

**BIRMINGHAM CITY COUNCIL**

**REPORT OF ACTING DIRECTOR OF REGULATION AND ENFORCEMENT  
TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**

**17 FEBRUARY 2016**  
**ALL WARDS**

**PUBLIC HEALTH RESPONSIBLE AUTHORITY**  
**ALCOHOL LICENSING TOOL**

1. Summary

- 1.1 The Director of Public Health gained Responsible Authority status for the Licensing Act 2003 under the provisions of the Health and Social Care Act 2012.
- 1.2 To facilitate this duty, Public Health have developed an Alcohol Licensing Tool to provide data and evidence for response to applications for the grant, variation, minor variation or review of premises licenses and club premises certificates or the grant of a provisional statement, and to make applications for the review of such authorisations.
- 1.3 The tool will also be used to provide information to the other responsible authorities for their consideration with reference to applications for the grant, variation, minor variation or review of premises licenses and club premises certificates or the grant of a provisional statement, and to make applications for the review of such authorisations.

2. Recommendation

- 2.1 That a training session is provided for the Chair and members of Licensing and Public Protection Committee to demonstrate the Public Health Alcohol Licensing tool.

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### 3. Background

- 3.1 Responsible Authority status under the Licensing Act 2003 for the Director of Public Health (DPH) was provided under the provisions of Health and Social Care Act 2012.
- 3.2 There is no licensing objective under the Licensing Act 2003 that protects and improves public health, however, Public Health in Birmingham, aim to maximise the existing objectives to enable the industry and regulators to consider interventions which serve to promote each of the 4 licensing objectives and improve public health simultaneously.
- 3.3 To enable the DPH in Birmingham to fulfil their responsible authority duty, Public Health has developed an alcohol licensing tool which will enable the DPH to consider evidence at many levels to make representation as appropriate, and to provide other responsible authorities with information that they might not otherwise have access to, and for them to consider.
- 3.4 This alcohol licensing tool is based and designed on the successful tool created by Islington Borough Council.
- 3.5 The evidence gathered is on a multi-disciplinary and varied geographical basis, from postcode level, to synthetic population estimates. All of the data is provided by partners, including Birmingham City Council, West Midlands Police, West Midlands Fire, West Midlands Ambulance and service providers.
- 3.6 The information provided by the tool will be relevant to the current 4 licensing objectives and provide additional information on the alcohol related harm in the locality and wider area of the applicant or licensed premises and includes:
  - West Midlands Ambulance Service data on callouts where alcohol has played a factor, or a premises licensed to supply alcohol.
  - West Midlands Police data on callouts/incidents where alcohol has factored, or a premises licensed to supply alcohol and Police domestic violence score.
  - West Midlands Fire Service data on incidents where alcohol has factored.
  - Public Health data for numerous indicators (Alcohol Specific Deaths; Liver disease preventable death score; counterfeit activity; underage sales; safeguarding score; binge drinking; alcohol related hospital admissions).
- 3.7 It is envisaged that the future use of this tool will become available to all responsible authorities in Birmingham as well as residents. If this does happen then data sharing protocols will be developed.

#### 4. Proposal

- 4.1 It is proposed that the Public Health alcohol licensing tool is demonstrated to the Chair and members of the Licensing and Public Protection Committee to show how the tool works, its potential use and limitations.

#### 5. Consultation

- 5.1 Licensing representatives and solicitors have been consulted on the relevance of the information, data and evidence that the tool can provide.

#### 6. Matters for Consideration

- 6.1 The Public Health Alcohol tool is still in its infancy and there is scope for adjustments and improvements. This tool is designed to assist decisions, and wherever possible, provide opportunity for improvements. It is currently undergoing trial usage and further amendments will be further considered and incorporated where appropriate.

#### 7. Implications for Resources

- 7.1 The cost and resource associated with the development and use of this tool is within Public Health's budget. Any further amendments required will be similarly costed.

#### 8. Implications for Policy Priorities

- 8.1 The issues addressed in this report relate to the City Council priorities, including the relatively new Public Health responsibilities, and also associated with creating a cleaner, greener and safer city and providing excellent services, as well as laying the foundations for a prosperous and healthy city, built on an inclusive economy, involving local people and communities in the future of their local area and their public services – a city with local services for local people.

#### 9. Public Sector Equality Duty

- 9.1 The actions identified in this report were taken in accordance with approved policies which ensure that equalities issues have been addressed.

### **ACTING DIRECTOR OF REGULATION AND ENFORCEMENT**

Background Papers: Home Office Revised Guidance issued under section 182 of the Licensing Act 2003, March 2015