT18 (89)	Fleet Street (40) John Street (14) Wood Street (13) Bridge Street (11) Victoria Road (7)	00:30:00 – 03:00:00	Friday PM – Saturday AM and Saturday PM and Sunday AM	December	10
2012	149	DT18 (117)	Fleet Street (67) Bridge Street (15) John Street (12) Wood Street (10) Godwin Court/Linden Court (6)	01:30:00 – 03:00:00	Saturday PM and Sunday AM	December	12
2013	162	DT18 (123)	Fleet Street (57) Bridge Street (27) Wood Street (17) Havelock Square / John Street (9) Regent Street (7)	00:00:00 – 03:30:00	Friday PM – Saturday AM	October	14
2014	122	DT18 (93)	Fleet Street (51) Bridge Street (19)	23:30:00 – 04:30:00	Saturday PM and Sunday AM	May	10

			Wood Street (17)				
			John Street (7)				
			Victoria Road (4)				

*Streets where only 1 occurrence has been reported have not been included in the Top 5

APPENDIX 1	
No.	Premises Name
1	BRUNEL ROOMS, 1 HAVELOCK SQUARE, SN11LE
2	FLEET STREET, SN11RQ
3	SIR DANIEL ARMS, FLEET STREET, SN11RQ
4	LIQUOR LOUNGE 16-17, FLEET STREET, SN11RQ
5	LONGS BAR 86-87, VICTORIA ROAD, SN13BB
6	REVOLUTION BAR, 51 BRIDGE STREET, SN11BL
7	BUSHWACKERS,2-4, FLEET STREET, SN11RQ
8	ALBION CLUB 62-64, BRIDGE STREET, SN11BT
9	25-27, JOHN STREET, SN11RT
10	YATES, 4950 BRIDGE STREET, SN11BL
11	THE SAVOY,38-40, REGENT STREET, SN11JL
12	KORKYS TAKEAWAY, 53 FLEET STREET, SN11RE
13	BAKER STREET, 25-27, WOOD STREET, SN14AN
14	OLD BANK BRASSERIE,18, WOOD STREET, SN14AB
15	SUJU, 28 HIGH STREET, SN13EP
16	LAVA LOUNGE 24-25, FLEET STREET, SN11RQ
17	KINGS ARMS HOTEL, 20 WOOD STREET, SN14AB
18	FANTASY 37-38, FLEET STREET, SN11RE
19	STEAM RAILWAY, 14 NEWPORT STREET, SN13DX
20	QUASAR, 15A HAVELOCK SQUARE, SN11LE
21	GROVES INN, 22-23, FLEET STREET, SN11RQ
22	BAR RIVA, 24-25, FLEET STREET, SN11RQ
23	SUNNY'S POOL CLUB, 43 FLEET STREET, SN11RE
24	MUSIC ENTERTAINMENT CULTURAL ARENA, REGENT CIRCUS, SN11PR
25	RUDIS WINE BAR, 19-21, REGENT CIRCUS, SN11PN
26	FOXIES XTREME, THEATRE SQUARE, SN11QN
27	PRINCE OF WALES, 8-9, UNION STREET, SN13LD
28	PINK ROOMS, 3-4, VICTORIA ROAD, SN13AJ
29	DREAM LOUNGE, 8-9, VICTORIA ROAD, SN13AJ
30	REGENT HOTEL, 151-152, VICTORIA ROAD, SN13BU
31	HOP INN, 7 DEVIZES STREET, SN14BJ
32	ROYAL OAK PH, 24 DEVIZES ROAD, SN14BQ
33	PLOUGH INN, 26 DEVIZES ROAD, SN14BQ
34	WHEATSHEAF, 32 NEWPORT STREET, SN13DP
35	PUNJAB CHICKEN, 61 BRIDGE STREET, SN11BT
36	STAR BAR, 7 WOOD STREET, SN14AN
37	THE VICTORIA, 88 VICTORIA ROAD, SN13BD
38	DOMINOS,17, HIGH STREET, SN13EG
39	LONDIS, 58 BRIDGE STREET, SN11BL
40	SAINSBURYS, 4 BRUNEL PLAZA, SN11LF
41	BOUTIQUE & THE BEACH, FLEET STREET, SN11RQ
42	JRC GLOBAL BUFFET, LINDEN COURT, HOLBROOK WAY, SN11BE
43	HAVELOCK NEWS, 49 HAVELOCK STREET, SN11SD
44	DEBENHAMS,1-11, THE PARADE, SN11BB
45	JOBAN NEWSAGENT, 44 FLEET STREET, SN11RE
46	MEDINA, 6-7, THEATRE SQUARE, SN11QN
47	THE ARTS CENTRE, 6 DEVIZES ROAD, SN14BJ
48	HOT CHA, 37 REGENT CIRCUS, SN11PX

49	MARKS & SPENCER, 81 REGENT STREET, SN11JY
50	SPICE, 90 VICTORIA ROAD, SN13BD
51	MCKENZIES, 16 WOOD STREET, SN14AB
52	THE MAILCOACH, 59 FLEET STREET, SN11RA
53	PIRI PIRI, 29 HAVELOCK STREET, SN11SD
54	CO-OPERATIVE FOOD,49-51, 49 REGENT STREET, SN11JS
55	THE APARTMENT,16-18, HAVELOCK SQUARE, SN11LE
56	BELL HOTEL, 24 HIGH STREET, SN13EP
57	B H S,23-25, REGENT STREET, SN11JL
58	THE BROADWALK, 32 BRIDGE STREET, SN11BP
59	EXPRESS BY HOLIDAY INN, BRIDGE STREET, SN11BT
60	GANSTERS POOL AND SNOOKER, 15A HAVELOCK SQUARE, SN11LE
61	ELLINGTONS, 25 BRIDGE STREET, SN11BP
62	MENZIES HOTEL, FLEMING WAY, SN11TN
63	THE PIG ON THE HILL, 8 DEVIZES ROAD, SN14BH
64	THE PLUM TREE,42, REGENT STREET, SN11JL
65	OLD TOWN TRADERS, WOOD STREET, SN14AN
66	CREATION KEBABS, 28 JOHN STREET, SN11RT
67	HERBIES PIZZA'S, 11 VICTORIA ROAD, SN13AJ
68	KHYBER RESTAURANT,5-6, 5 VICTORIA ROAD, SN13AJ
69	MECCA BINGO HALL, REGENT CIRCUS, SN11PR
70	TENNESSEE TAKE AWAY, 10 VICTORIA ROAD, SN13AJ
71	MARMARIS KEBAB, 57 DEVIZES ROAD, SN14BD
72	SODA, 2 HOOPER PLACE,NEWPORT STREET, SN13RA
73	BANQUET BUFFET, 40-42, REGENT STREET, SN11JL
74	ABBY'S INDIAN RESTAURANT, 5 FARINGDON ROAD, SN15AR
75	ASHOKA,16-17, BRIDGE STREET, SN11BU
76	BAGUETTE BAR, 44 PROSPECT PLACE, SN13LG
77	KWALITY OFF LICENCE, 63 VICTORIA ROAD, SN13BB
78	BALUAS, 9 WOOD STREET, SN14AN
79	BEST BURRITZOZ, 2 THEATRE SQUARE, SN11QN
80	BEST BURRITOS, 2 HAVELOCK SQUARE, SN11LE
81	BIPLOB RESTAURANT, 14 WOOD STREET, SN14AB
82	BLUES RESTAURANT, 51 HAVELOCK STREET, SN11SD
83	BOOTS THE CHEMIST, 3 BRUNEL PLAZA, SN11LF
84	BHS, 34 THE PARADE, SN11BA
85	SUPER PIZZA, 39 FLEET STREET, SN11RE
86	SUBWAY, 59-60, BRIDGE STREET, SN11BT
87	ROOSTERS PIRI PIRI, 13-14, FLEET STREET, SN11RQ
88	PIZZA EXPRESS, 5 BATH ROAD, SN14AS
89	THE CENTRAL FISH FRY, 28 JOHN STREET, SN11RT
90	CHERRY DELI, 114 VICTORIA ROAD, SN13BH
91	CONNIES CHINESE RESTAURANT, 53 DEVIZES ROAD, SN14BG
92	THE CO-OPERATIVE FOOD, 28 HIGH STREET, SN13EG
93	COSMOS, LINDEN COURT, SN11BE
94	CURRY GARDEN, 90 VICTORIA ROAD, SN13BD
95	DA VINCI,62-64, FLEET STREET, SN11RA
96	POUNDLAND, 23-25, REGENT STREET, SN11JL
97	HAPPY KEBABS, 7 VICTORIA ROAD, SN13AJ
98	FABIOS RESTAURANT, 15 BATH ROAD, SN14AS

99	MINI-MART, 17 FARINGDON ROAD, SN15AR
100	THE FLAG, 31 BRIDGE STREET, SN11BP
101	FRATELLOS, 12 VICTORIA ROAD, SN13AJ
102	GAETANOS, 131 VICTORIA ROAD, SN13BU
103	GHANDI, 2 VICTORIA ROAD, SN13AJ
104	THE GLASSHOUSE, 25 BRIDGE STREET, SN11BP
105	GOLDEN BELL, 56 DEVIZES ROAD, SN14BD
106	GUSTO PANINI, 11 QUEEN VICTORIA HOUSE,VICTORIA ROAD, SN13BG
107	HAVELOCK NEWS, 2D, HAVELOCK SQUARE, SN11LE
108	SWINDON TOWN CLUB, 8A HIGH STREET, SN13EP
109	ICELAND, 15 HAVELOCK SQUARE, SN11LE
110	IL CAPRICORNO, 26 HIGH STREET, SN13EP
111	INCOGNITO, 20 FLEET STREET, SN11RQ
112	JADE GARDEN, UNIT 75-76, GODWIN COURT, SN14BS
113	KIRSTY'S CAFE BAR, 43 HAVELOCK STREET, SN11SD
114	LA CASA, 6 DEVIZES ROAD, SN14BJ
115	LOS GATOS, 23 WOOD STREET, SN14AN
116	MAGNUM WINES, 22 WOOD STREET, SN14AB
117	MANUEL'S, 63 DEVIZES ROAD, SN14BD
118	MARIOS, 7 WOOD STREET, SN14AN
119	MARTIN MCCOLL,124-126, 124 VICTORIA ROAD, SN13BH
120	GALSHAN BALTI (MELA), 122 VICTORIA ROAD, SN13BH
121	MONSOON RESTAURANT, 13 FARINGDON ROAD, SN15AR
122	MOSHAN ISLAND GRILL, 33-34, NEWPORT STREET, SN13DP
123	MR COD, 130 VICTORIA ROAD, SN13BU
124	NEARBY STORES, 58 BRIDGE STREET, SN11BL
125	POP, 2-4, FLEET STREET, SN11RQ
126	OLD TOWN KEBABS,17-21, HIGH STREET, SN13EG
127	PARASOL RESTAURANT, 96-97, COMMERCIAL ROAD, SN15PL
128	PASHA RESTAURANT,53, FLEET STREET, SN11RE
129	PEERA, 13-14, FLEET STREET, SN11RL
130	PIPERS ARMS, 8 DEVIZES ROAD, SN14BH
131	CURRY ACE, 136 VICTORIA ROAD, SN13BU
132	PIZZA PIZZA, 61 DEVIZES ROAD, SN14BD
133	PIZZA GO GO, 31 FARINGDON ROAD, SN15AR
134	PURPLE MANGO, 1 VICTORIA ROAD, SN13AJ
135	RIFT & CO, 51-53, BRIDGE STREET, SN11BL
136	R A F CLUB,41-43, BELLE VUE ROAD, SN13HN
137	RUCHI, 89 VICTORIA ROAD, SN13BD
138	RUDIS WINE BAR, 19-21, REGENT CIRCUS, SN11PN
139	RUSH,18-19, FLEET STREET, SN11RQ
140	SCAN-LINK, 41 BATH ROAD, SN14AS
141	SPAR, 35 REGENT STREET, SN11JL
142	SPICEY BITES, 116 VICTORIA ROAD, SN13BH
143	UNIT 72-74, GODWIN COURT, SN14BS
144	THE STUDIO, 2 HOOPER PLACE,NEWPORT STREET, SN13RA
145	SUBWAY SANDWICH BAR, 42 HAVELOCK STREET, SN11SD
146	SUBWAY, 2 HOOPER PLACE,NEWPORT STREET, SN13RA
147	SUBWAY,9, REGENT CIRCUS, SN11PN
148	SUGAR CELEBRATIONS, 37 FARINGDON ROAD, SN15AR

149	SWANDOWN HOTEL, 36-37, VICTORIA ROAD, SN13AS
150	THE TOWN HALL STUDIOS, REGENT CIRCUS, SN11QF
151	SWINDON RENDEZVOUS 12-12A, THEATRE SQUARE, SN11QN
152	39 FARINGDON ROAD, SN15AR
153	TESCO METRO, 13-17, THE PARADE, SN11BB
154	THAI ORCHID, 133-134, VICTORIA ROAD, SN13BU
155	HALL OF FITNESS, 19, FLEET STREET, SN11RQ
156	VILLA MUNDI, 47 HAVELOCK STREET, SN11SD
157	WOODS CAFE, 29 WOOD STREET, SN14AN
158	WYVERN THEATRE, THEATRE SQUARE, SN11QN

APPENDIX 2

See attached NTE s.35 and bail map

Appendix 3.

Nature of licensed premises operating at any particular time in the Swindon Town Centre and Old Town Zone

On Licence Premises

SIR DANIEL ARMS, FLEET STREET, SN11RQ
LIQUOR LOUNGE 16-17, FLEET STREET, SN11RQ
LONGS BAR 86-87, VICTORIA ROAD, SN13BB
RIFT and CO, 51 BRIDGE STREET, SN11BL
POP,2-4, FLEET STREET, SN11RQ
ROARING DONKEY, ALBERT STREET
CASBAH, 25-27, JOHN STREET, SN11RT
YATES, 4950 BRIDGE STREET, SN11BL
THE SAVOY,38-40, REGENT STREET, SN11JL
BAKER STREET, 25-27, WOOD STREET, SN14AN
OLD BANK BRASSERIE,18, WOOD STREET, SN14AB
SUJU, 28 HIGH STREET, SN13EP
LAVA LOUNGE 24-25, FLEET STREET, SN11RQ
KINGS ARMS HOTEL, 20 WOOD STREET, SN14AB
FANTASY 37-38, FLEET STREET, SN11RE
STEAM RAILWAY, 14 NEWPORT STREET, SN13DX
GROVES INN, 22-23, FLEET STREET, SN11RQ
SUNNY'S POOL CLUB, 43 FLEET STREET, SN11RE
MUSIC ENTERTAINMENT CULTURAL ARENA, REGENT CIRCUS, SN11PR
RUDIS WINE BAR, 19-21, REGENT CIRCUS, SN11PN
FOXIES XTREME, THEATRE SQUARE, SN11QN
THE BEEHIVE, EASCOTT HILL SN13LD
VIP, 3-4, VICTORIA ROAD, SN13AJ
DREAM LOUNGE, 8-9, VICTORIA ROAD, SN13AJ
REGENT HOTEL, 151-152, VICTORIA ROAD, SN13BU
HOP INN, 7 DEVIZES STREET, SN14BJ
ROYAL OAK PH, 24 DEVIZES ROAD, SN14BQ
PLOUGH INN, 26 DEVIZES ROAD, SN14BQ
WHEATSHEAF, 32 NEWPORT STREET, SN13DP
STAR BAR, 7 WOOD STREET, SN14AN
THE VICTORIA, 88 VICTORIA ROAD, SN13BD
BOUTIQUE & THE BEACH, FLEET STREET, SN11RQ
MEDINA, 6-7, THEATRE SQUARE, SN11QN
THE ARTS CENTRE, 6 DEVIZES ROAD, SN14BJ
MCKENZIES, 16 WOOD STREET, SN14AB
THE MAILCOACH, 59 FLEET STREET, SN11RA
BELL HOTEL, 24 HIGH STREET, SN13EP
THE BROADWALK, 32 BRIDGE STREET, SN11BP
EXPRESS BY HOLIDAY INN, BRIDGE STREET, SN11BT
ELLINGTONS, 25 BRIDGE STREET, SN11BP
MENZIES HOTEL, FLEMING WAY, SN11TN
THE PIG ON THE HILL, 8 DEVIZES ROAD, SN14BH
OLD TOWN TRADERS, WOOD STREET, SN14AN
MECA, REGENT CIRCUS, SN11PR

SODA, 2 HOOPER PLACE,NEWPORT STREET, SN13RA
RUDIS WINE BAR, 19-21, REGENT CIRCUS, SN11PN
RUSH,18-19, FLEET STREET, SN11RQ
SWANDOWN HOTEL, 36-37, VICTORIA ROAD, SN13AS
THE TOWN HALL STUDIOS, REGENT CIRCUS, SN11QF
WYVERN THEATRE, THEATRE SQUARE, SN11QN
TOUCH,19, FLEET STREET, SN11RQ
THE ROLLESTON, COMMERCIAL ROAD, SN1
LEVEL 3, COMMERCIAL ROAD, SN1
THE GODDARD ARMS, HIGH STREET, SN1 3EP

Late Night Refreshment

CREATION KEBABS, 28 JOHN STREET, SN11RT
HERBIES PIZZA'S, 11 VICTORIA ROAD, SN13AJ
TENNESSEE TAKE AWAY, 10 VICTORIA ROAD, SN13AJ
MARMARIS KEBAB, 57 DEVIZES ROAD, SN14BD
PUNJAB CHICKEN, 61 BRIDGE STREET, SN11BT
ASHOKA,16-17, BRIDGE STREET, SN11BU
BEST BURRITOZ, 2 THEATRE SQUARE, SN11QN
BEST BURRITOS, 2 HAVELOCK SQUARE, SN11LE
SUPER PIZZA, 39 FLEET STREET, SN11RE
DOMINOS, 17 HIGH STREET, SN1 3EG
ROOSTERS PIRI PIRI, 13-14, FLEET STREET, SN11RQ
KORKYS TAKEAWAY, 53 FLEET STREET, SN11RE
HAPPY KEBABS, 7 VICTORIA ROAD, SN13AJ
MR COD, 130 VICTORIA ROAD, SN13BU
OLD TOWN KEBABS,17-21, HIGH STREET, SN13EG
PIZZA PIZZA, 61 DEVIZES ROAD, SN14BD
PIZZA GO GO, 31 FARINGDON ROAD, SN15AR
SUBWAY SANDWICH BAR, 42 HAVELOCK STREET, SN11SD
SUBWAY, 2 HOOPER PLACE,NEWPORT STREET, SN13RA
SUBWAY,9, REGENT CIRCUS, SN11PN

Off Licence

LONDIS, 58 BRIDGE STREET, SN11BL
SAINSBURYS, 4 BRUNEL PLAZA, SN11LF
HAVELOCK NEWS, 49 HAVELOCK STREET, SN11SD
DEBENHAMS,1-11, THE PARADE, SN11BB
JOBAN NEWSAGENT, 44 FLEET STREET, SN11RE
MARKS & SPENCER, 81 REGENT STREET, SN11JY
CO-OPERATIVE FOOD,49-51, 49 REGENT STREET, SN11JS
BOOTS THE CHEMIST, 3 BRUNEL PLAZA, SN11LF
BHS, 34 THE PARADE, SN11BA
CHERRY DELI, 114 VICTORIA ROAD, SN13BH
THE CO-OPERATIVE FOOD, 28 HIGH STREET, SN13EG
POUNDLAND, 23-25, REGENT STREET, SN11JL
MINI-MART, 17 FARINGDON ROAD, SN15AR

HAVELOCK NEWS, 2D, HAVELOCK SQUARE, SN11LE
ICELAND, 15 HAVELOCK SQUARE, SN11LE
MAGNUM WINES, 22 WOOD STREET, SN14AB
MARTIN MCCOLL, 124-126, 124 VICTORIA ROAD, SN13BH
SPAR, 35 REGENT STREET, SN11JL
SUGAR CELEBRATIONS, 37 FARINGDON ROAD, SN15AR
KWALITY OFF LICENCE, 63 VICTORIA ROAD, SN13BB
BALUAS, 9 WOOD STREET, SN14AN
TESCO METRO, 13-17, THE PARADE, SN11BB

Restaurant

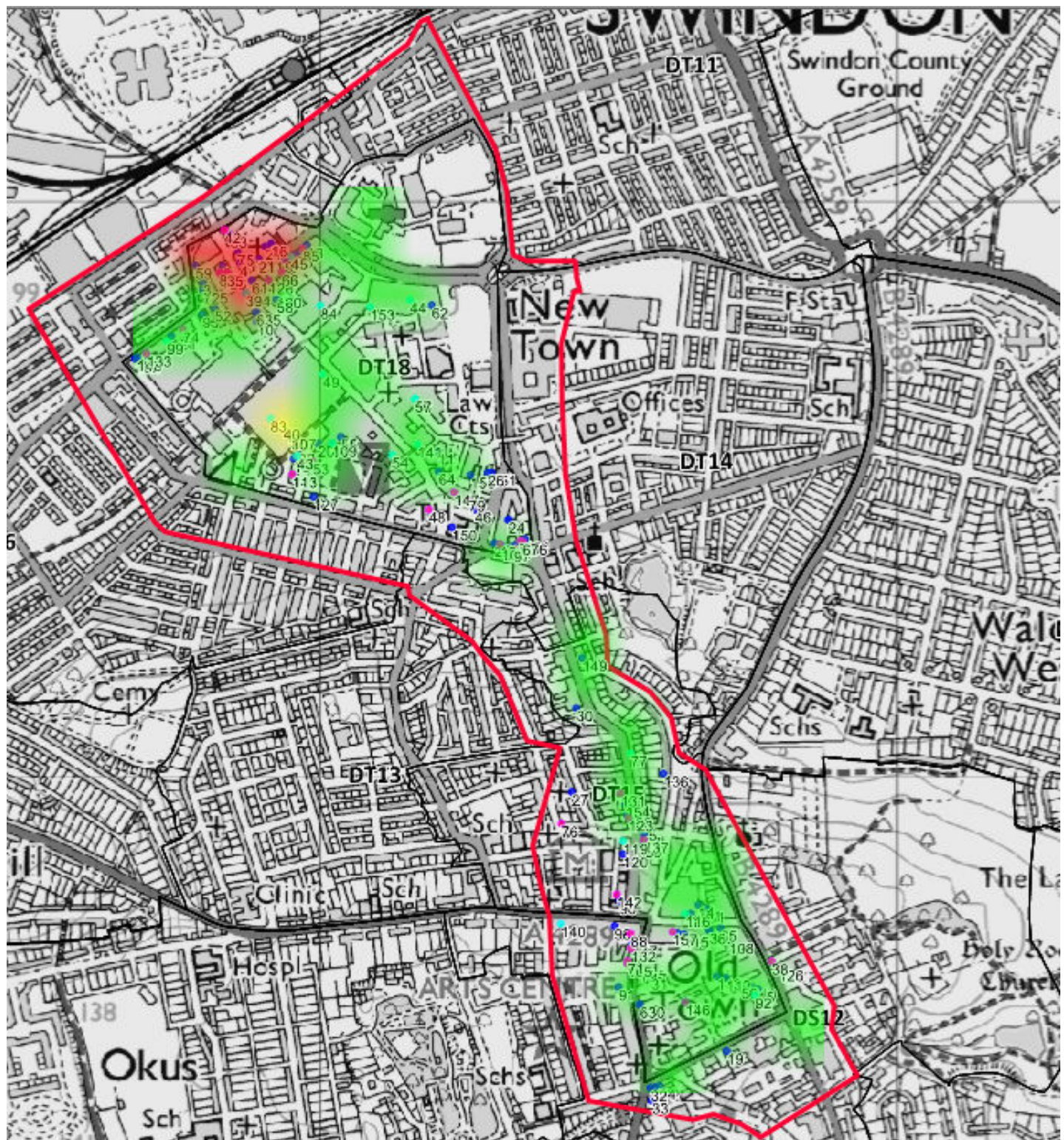
JRC GLOBAL BUFFET, LINDEN COURT, HOLBROOK WAY, SN11BE
HOTCHA, 37 REGENT CIRCUS, SN11PX
SPICE, 90 VICTORIA ROAD, SN13BD
PIRI PIRI, 29 HAVELOCK STREET, SN11SD
BANQUET BUFFET, 42, REGENT STREET, SN11JL
KHYBER RESTAURANT, 5-6, 5 VICTORIA ROAD, SN13AJ
ABBY'S INDIAN RESTAURANT, 5 FARINGDON ROAD, SN15AR
THE CENTRAL FISH FRY, 28 JOHN STREET, SN11RT
ASIANA, HOOPERS PLACE, SN1 4AS
RIOS, BRIDGE STREET, SN1
BIPOB RESTAURANT, 14 WOOD STREET, SN14AB
BLUES RESTAURANT, 51 HAVELOCK STREET, SN11SD
PIZZA EXPRESS, 5 BATH ROAD, SN14AS
CONNIES CHINESE RESTAURANT, 53 DEVIZES ROAD, SN14BG
CURRY GARDEN, 90 VICTORIA ROAD, SN13BD
YUME, VICTORIA ROAD, SN1
NANDOS, REGENT CIRCUS
BRAZILIAN RESTAURANT, VICTORIA ROAD
COAL, REGENT CIRCUS
ASK ITALIAN, REGENT CIRCUS
GOURMET BURGER KITCHEN, REGENT CIRCUS
IL CAPRICORNO, 26 HIGH STREET, SN13EP
DA VINCI, 62-64, FLEET STREET, SN11RA
JIMMYS, REGENT CIRCUS
PREZZO, REGENT CIRCUS
FABIOS RESTAURANT, 15 BATH ROAD, SN14AS
FRATELLOS, 12 VICTORIA ROAD, SN13AJ
GAETANOS, 131 VICTORIA ROAD, SN13BU
GOLDEN BELL, 56 DEVIZES ROAD, SN14BD
GUSTO PANINI, 11 QUEEN VICTORIA HOUSE, VICTORIA ROAD, SN13BG
JADE GARDEN, UNIT 75-76, GODWIN COURT, SN14BS
KIRSTY'S CAFE BAR, 43 HAVELOCK STREET, SN11SD
LA CASA, 6 DEVIZES ROAD, SN14BJ
LOS GATOS, 23 WOOD STREET, SN14AN
MARIOS, 7 WOOD STREET, SN14AN
GALSHAN BALTI (MELA), 122 VICTORIA ROAD, SN13BH
MONSOON RESTAURANT, 13 FARINGDON ROAD, SN15AR

MOSHAN ISLAND GRILL, 33-34, NEWPORT STREET, SN13DP
CURRY ACE, 136 VICTORIA ROAD, SN13BU
PARASOL RESTAURANT, 96-97, COMMERCIAL ROAD, SN15PL
RUCHI, 89 VICTORIA ROAD, SN13BD
SPICEY BITES, 116 VICTORIA ROAD, SN13BH
SWINDON RENDEZVOUS 12-12A, THEATRE SQUARE, SN11QN
THAI ORCHID, 133-134, VICTORIA ROAD, SN13BU
WOODS CAFE, 29 WOOD STREET, SN14AN

Club premises

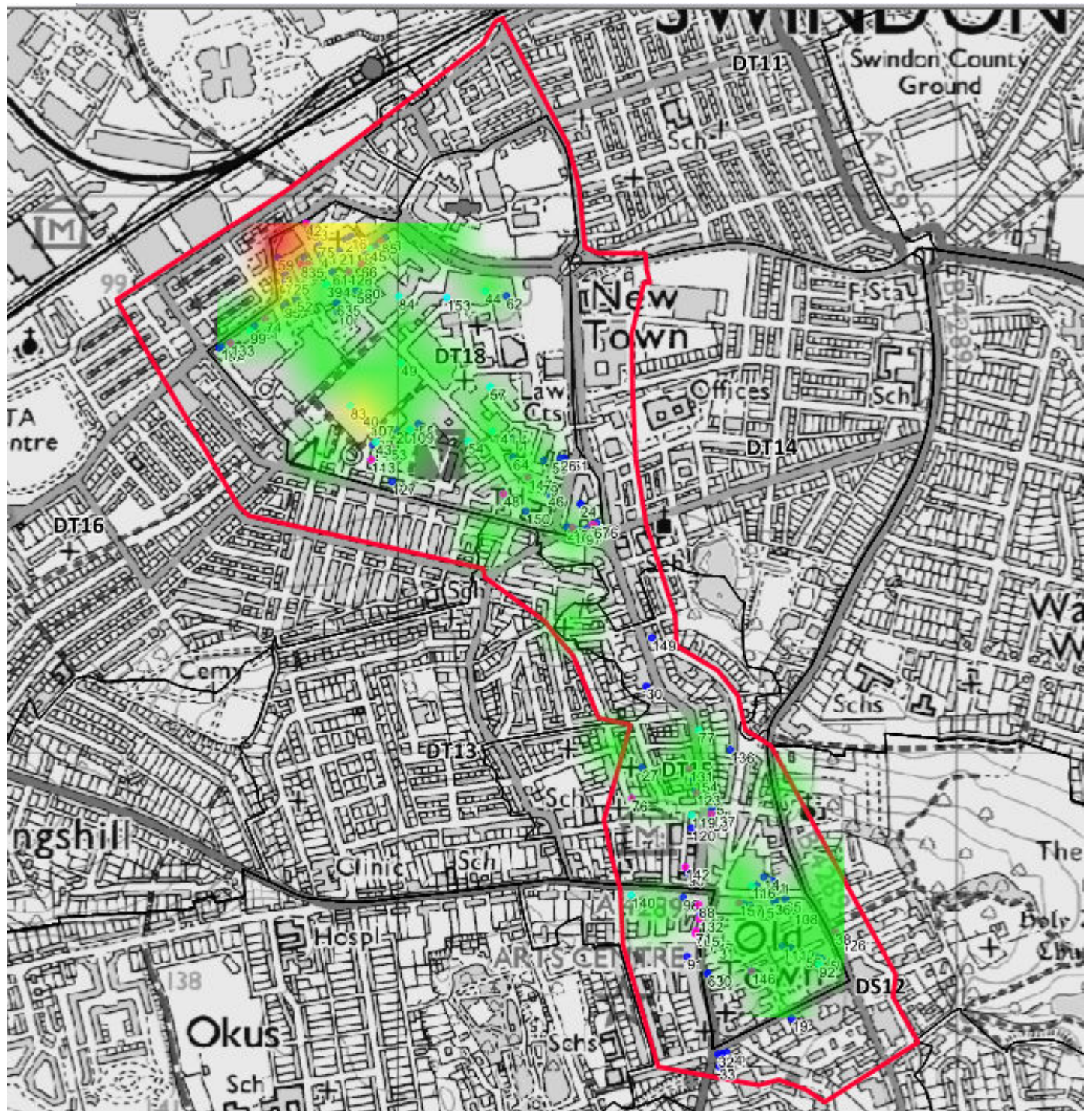
SWINDON TOWN CLUB, 8A HIGH STREET, SN13EP
R A F CLUB, 41-43, BELLE VUE ROAD, SN13HN
ALBION CLUB 62-64, BRIDGE STREET, SN11BT

Map 2. 2009 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person during NTE hours involving Alcohol



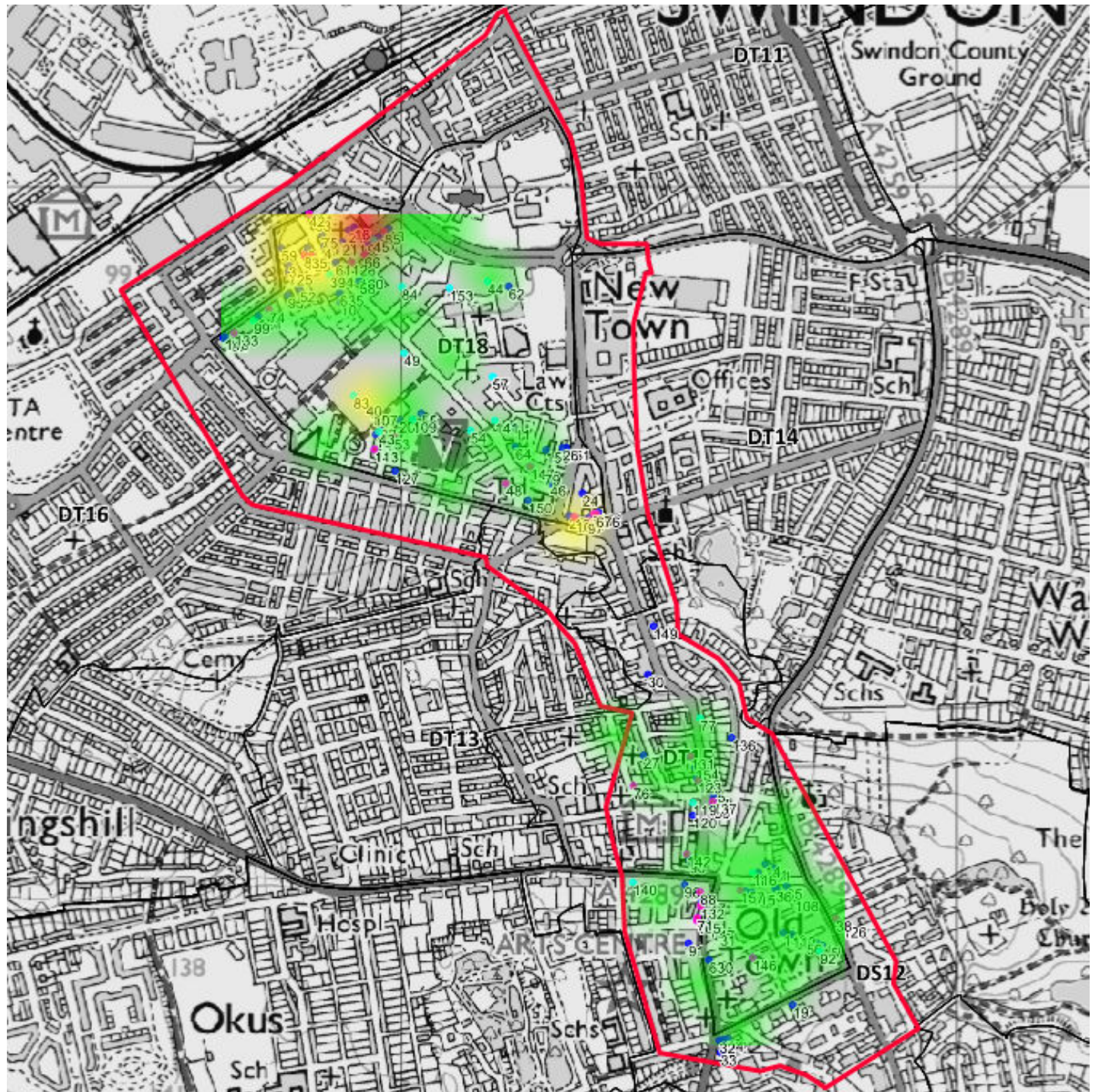
Legend		
● Pub, Club or Bar	● Takeaway	● Off licence
Hotspot colours		
1 – 12 Incidents	13 – 23 Incidents	24+ Incidents

Map 3. 2010 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person during NTE hours involving Alcohol



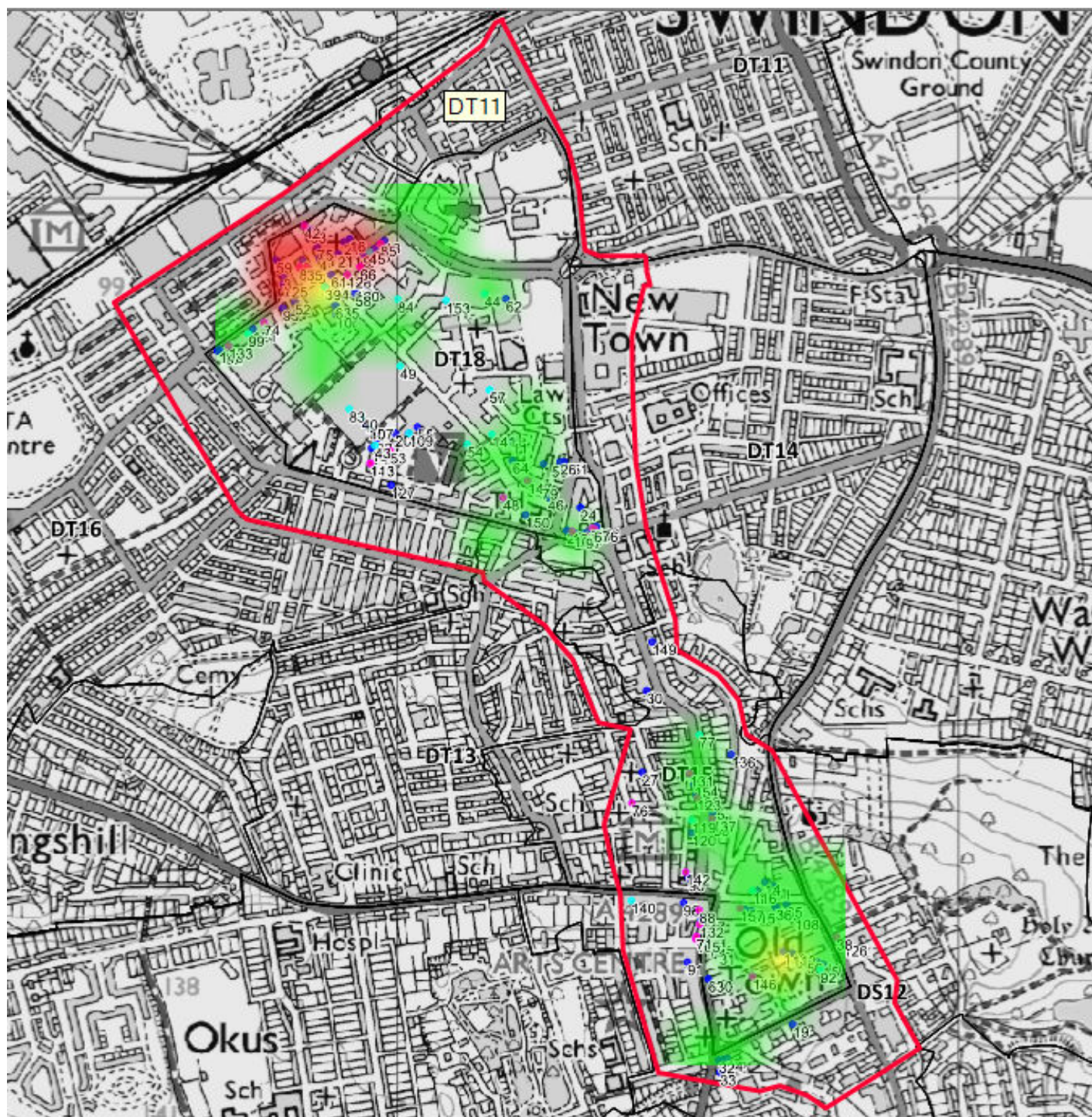
Legend		
● Pub, Club or Bar	● Takeaway	● Off licence
Hotspot colours		
1 – 21 Incidents	22 – 41 Incidents	42+ Incidents

Map 4. 2011 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person during NTE hours involving Alcohol



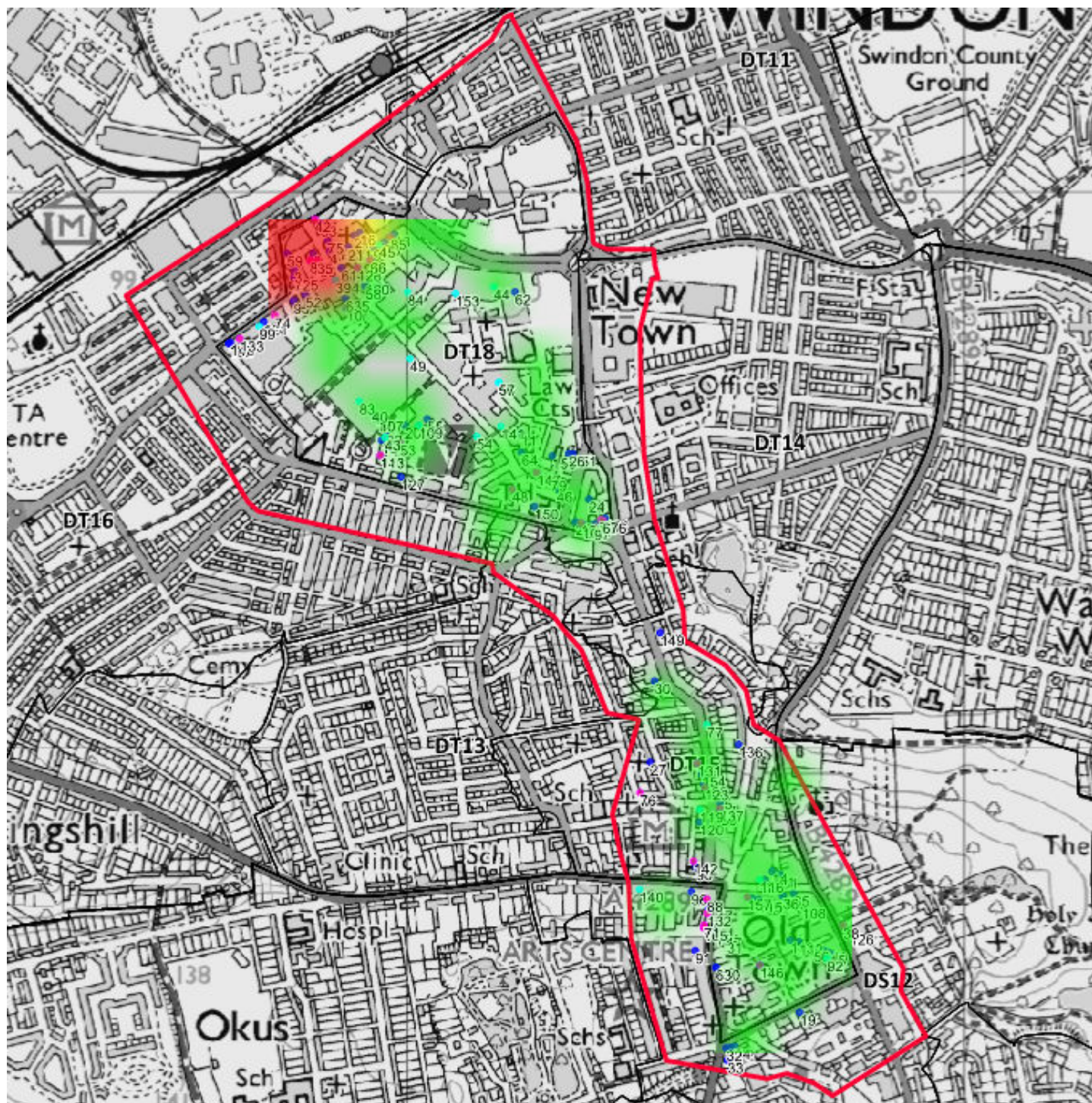
Legend		
● Pub, Club or Bar	● Takeaway	● Off licence
Hotspot colours		
1 – 16 Incidents	17 – 31 Incidents	32+ Incidents

Map 5. 2012 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person during NTE hours involving Alcohol

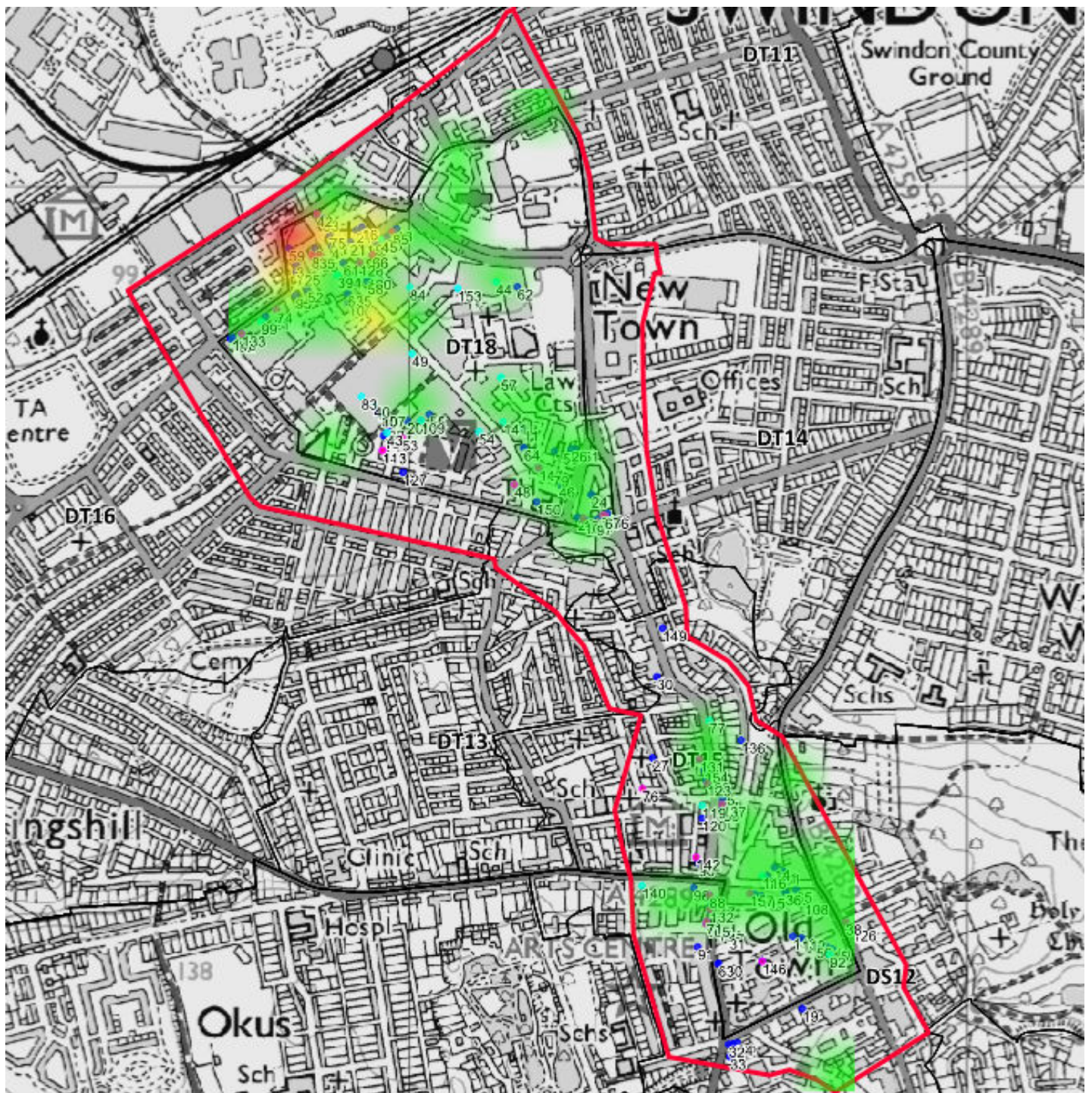


Legend		
● Pub, Club or Bar	● Takeaway	● Off licence
Hotspot colours		
1 – 15 Incidents	16 – 29 Incidents	30+ Incidents

Map 6. 2013 Hotspot Locations for incidents of ASB, Criminal Damage, Drugs and Violence against the Person during NTE hours involving Alcohol

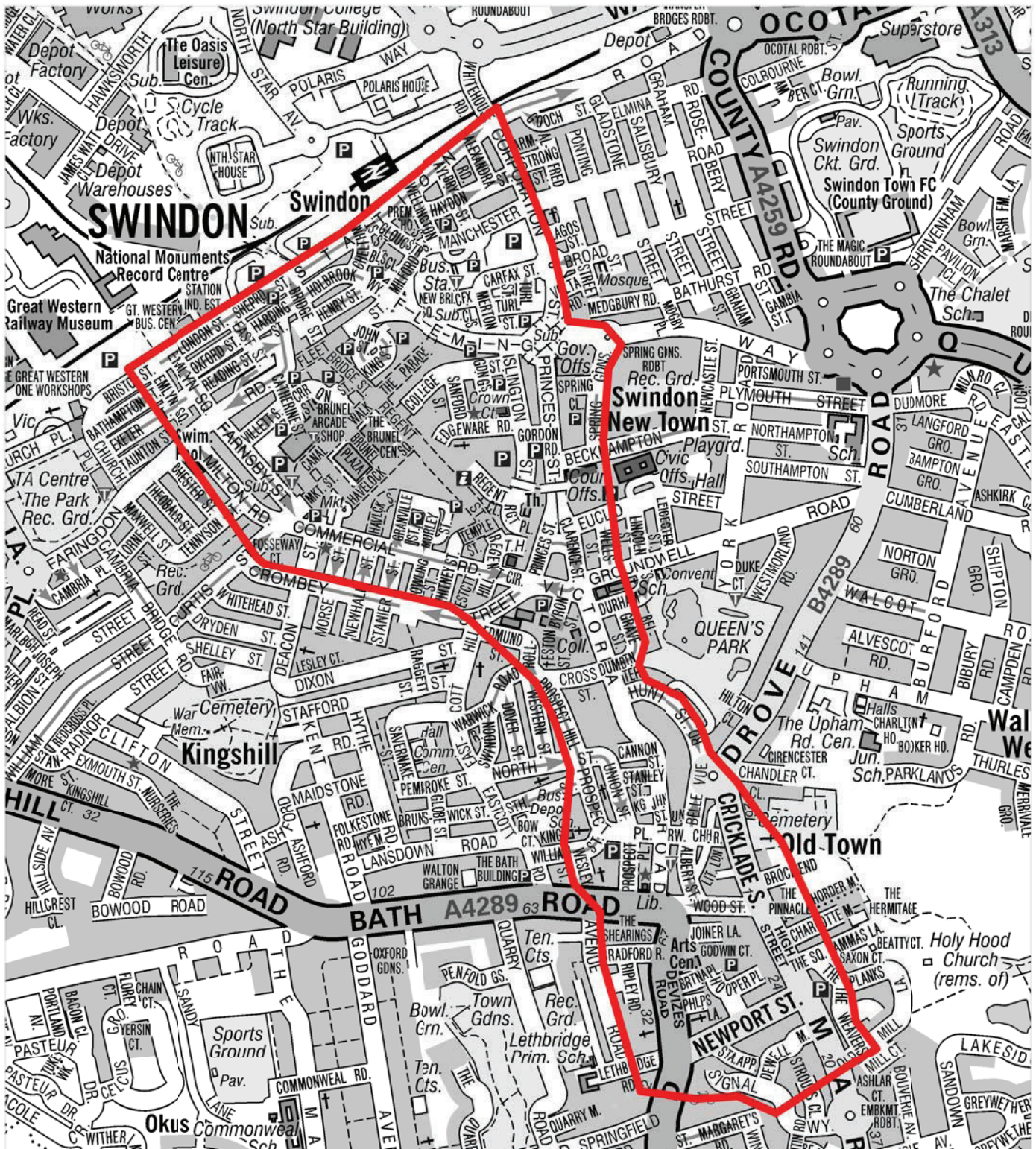


Legend		
● Pub, Club or Bar	● Takeaway	● Off licence
Hotspot colours		
1 – 15 Incidents	16 – 29 Incidents	30+ Incidents



Night Time Economy Map

Section 27 Violent Crime Reduction Act 2006 + Bail



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**IN THE MATTER OF AN APPLICATION BY THE CHIEF CONSTABLE OF
WILTSHIRE POLICE FOR A CUMULATIVE IMPACT POLICY IN THE AREAS
OF SWINDON TOWN CENTRE AND BROADGREEN.**

STATEMENT OF INSPECTOR SAUNDERS

I, **Paul Saunders**, Police Inspector, Swindon Central Sector Commander
will say as follows:

1. In considering whether a Cumulative Impact Policy (CIP) is appropriate for Swindon it needs to be shown that the crime and disorder problems are caused by the patrons of a number of premises, rather than any one individual premises. It is not necessarily due to the concentration of licensed premises in the affected areas, though this is a significant factor, but rather the total impact of those combined licensed premises on crime and disorder. This is the case for both the Night Time Economy (NTE) areas and for the Broadgreen area.
2. Within Swindon Town Centre the majority of the violent crime and disorder problems occur close to licensed premises, but because of their proximity it is not always possible to attach those incidents to the customers from a particular premises.
3. Within the NTE area the closeness in proximity of the premises encourages and creates a culture of circuit drinking; patrons are constantly visiting and then leaving numerous premises at the same time making it almost impossible to identify those premises they may have visited during the course of the evening.
4. In the case of Broadgreen we have a similar problem with Street Drinkers who are buying their alcohol from off-licence premises in the area, but it is almost impossible to tie down which premises is selling the alcohol to those causing the Anti-Social Behaviour (ASB), but we are satisfied that it is coming from within the area.
5. Although the current legislation allows the Police to deal with individual premises which might be poorly managed, it does not allow for the Police to deal with the

larger problem of the total impact of having a high concentration of licensed premises in a small geographical area.

6. The Town Centre police team has instigated a number of initiatives to actively reduce the levels of crime and disorder. These include:
 - The creation of a proactive licensing officer to work alongside the existing police licensing officer and work with licensees across the NTE area.
 - Specific operations to address the serving of drunken or under-age customers have been undertaken for many years (Op Drink) and have sought to tighten up procedures and professionalise the venues.
 - Working with licenced premises to improve safety through the introduction of Polycarbonate glasses, improved CCTV and Challenge 25 policies.
 - Police-delivered training to staff in venues of Drunkenness and how to recognise and deal with it.
 - Training packages for police officers on Licensing Legislation
 - Active participation with Pubwatch schemes
 - Joint-agency work with Trading Standards in relation to off-licences and under-age sales
 - Use of Licensed Premises Exclusion Orders and Police bail conditions to ban individuals from the area
 - Regular multi-agency visits to licensed premises in the proposed areas to check on licensing infringements
7. Most notably Swindon Police have been running Operation Diamond on Fridays and Saturdays, between 2100-0600, for at least the last 10 years. This involves dedicated resources in the NTE areas, which mainly consists of foot patrol in the hotspot areas. Dedicating officers can prove resource intensive at times of peak demand. The most significant issue and impact is the lateness of the venues closing times. With venues closing at 0600 it is not uncommon for officers to still be attending NTE related incidents at 0630 in broad daylight.
8. The policing of the night time economy involves the use of all the tools available to it, including Dispersal Powers under the Anti-Social Behaviour Crime and Policing Act 2014.
9. S35 of the ASBCP Act 2014 is regularly utilised in order to designate the NTE area as a dispersal zone. This power is not intended to be a long term solution and can only be authorised for up 48hrs at a time. Directions to leave a locality are given to individuals causing or likely to cause harassment, alarm or distress. This enables officers to intervene at an early stage and prevent a minor case of disorder becoming a more serious incident. Up until October 2014, these powers were conferred under Section 27 of Violent Crime Reduction Act 2006 but have now been replaced by more wide ranging powers. On a typical Saturday night in the NTE area between 5-10 people are directed to leave the area.
10. Anecdotally, some licensees have claimed that a saturated market has led to cost cutting, aggressive drinks pricing and a lowering of standards around admission policy.
11. It would be beneficial for the police to see a cumulative impact policy in Swindon for

a number of reasons apart from supporting the aim of reducing violent crime and disorder.

12. The creation of a cumulative impact policy would increase goodwill and foster improved relationships between the police and current traders within the night time economy. It would also demonstrate to residents living within the vicinity of the cumulative impact policy that the police are actively trying to reduce the impact of too many licensed premises. This would be particularly beneficial to the area of Broadgreen, which is predominantly residential and one in which the residents have suffered ASB relating to street drinkers for a long period of time. It regularly features as a neighbourhood priority and is one which we are working with partner agencies to try and resolve.
13. At the present time two multi-agency working groups, which have been established under the direction of the Chief Executive of SBC, Gavin Jones, are looking at solutions to the issues presented by street drinking within the Broadgreen area. These have been brought about due to representations from local residents through the local ward councillors. CIP is one of the significant powers which the groups are looking at in order to assist with the growing issue.
14. In relation to the NTE areas, our main belief is that it would promote diversification within the night time economy that we currently do not have, by preventing more vertical drinking establishments and encouraging different types of premises and activities leading to a more balanced type of evening economy. We are very keen to assist with moving the NTE towards a situation of managed growth, which is the essence of what CIP is all about. This has been clearly demonstrated with the Regent Circus development, which the police are very supportive of as a move in the right direction in terms of a vibrant NTE which caters for all
15. The geographical analysis clearly shows a pattern of reported crime and disorder in the defined area. Throughout the attached report the defined area is continually highlighted as being a peak area for violent crime, anti-social behaviour and calls to police service, which is primarily due to the large number of licensed premises within this area. Police resources are primarily directed to this area saturated with licensed premises to contain and control the levels of offences, leaving other areas potentially vulnerable.
16. If a cumulative impact policy for the identified areas of Swindon is found to be appropriate in light of the evidence contained in this report, it will not change the methodical, fair, open and robust manner in which the police deal with the current licensed premises or the limitations currently placed on any applications. The cumulative impact policy's primary value will be to prevent any additional premises being licensed or applying for a change of use without first addressing the cumulative impact problems within those areas.
17. As the operational policing commander for the area in which the CIP is proposed I would like to stress that the intention of the police is not to stifle or discourage growth or regeneration in any area of Swindon, but to give the panel the power to help to shape the NTE in Swindon in the way that the Local Authority and partners want it to be developed.

Statement of truth

The facts stated in this witness statement are true to the best of my knowledge and belief.

Signed:.....

Inspector Paul Saunders

Dated..23rd February 2015.....

Appendix 2

Cumulative Impact Policy

March 2015

Swindon Borough Council may receive representations from either a responsible authority or other person, both defined within the Licensing Act 2003 that the cumulative impact of new licences is leading to an area becoming saturated with premises making it a focal point for large groups of people to gather, and thereby creating exceptional problems of disorder and nuisance, or otherwise compromising the licensing objectives. In such cases the issue of saturation can be taken into account when considering the individual merits of any application.

Swindon Borough Council has received evidence from Wiltshire Police, Swindon Environmental Health and Public Health that the saturation of licensed premises is undermining the licensing objectives in the following areas:-

- Old Town
- Broad Green
- New Town

The areas will be referred to throughout the remainder of this Statement of Licensing Policy as 'cumulative impact zones' later referred to as CIZ's..

After considering this evidence Swindon Borough Council is proposing to adopt a Cumulative Impact Policy for these areas.

The evidence for the adoption of the CIZ's is attached at Appendix A of this policy. Detailed maps showing the boundaries of these areas are attached as Appendix B.

The effect of the Cumulative Impact Policy is that Swindon Borough Council will refuse applications for a new premises licence or club premises certificate, or a material variation of an existing licence or certificate whenever it receives relevant representations unless the applicant can demonstrate why the grant or variation involved will not add to the cumulative impact experienced. The impact can be expected to be different for premises with different styles and characteristics.

Swindon Borough Council recognises that that within CIZ's different premises mutually benefit from each others existence attracting large groups of people. This can in turn however increase the possibility of crime and disorder and public nuisance thus impacting on the licensing objectives. For this reason special consideration will be given to all classes of premises within the CIZ's.

The adoption of CIZ's does not relieve responsible authorities or other persons of the need to make relevant representation. Before Swindon Borough Council may lawfully consider giving effect to the cumulative impact policy a relevant representation must have been made. If no representations are received, it remains the case that any application must be granted in terms consistent with the operating schedule and any mandatory condition.

Responsible authorities and other persons may make written representations, maintaining that it is necessary to refuse an application within a CIZ for the promotion of licensing objectives and in doing so may refer to the evidence considered by Swindon Borough Council in the adoption of the cumulative impact policy.

Swindon Borough Council will not use any cumulative impact policy:

- As grounds for revoking an existing licence or certificate
- To refuse applications to vary an existing licence or certificate except where modifications are directly relevant to the cumulative impact policy

The cumulative impact policy does not include provision for terminal hours nor does it impose quotas on the number of licensed premises or the capacity of those premises.

Swindon Borough Council will regularly review the cumulative impact policy to see whether it is still required or should be expanded.

Swindon Borough Council recognises there are other mechanisms both within and outside the licensing regime for addressing cumulative impact of licensed premises which may include:

- planning control;
- positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority;
- the provision of CCTV surveillance in town centres, taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols;
- powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
- the confiscation of alcohol from adults and children in designated areas;
- police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale);
- police powers to close down instantly for up to 24 hours (extendable to 48 hours) any licensed premises in respect of which a TEN has effect on grounds of disorder, the likelihood of disorder, or noise emanating from the premises causing a nuisance; and
- the power of the police, other responsible authorities or other persons to seek a review of a licence or certificate.
- Raising a contribution to policing the late night economy through the Late Night Levy.
- Early Morning Alcohol Restriction Orders.



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Appendix 3

Consultation Draft

Cumulative Impact Policy

(to be added to the Statement of Licensing Policy prior to consultation)

March 2015

Swindon Borough Council may receive representations from either a responsible authority or other person, both defined within the Licensing Act 2003 that the cumulative impact of new licences is leading to an area becoming saturated with premises making it a focal point for large groups of people to gather, and thereby creating exceptional problems of disorder and nuisance, or otherwise compromising the licensing objectives. In such cases the issue of saturation can be taken into account when considering the individual merits of any application.

Swindon Borough Council has received evidence from Wiltshire Police, Swindon Environmental Health and Public Health that the saturation of licensed premises is undermining the licensing objectives in the following areas:-

- Old Town
- New Town
- Broad Green

The areas will be referred to throughout the remainder of this Statement as 'Cumulative Impact Zones' later referred to as CIZ's.

After considering this evidence Swindon Borough Council is proposing to adopt a Cumulative Impact Policy for these areas, which will be defined as CIZ's.

The evidence for the adoption of the CIZ's is attached at Appendix A of this policy. Detailed maps showing the boundaries of these areas are attached as Appendix B.

The effect of the Cumulative Impact Policy is that Swindon Borough Council will refuse applications for a new premises licence or club premises certificate, or a material variation of an existing licence or certificate whenever it receives relevant representations unless the applicant can demonstrate why the grant or variation involved will not add to the cumulative impact experienced. The impact can be expected to be different for premises with different styles and characteristics.

Swindon Borough Council recognises that within CIZ's different premises mutually benefit from each others existence attracting large groups of people. This can in turn however increase the possibility of crime and disorder and public nuisance thus impacting on the licensing objectives. For this reason special consideration will be given to all classes of premises within the CIZ's.

There are, however, exceptions proposed to the policy, where cumulative impact will not apply. These cover in particular restaurants where alcohol is served with a meal, hotels and licence transfers, which are not the subject of evidence provided by the Police or Environmental \ Public Health. The list of exceptions is as follows;

- *Restaurants where alcohol is only sold with a meal*

- *Hotels*
- *Applications for a Minor Variation of the premises licence (except where this may increase the occupant capacity of the premises)*
- *Applications for a straight premises transfer or DPS variation*

The adoption of CIZ's does not relieve responsible authorities or other persons of the need to make relevant representation. Before Swindon Borough Council may lawfully consider giving effect to the Cumulative Impact Policy a relevant representation must have been made. If no representations are received, it remains the case that any application must be granted in terms consistent with the operating schedule and any mandatory condition.

Responsible authorities and other persons may make written representations, maintaining that it is necessary to refuse an application within a CIZ for the promotion of licensing objectives and in doing so may refer to the evidence considered by Swindon Borough Council in the adoption of the Cumulative Impact Policy.

Swindon Borough Council will not use any Cumulative Impact Policy:

- As grounds for revoking an existing licence or certificate
- To refuse applications to vary an existing licence or certificate except where modifications are directly relevant to the Cumulative Impact Policy

The Cumulative Impact Policy does not include provision for terminal hours nor does it impose quotas on the number of licensed premises or the capacity of those premises.

Swindon Borough Council will regularly review the Cumulative Impact Policy to see whether it is still required or should be expanded.

Swindon Borough Council recognises there are other mechanisms both within and outside the licensing regime for addressing cumulative impact of licensed premises which may include:

- planning control;
- positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority;
- the provision of CCTV surveillance in town centres, taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols;
- powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
- the confiscation of alcohol from adults and children in designated areas;

- police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale);
- police powers to close down instantly for up to 24 hours (extendable to 48 hours) any licensed premises in respect of which a TEN has effect on grounds of disorder, the likelihood of disorder, or noise emanating from the premises causing a nuisance; and
- the power of the police, other responsible authorities or other persons to seek a review of a licence or certificate.
- Raising a contribution to policing the late night economy through the Late Night Levy.
- Early Morning Alcohol Restriction Orders.

Statement of Gambling Principles - Adoption

Licensing Committee

Date: 16th March 2015

Author: Kathryn Ashton – Licensing Manager
Wards: All
Locality Affected: All
Parishes Affected: All

1. Purpose and Reasons

- 1.1 To consider the representations received during consultation f on the draft Statement of Gambling Principles attached at Appendix 1, and to adopt the amended Statement as attached at Appendix 2.

2. Recommendations

That Committee:

- 2.1 Approves the adoption of the Revised Statement of Gambling Principles, and recommends it to Council for formal adoption; and
- 2.2 Agrees that the Head of Planning, Regulatory Services, Heritage and Libraries may, prior to adoption and in conjunction with the Chair of the Licensing Committee, make minor typographical changes to the document, if required.

3. Detail

- 3.1 The Gambling Act, 2005 ('the Act') came into effect on 1st September 2007. It created a new system of licensing and regulation for commercial gambling in Great Britain. Amongst other changes it gave Local Authorities new and extended responsibilities for licensing premises for gambling, some of which were transferred to Local Authorities from the local licensing justices.
- 3.2 The main functions given to Licensing Authorities under the Act are to;
- License premises for gambling activities
 - Consider notices given for the temporary use of premises for gambling
 - Grant permits for gaming and gaming machines in clubs and miners welfare institutes
 - Regulate gaming and gaming machines in alcohol licensed premises
 - Grant permits to family entertainment centres for the use of certain lower stake gaming machines
 - Grant permits for prize gaming
 - Consider occasional use notices for betting at tracks, and

Statement of Gambling Principles - Adoption

Licensing Committee

Date: 16th March 2015

- Register small societies lotteries
- 3.3 Section 349 of the Act requires the Licensing Authority to prepare and publish a Statement of Principles that it proposes to apply in exercising the functions listed in paragraph 3.2 above.
- 3.4 At its meeting of 2th July 2014, the Licensing Committee considered a draft 'Statement of Gambling Principles' and resolved that it should be subject to public consultation for a period of 12 weeks.
- 3.5 During the consultation period, a range of consultees were invited to comment on the draft Statement, including community and Parish groups, those involved in running gambling establishments and those with statutory responsibilities for controlling the impact of gambling institutions. A notice was also published in the local media and an article appeared in the Members Bulletin.
- 3.6 Despite this, just 1 representation was received to the consultation, and is listed at Appendix 1. This representation stated broad support for the proposals.
- 3.7 The final 'Statement of Gambling Principles' is attached at Appendix 2. The Statement is based on the Local Authority Coordinators of Regulatory Services (LACORS) template, which takes full account of the Gambling Commission's Guidance.
- 3.8 The 'Statement of Gambling Principles' is based around the three Licensing Objectives: -
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 3.9 The 'Statement of Gambling Principles' clarifies roles and responsibilities in respect of gambling and provides principles to be considered in respect of decision making on premises licences covering:
- adult gaming centres,
 - family entertainment centres
 - casinos,
 - bingo premises
 - betting premises

Statement of Gambling Principles - Adoption

Licensing Committee

Date: 16th March 2015

- tracks

The Statement also covers permits for temporary or occasional use in both licenced and unlicensed premises including clubs.

- 3.9 The provisions of the Statement are reflected in the draft Statement of Licensing Policy, which is currently out to consultation, following approval by the Licensing Committee on 8th January.
- 3.10 If adopted the Statement of Gambling Principles will provide a sound basis for the consideration of applications for gambling licences, particularly when supported by the Statement of Licensing Policy. The protection of children from harm is a key licensing objective, which crosses into the safeguarding agenda. By having clear statements of policy in place the Council is ensuring that children are not exposed to gambling.

4. Alternative Options

- 4.1 The Licensing Committee could choose not to commend the adoption of the Statement of Gambling Principles to Council. However, this would leave us without the context in which to develop our Statement of Licensing Policy and would potentially leave Swindon vulnerable to the adverse impacts of gambling from unlicensed premises.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 There are no direct financial implications arising from the report.

Legal and Human Rights Implications

- 5.2 The Secretary of State has confirmed that the Act is compatible with the European Convention on human rights.
- 5.3 The determination of the Statement of Gambling Principles is a statutory function that must be carried out by Swindon Borough Council following consultation. The arrangements associated with this process must be clearly followed and if they are not undertaken correctly may lead to judicial challenges.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

Diversity Impact Assessment

- 3.1 A DIA has been undertaken in respect of this report, and is available on request.

Statement of Gambling Principles - Adoption

Licensing Committee

Date: 16th March 2015

4. Consultees

- 4.1 The Board Director for Finance, Revenues, benefits and Property (Section 151 Officer) and the Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

5. Background Papers

- 5.1 The Gambling Act, 2005
- 5.2 The Gambling Commissions Guidance to Licensing Authorities (4th Edition)

6. Appendices

- 6.1 Appendix 1: Representations made to the consultation on the draft Statement of Gambling Policies
- 6.2 Appendix 2: Statement of Gambling Policies for Adoption.

Statement of Gambling Principles - Adoption

Licensing Committee

Date: 16th March 2015

Appendix 1

Representations made to the consultation on the draft Statement of Gambling Policies

Respondent	Summary Comment	Response
Wroughton Parish Council	Support.	Noted.

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Gambling Act 2005

STATEMENT OF PRINCIPLES

May 2014

CONTENTS

Page

Part A

1. The licensing objectives	
2. Introduction	
3. Declaration	
4. Licensing authority functions	
5. Responsible Authorities	
6. Interested parties	
7. Competition	
8. Exchange of information	
9. Enforcement	

Part B - Premises licences

1. General Principles	
2. Adult Gaming Centres	
3. (Licensed) Family Entertainment Centres	
4. Casinos	
5. Bingo	
6. Betting premises	
7. Tracks	
8. Travelling fairs	
9. Provisional Statements	
10. Reviews	

Part C - Permits / Temporary and Occasional Use Notices

1. Unlicensed Family Entertainment Centre gaming machine permits	
2. (Alcohol) Licensed premises gaming machine permits	
3. Prize Gaming Permits	
4. Club Gaming and Club Machines Permits	
5. Temporary Use Notices	
6. Occasional Use Notices	

This Statement of Licensing Principles was approved by [x] Council on [date]

All references to the Guidance refer to the Gambling Commission's Guidance to Licensing Authorities, 4th Edition, published September 2012.

Consultation

Consultation on this Statement of Principles was undertaken between **[x date and x date]** in accordance with the Government's 'Consultation Principles' document (published July 2012), which is available at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/60937/Consultation-Principles.pdf

The full list of comments made and the consideration by the Council of those comments is available by request to licensing@swindon.gov.uk.

The policy was approved at the meeting of the Swindon Borough Council on **[X]** date and was published via our website on **[x date]**. Copies are available from the Council Offices.

Should you have any comments regarding this policy statement please send them via e-mail or letter to:

The Licensing Manager
Wat Tyler House
Beckhampton Street
Swindon
SN1 2JH
licensing@swindon.gov.uk

PART A

1. The Licensing Objectives

In exercising most of our functions under the Gambling Act 2005, Swindon Borough Council must have regard to the licensing objectives as set out in section 1 of the Act. These are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.

Swindon Borough Council is aware that, as per Section 153, in making decisions about premises licences and temporary use notices we should aim to permit the use of premises for gambling in so far as we think it:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- Reasonably consistent with the licensing objectives and
- in accordance with the authority’s statement of licensing policy

2. Introduction

Swindon is a large town and unitary authority located within Wiltshire in South West England. It is midway between Bristol, approximately 40 miles to the west and Reading, approximately 40 miles to the east. Swindon Railway Station is on the main line from London, Paddington to Bristol and South Wales. Swindon Borough Council has been a unitary authority independent of the rest of Wiltshire since 1997. Swindon was named an Expanded Town under the Town Development Act 1952 and this led to a major increase in its population. Current population estimates show the population of the Swindon urban area as 174 000 with around 206,000 as the Borough wide estimate, which includes the satellite towns of Highworth and Wroughton and annexed villages (Bishopstone, Blunsdon St Andrew, Castle Eaton, Chiseldon, Hannington, Inglesham, South Marston, Stanton Fitzwarren and Wanborough).

The town is located between two junctions (15 and 16) of the M4 motorway and is on the main rail line to London. Thamesdown and Stagecoach are the main Swindon bus operators. Swindon Borough Council recognises its responsibility to the environment, realizing the impact it creates upon the planet, but are fully committed to minimise this whilst becoming as sustainable as possible. The Council achieves this via the principles of One Planet Living; using a fair share of Earth’s resources. Swindon is one of the

locations for innovative schemes such as car share and cycle for life.

Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must be then re-published.

The Gambling Act requires that the following parties are consulted by licensing authorities:

- The Chief Officer of Police;
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area;
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Gambling Act 2005.

In addition to the statutory consultees, Swindon Borough Council consulted widely upon this statement before its finalisation and publication. A list of those persons consulted is provided at **Appendix A**.

It should be noted that this statement of licensing principles does not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

3. Declaration

In producing the final statement, Swindon Borough Council declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance to Licensing Authorities issued by the Gambling Commission, and any responses from those consulted on the statement.

4. Licensing Authority functions

Licensing authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*
- Issue *Provisional Statements*
- Regulate *members’ clubs* and *miners’ welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue *Club Machine Permits* to *Commercial Clubs*

- Grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- Register *small society lotteries* below prescribed thresholds
- Issue *Prize Gaming Permits*
- Receive and Endorse *Temporary Use Notices*
- Receive *Occasional Use Notices*
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions

Information on these authorisations is provided in Parts B and C of this policy.

It should be noted that licensing authorities are not be involved in licensing remote gambling at all, which is regulated by the Gambling Commission via operating licences.

5. Responsible Authorities

Swindon Borough Council is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The agency chosen must have a good knowledge of the direct and indirect impact of gambling on the welfare of children and be answerable to democratically elected persons, rather than any particular vested interest group.

In determining the choice of responsible authority to advise the Licensing Authority on the protection of children from harm or exploitation by gambling, regard has been had to expertise and experience, local knowledge, efficiency and uniformity of approach. It is considered that a locally based agency is best placed to advise on what happens in Swindon.

Whilst bodies comprising several different agencies are able to take an overview on child protection matters and are able to determine outcomes in particular circumstances, they consist of different strands and are only able to reach consensus at formal meetings. Reliance on such a body for an opinion could be slow and requesting a view would take up time that probably should be spent discussing other matters.

In relation to advice on protecting children from harm caused by the provision of licensable activities under the Licensing Act 2003, Swindon Borough Council has already chosen the Head of Children and Families as the responsible authority.

For the sake of uniformity and because the choice also satisfies the other criteria, this is also the Council's responsible authority under the Gambling Act 2005 for the protection of children from harm or exploitation by gambling.

The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the Council's website (www.swindon.gov.uk).

6. Interested parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 (s.158) as follows:

“... a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person-

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,*
- b) has business interests that might be affected by the authorised activities, or*
- c) represents persons who satisfy paragraph (a) or (b)”*

Swindon Borough Council is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party.

In considering who are interested parties the Licensing Authority notes that this definition must include anyone who is affected by gambling activity at the premises concerned, where that effect falls under the heading of one of the licensing objectives. The Licensing Authority will examine this as a question of fact in each case. Where a person has put forward an admissible and relevant representation as a ‘interested party’ but the case is not clear that the person is an ‘interested party’, the Licensing Committee (or Sub-Committee thereof) will rule on the matter as a preliminary issue. This ruling will be made immediately prior to a hearing - convened to hear the matter. The Licensing Authority will have regard to the Gambling Commission Guidance in reaching any decisions.

Interested parties can be persons who are democratically elected such as councillors and MP’s. No specific evidence of being asked to represent an interested person will be required as long as the councillor/MP represents the ward likely to be affected. Likewise, parish councils likely to be affected, will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate/relative) ‘represents’ someone who either lives sufficiently close to the premises to be or likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting that the representation is made is considered sufficient for these purposes.

If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the licensing department (licensing@swindon.gov.uk).

The Gambling Commission's Guidance provides that the words, "has business interests" will be given the widest possible interpretation and will include partnerships, charities, faith groups and medical practices.

It would be open to an educational establishment to raise concerns about the protection of children or young persons in its care and a counsellor or hypnotist who has a substantial involvement in assisting customers with a gambling addiction might have cause to object if a gambling facility was proposed in the vicinity of their treatment centre.

7. Competition

Other gambling businesses that wish to put a case against a licensing application must do so within the framework of the licensing objectives. In practice, objections will be limited to areas such as informing the Licensing Authority of evidence of malpractice on the part of the applicant, evidence of criminal background or associations with crime or evidence of unfairness in relation to gambling transactions or evidence that gambling transactions compromised the welfare of children or vulnerable adults. Where a business is engaged in gambling activities, it may legitimately argue that it will be affected by any transgression or lowering of standards, which as a consequence threatens to undermine the reputation of the gambling industry.

8. Exchange of Information

Swindon Borough Council is required to include in their statements the principles that will be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

We have an established protocol for the exchange of information with the Police, for the furtherance of the responsibilities of both parties under the Crime and Disorder Act 1998 and which includes provisions ensuring that the provisions of the Data Protection Act 1998 will not be contravened. This framework provides for and will regulate the exchange of information between the responsible authorities, including the Gambling Commission, and the Licensing Authority. The Licensing Authority will also have regard to any Guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

Any revision to the protocol is not considered to be an amendment of the Licensing Policy Statement and such a revision may take place at any time.

9. Enforcement

Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

The Licensing Authority adheres to a policy on enforcement and regulation that is generic to Swindon Borough Council. This policy is modelled on the Regulatory Compliance Code developed by the Department for Business Innovation & Skills (BIS). The local policy is taken to be a supplement to this Licensing Policy Statement. Any revision to the enforcement policy is not considered to be an amendment of the Licensing Policy Statement and such a revision may take place at any time. The enforcement policy provides for transparency, proportionality, accountability and consistency.

As per the Gambling Commission's Guidance to Licensing Authorities this Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

The main enforcement and compliance role for this Licensing Authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission is the enforcement body for operating and personal licences and also matters relating to the manufacture, supply or repair of gaming machines.

Inspections will be carried out on a risk-assessed basis. Priority will be given to visits prompted by complaints or reports from members of the public, interested parties or responsible authorities, indicating non-compliance with the licensing objectives. Risk will be considered on the basis of the extent of harm likely to result from non-compliance, either in terms of the number of people at risk or the severity of the impact upon them. The protection of children and vulnerable adults from harm is the foremost objective of the Licensing Authority.

A mix of announced and unannounced visits will be carried out on a programmed basis. Announced visits will provide an opportunity for unhurried discussion with key players present.

PART B

PREMISES LICENCES: CONSIDERATION OF APPLICATIONS

1. General Principles

Premises licences are subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

(i) Decision-making

As Licensing Authority Swindon Borough Council is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

It is appreciated that as per the Gambling Commission's Guidance to licensing authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution' - see section on Casinos) and also that unmet demand is not a criterion for a licensing authority.

(ii) Definition of "premises"

In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in the fourth edition of its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building/plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration

and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.”

As Licensing Authority, Swindon Borough Council takes particular note of the Gambling Commission’s Guidance to Licensing Authorities which states that: “licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity names on the premises licence.”

The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates
- Is the premises’ neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

The Gambling Commission’s relevant access provisions for each premises type (paragraph 7.26 of the Guidance) are reproduced below:

Casinos

- The principal access entrance to the premises must be from a street (as defined at 7.24 of the Guidance)
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

Betting Shops

- Access must be from a street (as per paragraph 7.23 Guidance to Licensing Authorities) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

Tracks (horse-race course, dog track or other premises on any part of which a race or other sporting event takes place or is intended to take place)

- No customer should be able to access the premises directly from:
 - a casino
 - an adult gaming centre

Bingo Premises

- No customer must be able to access the premise directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Family Entertainment Centre

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

(iii) Primary Gambling Activity

The Licensing Authority notes the Gambling Commission guidance regarding the primary gambling activity authorised by a premises licence (paragraph 7.5 - 7.7 of the Guidance).

"By distinguishing between premises types the Act makes it clear that the primary gambling activity of the premises should be that described. Thus, in a bingo premises, the primary activity should be bingo, with gaming machines as an ancillary offer on the premises."

The Licensing Authority will take account of any advice notes published by the Commission regarding primary gambling activity, but it expects that the primary

gambling activity shall be that described by the licence.

(iv) Premises “ready for gambling”

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.59-7.66 of the Guidance.

(v) Location

As Licensing Authority Swindon Borough Council is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision-making. It is not considered that the location of premises has any bearing on the fairness of the gambling process.

As per the Gambling Commission’s Guidance to Licensing Authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

It is the policy of this Licensing Authority that:

- Where it is proposed to use for gambling purposes premises which are thought to be in use as a base for organised crime or where the proposed premises are adjacent to premises which appear to be in use as a base for organised crime, the Licensing Authority will normally refuse to issue a licence and will be receptive to the idea of revoking a licence under such circumstances.

- Where it is proposed to use for gambling purposes, premises which are within a short distance of a facility already used as a centre for providing counselling and support to individuals who have a gambling addiction and the proposal is that the gambling premises will be open at the same time as the support facility, the application will normally be refused, if that opportunity presents itself.
- Where it is proposed to use for gambling purposes premises which are within a short distance of a place of assembly designed primarily for young people or children or vulnerable adults, this will be taken into account when the application is considered. For these purposes, use of a building as a youth centre or a school will be considered to be significant but a community centre which is used sometimes by young people but is provided for the wider community will not be viewed as relevant.
- Where it is intended that premises should be used for any gambling transaction that involves a face to face encounter between a customer and a member of staff, it is deemed that 'young persons' [as defined by the Act] are potentially at risk but that children [as defined by the Act] are not. The presence of a junior school or crèche will not be considered relevant when making a determination in relation to a betting office or bingo hall for example but the presence of a sixth form college may be considered relevant.
- Where it is intended that premises should be used for any gambling transaction that does not in itself involve a face to face encounter between a customer and a member of staff, it is deemed that 'young persons' and 'children' [each as defined by the Act] are potentially at risk. In relation to such a proposal, the presence within a short distance of a sixth form college, further education college, secondary school, junior or infants school will be considered relevant although the proximity of a facility for the under 5's will not be taken as relevant.

In considering if a gambling transaction involves a face to face encounter with staff in the above circumstances, no account will be taken of such matters as the giving of change or the hire of a computer terminal. A face to face transaction will include the placing of a bet at a counter or the placing of chips on a roulette table in the presence of the croupier.

Should any further policies be decided upon regarding areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

(vi) Planning:

The Gambling Commission Guidance to Licensing Authorities (paragraph 7.60) states:

“In determining applications the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.”

This authority will not take into account irrelevant matters as per the above guidance. In addition this authority notes the following excerpt from the Guidance (paragraph 7.67):

“When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.”

(vii) Duplication with other regulatory regimes

The Licensing Authority will not seek to take any action under the Gambling Act 2005, where an appropriate remedy is provided by other legislation that is more precisely targeted for that purpose. By way of illustration, this would preclude the use of the Gambling Act 2005 to pursue such matters as health and safety at work, equal opportunities or the visual amenity of buildings.

Furthermore, this authority will not consider whether a premises is likely to be awarded planning permission or building regulations approval, in its consideration of a licensing application for that premises. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

When dealing with a premises licence application for a finished building, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

Licensing objectives - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this Licensing Authority has considered the Gambling Commission’s Guidance to Licensing Authorities and some comments are made below.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime - As Licensing Authority Swindon Borough Council is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This Licensing Authority is aware of the distinction between disorder and nuisance and will consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see it) so as to make that distinction.

Ensuring that gambling is conducted in a fair and open way - This Licensing Authority has noted that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section).

Protecting children and other vulnerable persons from being harmed or exploited by gambling - This Licensing Authority has noted the Gambling Commission's Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The Licensing Authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas etc.

This licensing authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

As regards the term “vulnerable persons” it is noted that the Gambling Commission does not seek to offer a definition but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to mental health needs, learning disability or substance misuse relating to alcohol or drugs.” This Licensing Authority will consider this licensing objective on a case by case basis.

Conditions - Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this Licensing Authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This Licensing Authority will also expect the licence applicant to offer his/her own suggestions as to ways in which the licensing objectives can be met effectively.

This Licensing Authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

This Licensing Authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this Licensing Authority will consider the impact upon the protection of children and other vulnerable persons from harm or exploitation by gambling objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

It is noted that there are conditions which the Licensing Authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

Door Supervisors - The Gambling Commission advises in its Guidance to Licensing Authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a condition to this effect on a premises licence.

Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary (as per the Guidance, Part 33).

2. Adult Gaming Centres

This Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, to restrict access to the premises, in appropriate cases.

This licensing authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

3. (Licensed) Family Entertainment Centres:

This Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

This licensing authority may consider measures to meet the licensing objectives such

as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This Licensing Authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

4. Casinos

As Licensing Authority, Swindon Borough Council has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005 Swindon Borough Council is aware, however, that it has the power to pass a 'no casino' resolution. Should this Licensing Authority decide to pass such a resolution in the future, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council.

5. Bingo premises

This Licensing Authority notes that the Gambling Commission's Guidance states (paragraph. 18.4):

"Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas."

This authority also notes the Guidance regarding the unusual circumstances in which the splitting of pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible for all of the gaming machines to which each of the licences brings an entitlement to be grouped together within one of the licensed

premises, as the gaming machine entitlement for the single premises would be exceeded.

The Gambling Commission's Guidance further states (para.18.6):

"Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed."

6. Betting premises

Betting machines - This Licensing Authority will, in accordance with the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

7. Tracks

This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this Licensing Authority will especially consider the impact upon the protection of children and other vulnerable persons from harm or exploitation by gambling objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

This Licensing Authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

This Licensing Authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as

GamCare

This above list is not mandatory, nor exhaustive, and is merely indicative of example measures.

Gaming machines - Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

Betting machines - This licensing authority will, as per Part 16 of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.

Applications and plans

The Act (s.51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity.

Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations.

Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises.

In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.

This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place.

8. Travelling Fairs

This Licensing Authority is responsible for deciding whether (where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs) the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

It is noted that the 27-day statutory maximum for the land being used as a fair applies on a per calendar year basis, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This Licensing Authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

9. Provisional Statements

Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

S.204 of the Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant

authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

10. Reviews

Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below;

- in accordance with any relevant Code of Practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of principles.

The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

The licensing authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.

Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.

The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-

- (a) add, remove or amend a licence condition imposed by the licensing authority;
- (b) exclude a default condition imposed by the Secretary of State or Scottish Ministers (e.g. opening hours) or remove or amend such an exclusion;
- (c) suspend the premises licence for a period not exceeding three months; and
- (d) revoke the premises licence.

In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:

- the licence holder;
- the applicant for review (if any)
- the Commission
- any person who made representations
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs

PART C
Permits/Temporary & Occasional Use Notice

1. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

The Gambling Act 2005 states that a licensing authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. The Gambling Commission's Guidance to Licensing Authorities also states: "In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits...., licensing authorities will want to give weight to child protection issues." (paragraph 24.6)

Guidance also states: "...An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed Family Entertainment Centre, ("FEC") and if the chief officer of police has been consulted on the application....licensing authorities might wish to consider asking applications to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and
- that staff are trained to have a full understanding of the maximum stakes and prizes."

(paragraph.24.7 of Guidance)

It should be noted that a licensing authority cannot attach conditions to this type of permit.

Statement of Principles - This Licensing Authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures/training for staff as regards suspected truant school children on the premises, measures/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on or around the premises. This Licensing Authority will also expect, in accordance with the Gambling Commission Guidance, that

applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

2. (Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1))

Automatic entitlement: 2 machines

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority.

The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

Permit: 3 or more machines

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider the application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*”

This Licensing Authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or exploitation by gambling. However, no account can be taken of the presence of any premises in the locality that are principally used by children or young people, when an application to provide amusements with prizes machines is considered.

The applicant must satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include siting the adult machines within sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be of help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets or helpline numbers for organisations such as GamCare.

It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for, but no other conditions can be attached.

It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3. Prize Gaming Permits

The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit”.

This Licensing Authority has prepared a Statement of Principles which provides that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- that the gaming offered is within the law
- Clear policies outlining the steps to be taken to protect children from harm.

In making its decision on an application for this permit the licensing authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance. (Gambling Act 2005, Schedule 14 paragraph 8(3))

It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

4. Club Gaming and Club Machines Permits

Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations.

Members Clubs and Miner's welfare institutes – and also Commercial Clubs – may apply for a Club Machine Permit. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

Gambling Commission Guidance states: "Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulation and these cover bridge and whist clubs, which replicates the position under the Gambling Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations."

The Commission Guidance also notes that "licensing authorities may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police.

There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission's Guidance to Licensing Authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

5. Temporary Use Notices

Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

The licensing authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place".

In considering whether a place falls within the definition of "a set of premises", the licensing authority needs to look at, amongst other things, the ownership/occupation and control of the premises.

This Licensing Authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Licensing Authorities.

6. Occasional Use Notices:

The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

Appendix A – List of Consultees

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