

COMMUNITY AND HOUSING DEPARTMENT

Simon Williams - Director



Public Health
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX

Direct Line: 020 8545 4834

Date: 15/05/2017

To: Licensing Department
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX

Re: Application to Vary the Premises Licence under the Licensing Act 2003 – 323– 23A London Road, Mitcham, CR4 4BE

Premises licence number	
Applicant	Krzysztof Kacmarczyk and Pawel Pozelko
Premises address	323-323A London Road, Mitcham, CR4 4BE
Ward	Cricket Green
Summary of the application	New off-licence Hours of sale: Monday – Sun 08.00hrs – 22.00hrs

As a responsible authority under 2012 amendment to the Licensing Act 2003, the Director of Public Health for Merton wishes to make representation to the application on **four** of the four licensing objectives:

- 1. The prevention of crime and disorder***
- 2. Public safety***
- 3. Prevention of public nuisance***
- 4. The protection of children from harm***

Tackling alcohol misuse is central to achieving the outcomes in Merton's Health and Wellbeing Strategy: giving every child a healthy start in life, supporting people to improve their health, improving wellbeing, resilience and connectedness, and reducing the gap in life expectancy between the east and west of the borough. We want to create an environment and a culture in the borough that prevents problem drinking from starting and provides early help for people who are struggling. One of the ways we will be doing this is ensuring health and wellbeing considerations are presented for consideration in licensing decisions, in order to tackle alcohol-related crime and anti-social behaviour, ensure public safety and prevent harm to children.

The Merton Joint Strategic Needs Assessment (JSNA) chapter on alcohol sets out a summary of the available evidence on alcohol-related behaviours and consequences, as background to the importance of tackling alcohol effectively in the borough: <http://www.merton.gov.uk/health-social-care/publichealth/jsna/lifestyle-risk-factors/adults-substance-misuse/alcohol-jsna.htm>

1. The prevention of crime and disorder

London Borough of Merton Civic Centre, London Road, Morden, Surrey SM4 5DX
020 8274 4901 merton.gov.uk

Local data from Safe Stats shows that in the year to October 2016, the following incidents occurred within 500 meters of the postcode for this premises:

- 2 Ambulance-reported assaults
- 1 alcohol-related incidents, 0 of which were in those under the age of 26
- 0 least serious injuries, which are often used as a proxy for alcohol related harm
- 5 incidents of criminal damage within 400 metres

This data suggests an existing significant impact of alcohol consumption in the local area. While the above data does not relate to these specific premises, it is likely that the granting of this licence as requested, will contribute to the above trends relating alcohol to crime and disorder.

National and international scientific evidence shows the following:

- Overall, more alcohol is consumed when it is easily available.¹
- An increase in alcohol sales is strongly linked to an increase in drinking-related damage, for instance injuries and assaults.²
- Harmful use of alcohol is a major contributor to violence: alcohol use commonly precedes aggressive behaviour, and harmful drinking is associated with being both a perpetrator and a victim of violence³
- Reducing the availability of alcohol through regulating sales outlets, hours and prices can substantially decrease violence.³

2. Public Safety and Prevention of public nuisance

The data above on assaults and violence above and in Appendix 1 paint a picture of the impact of alcohol consumption in this specific area on both public safety and nuisance.

The premises are located in the Mitcham CIZ, an area where it is recognised that there is already a significant problem with the impact of alcohol on public safety and public nuisance. The most recent Annual Residents Survey (2014) highlighted that 42% of all residents in this area of the borough are very worried or fairly worried about people being drunk and rowdy (Appendix 2).

3. The protection of children from harm

In younger people, risky drinking behaviour is associated with anti-social behaviour and teenage conceptions⁴ .

¹ Alcohol Concern UK (2012) Response to The Government's Alcohol Strategy (March 2012)

² Popova et al 2009, Hours and days of sale and density of alcohol outlets: impacts on alcohol consumption and damage: a systematic review. Alcohol & Alcoholism Vo. 44, No. 5, pp. 500-516

³ WHO 2009 Preventing violence by reducing the availability and harmful use of alcohol

⁴ Merton JSNA: <http://www.merton.gov.uk/health-social-care/publichealth/jsna/lifestyle-risk-factors/adults-substance-misuse/alcohol-jsna.htm>

The premises is located within 500 metres of 7 schools, and is in the top 5% of areas in the borough for schools within 200m, this premises is likely to be on the main route home for many young people from school.

Conclusion

The applicant states limited steps that they will take to promote the licensing objectives; however we believe that these will not be sufficient to prevent an additional impact of the proposed hours for sale of alcohol on the levels of alcohol-related crime and disorder and issues around public safety already seen in the area.

There are likely to be detrimental consequences to the licensing objectives, and to broader health and wellbeing, of this license being granted. The Merton SOLP states that it is “for the applicants to show in their operating schedules that their proposals will not add to the cumulative impact already being experienced.”

Therefore we would recommend that the Committee reject the application for an off-licence on these premises:

If the Committee approves the license, we would recommend that the Committee restricts the license operating hours to between 11am and 10pm daily.

We would also recommend that if the Committee approves the application, the following conditions are applied to the licence to further promote the prevention of crime and disorder and to promote public safety:

1. No super-strength beer, lagers or ciders, or spirit mixtures above 5.5% ABV (alcohol by volume) or above shall be sold at the premises.
2. No single cans or bottles of beer, lager cider or spirit mixtures shall be sold at the premises.
3. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
4. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol
5. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
6. Drinkaware will be promoted through the business website and drinking sensibly and appropriately will feature on any menus and marketing literature.
7. A ‘Challenge 25’ Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18+ years of age.
8. The Premises Licence Holder shall ensure that full training is provided to all staff on commencement of employment on their Challenge 25 policy and the law relating to the sale of alcoholic products and any system or procedures that they are expected to follow in the course of dealing with these goods.

9. A log shall be kept at the premises and record all refused sales of alcohol for reasons that the person is or appears to be under 18 years of age or the person is intoxicated. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be made available on request by the Police or an authorised officer of the local authority.
10. There shall be no promotional sales of alcohol at the premises where alcohol is sold at a price lower than that at which the same or similar alcoholic drinks are sold, or usually sold, on the premises.
11. No advertising of alcohol drinks or drink promotions visible from the street.
12. CCTV should be installed, monitored and where required made available to Police and other legal authorities, and staff operating the CCTV system must be fully trained and familiar with responsibilities and legal requirements in respect of operating such a system.

Yours sincerely,

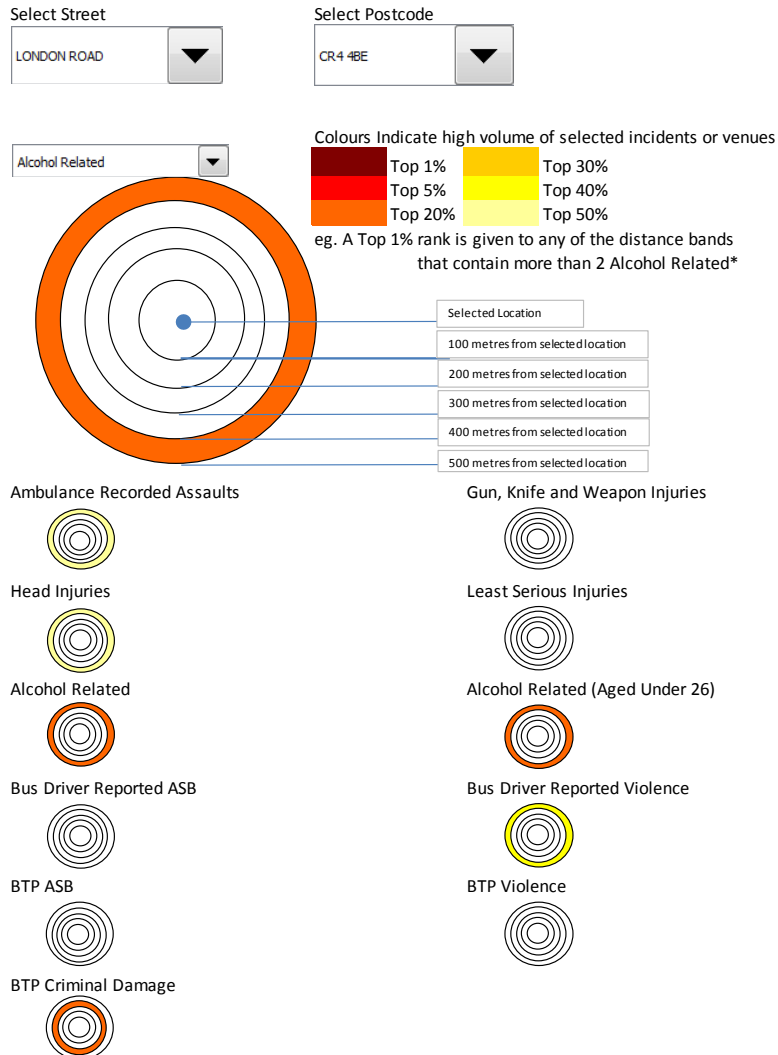
Keith Daley
Substance Misuse Commissioning Manager

On behalf of Merton Public Health team

Appendix 1: LBM Public Health preliminary data scan for the following premises:

323-323A London Road, Mitcham, CR4 4BE

A. SafeStats bullseye dashboard for: 323-323A London Road, Mitcham, CR4 4BE



Headlines related to this postcode:

- 2 alcohol related incidents within 500m of this postcode in the year to June 2016; 0 in those aged under 26.
- 7 Nearby schools

Type of data (incidents)	Total within 500m
Ambulance recorded assaults	2
Gun, Knife and Weapons injuries	0
Head injuries	1
Least serious injuries	0
Alcohol related	1
Alcohol related (aged under 26)	1
Bus driver reported ASB	0
Bus driver reported Violence	1
Nearby schools	7

* In the year to June 2016

B. SafeStats traffic light dashboard for postcode

USER INPUT		
SELECT POSTCODE FROM LIST	WARD	WARD NAME
CLICK HERE> <input type="text" value="CR4 4BE"/>	00BAGA	Cricket Green

PREVENTION OF CRIME AND DISORDER	
AMBULANCE DATA	
RANK ALL ASSAULTS 2 out of 20 wards	RANK SEXUAL ASSAULTS 2 out of 20 wards
RANK ALL WEAPON INJURIES 5 out of 20 wards	RANK KNIFE INJURY 5 out of 20 wards
RANK GUN INJURIES 1 out of 20 wards	RANK VIOLENCE AGAINST AMBULANCE CREW 4 out of 20 wards

POLICE DATA: recorded crime and ASB	
RANK ALL VIOLENCE 2 out of 20 wards	RANK RAPE 6 out of 20 wards
RANK THEFT FROM PERSON (OTHER) 7 out of 20 wards	RANK PERSONAL ROBBERY 1 out of 20 wards
RANK CRIMINAL DAMAGE 1 out of 20 wards	RANK POSSESSION OF DRUGS 3 out of 20 wards
MPS ASB RANK 1 out of 20 wards	MPS POSSESSION OF WEAPON 2 out of 20 wards

Other data sources	
NIGHT TIME VIOLENT DISORDER 2 out of 20 wards	DELIBERATE FIRES 6 out of 20 wards
Probation Clients with Alcohol misuse Risk 2 out of 20 wards	Probation Clients Alcohol Risk and High risk of causing harm 18 out of 20 wards

MERTON 'Traffic Light Dashboard' to: October 2015

ALCOHOL ILLNESS TREATED BY LONDON AMBULANCE SERVICE		
ambulance data		
AGED 8 - 17 1 out of 20 wards	AGED 18 - 25 1 out of 20 wards	
AGED 26 - 39 4 out of 20 wards	AGED 8 - 39 4 out of 20 wards	AGED 18+ 1 out of 20 wards

DEPRIVATION	
ward summaries	
INCOME DEPRIVATION 1 out of 20 wards	EMPLOYMENT DEPRIVATION 1 out of 20 wards
AVERAGE DEPRIVATION 1 out of 20 wards	RANK BY MOST DEPRIVED SUB WARD AREA 2 out of 20 wards

<http://data.london.gov.uk/datastore/package/indices-deprivation-2010>

PUBLIC TRANSPORT ALCOHOL RELATED INCIDENTS	
BTP DRUNKEN BEHAVIOUR 3 out of 20 wards	TFL ALCOHOL RELATED DISTURBANCE 1 out of 20 wards

WELL BEING	
13 RANK Life Expectancy	1 RANK Incapacity claimant rate -index
11 RANK Crime rate - Index	4 RANK Average Capped GCSE and Equivalent Point Score Per Pupil
6 RANK Unauthorised Absence in All Schools (%)	1 RANK Dependent children in out-of-work families
11 RANK Public Transport Accessibility	20 RANK Homes with access to open space & nature, and % greenspace
3 RANK Subjective well-being average score	

<http://data.london.gov.uk/datastore/package/london-ward-well-being-scores>

APPENDIX 2: Public Health data on alcohol in Merton & Cricket Green Ward (premises location):

Nationally, alcohol is the leading risk factor for preventable death in 15-49 year olds. Nine million adults now drink at levels that increase the risk of harm, of whom 1.6 million show signs of alcohol dependence. The number of people dying due to liver disease in England is rising, in contrast to other major causes of disease that have been declining.⁵ The harm of alcohol falls not just on individuals and their health, but on society as a whole. Alcohol misuse is associated with a wide range of criminal offences, including drink driving, being drunk and disorderly, criminal damage, assault and domestic violence, all of which can also indirectly impact on health. In younger people, risky drinking behaviour is associated with anti-social behaviour and teenage conceptions.

The estimated prevalence of binge drinking is 13.8% compared with 14.3% in London and 20.0% nationally. However, this masks differences across the borough. Estimated levels of the adult population drinking at 'increasing risk' (21%) and 'higher risk' (7.2%) are above London average, and again, drinking patterns vary across the borough.

In terms of alcohol harm overall, in 2012 Merton ranked 55 out of 326 local authorities (Local Alcohol Profiles for England, LAPE 2012) but was in the higher percentiles for:

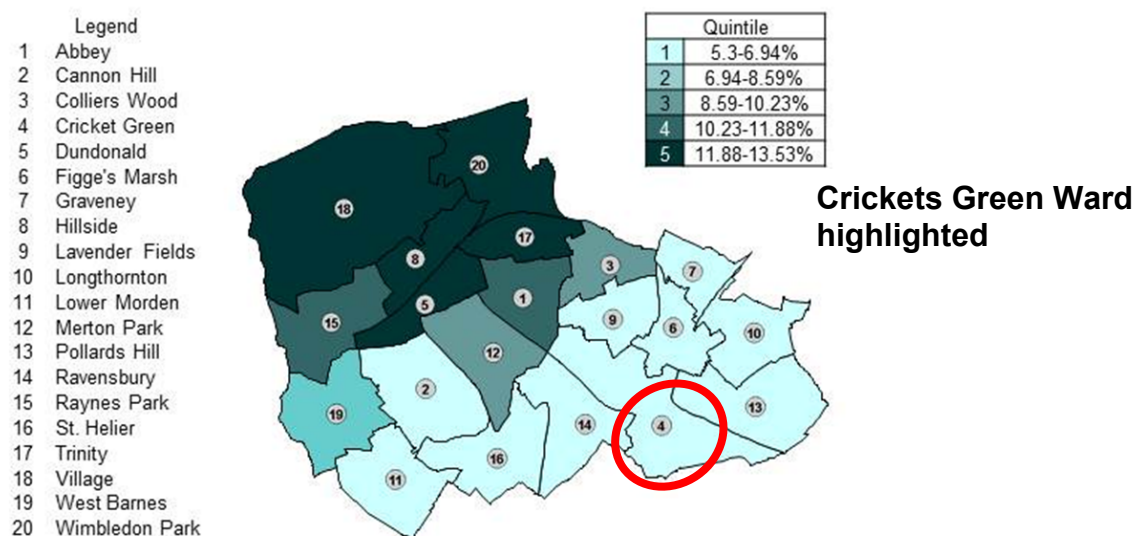
- Male mortality chronic liver disease (104/326)
- Female alcohol-specific hospital admissions (106/326)
- Male alcohol-specific hospital admissions (109/326)
- Male alcohol-attributable hospital admissions (151/326)
- Alcohol-related violent crimes (192/326)
- Alcohol-related sexual offences (208/326).

The amount of harm caused by alcohol also varies across the borough.

Figure 1: Residents reporting drinking alcohol every day

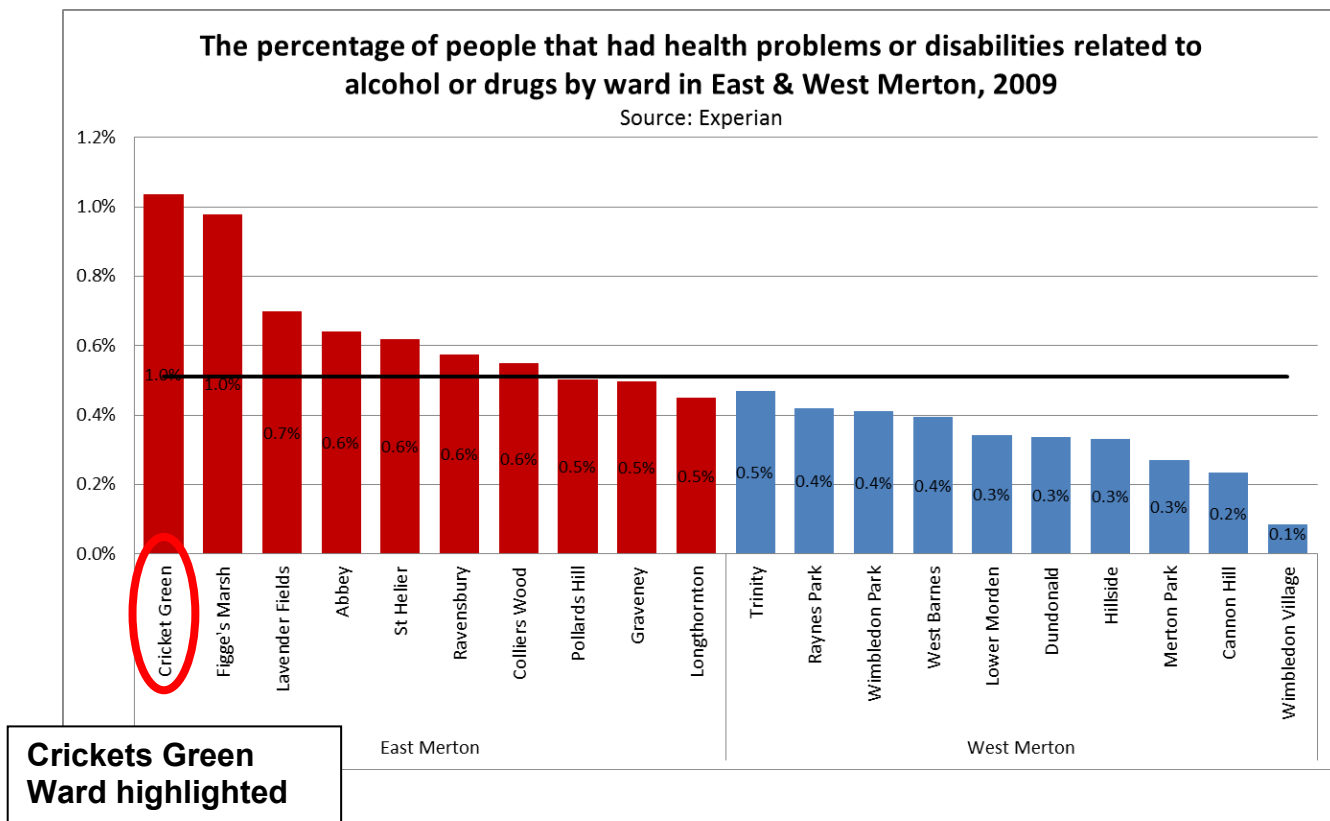
Expected Prevalence of Alcohol Consumption at Home in Merton by Ward: Once a Day or More.

Source: Experian Grand Index 2014



⁵ PHE (2014) From evidence into action: opportunities to protect and improve the nation's health

Figure 2: Residents with health problems or disabilities caused by alcohol or drugs



In terms of all alcohol-related crime, Merton with a rate of 7.3 recorded crimes per 1,000 populations was higher than the neighbouring boroughs Sutton (6.7) and Kingston (6.7) and the England average of 7 but lower than the London average of 11.1 (LAPE 2012). See Figure 2. Figure 3 shows that the trend has generally been downward.

Figure 3: Recorded crime attributable to alcohol, Merton compared with South West London, London overall, England, 2011-12.

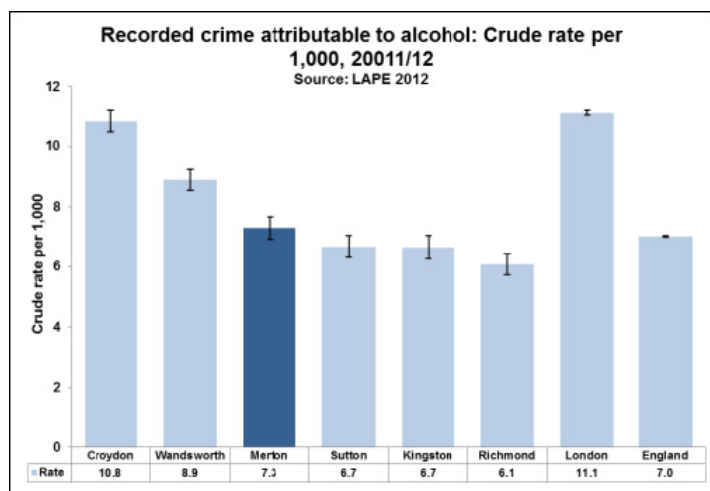
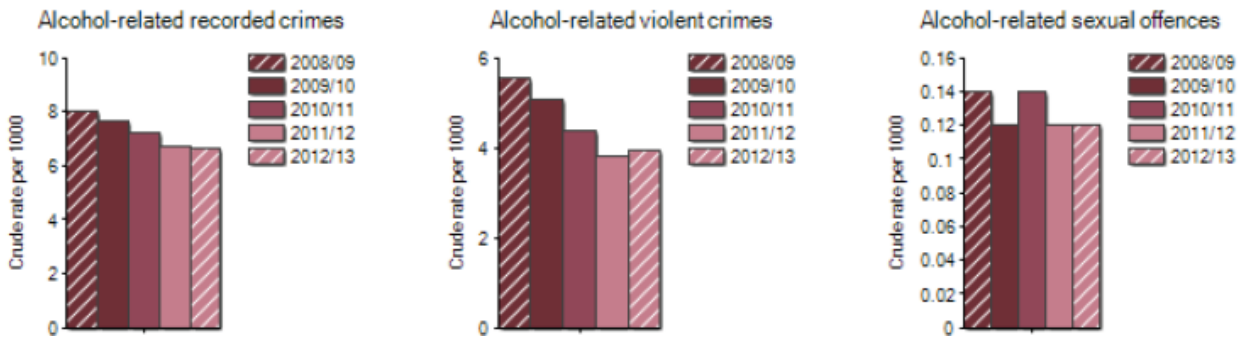
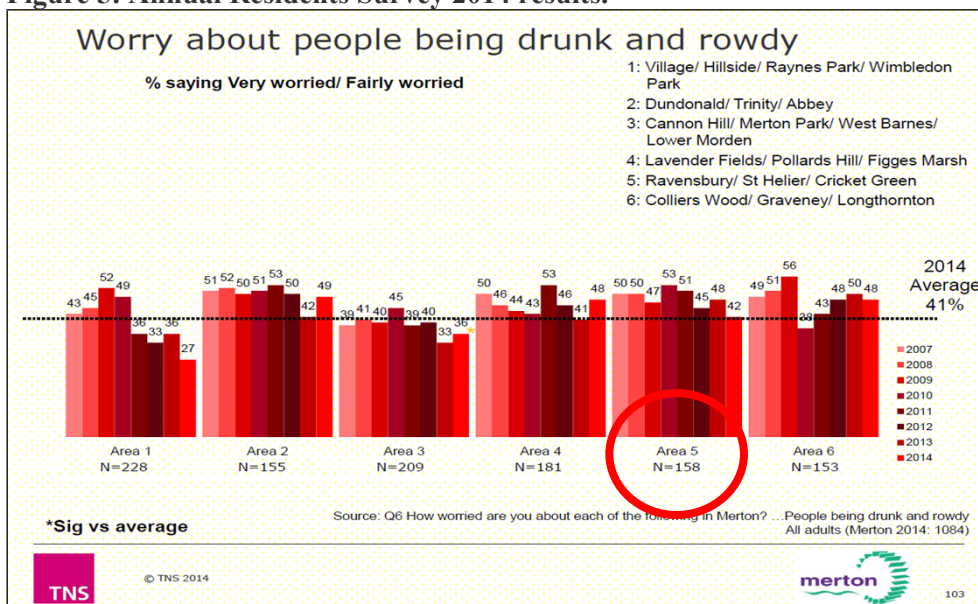


Figure 4: Alcohol-related crimes in Merton, 2008-09 to 2012-13.



However, the 2014 Annual Residents Survey highlighted that residents are still concerned about crime, anti-social behaviour and people being drunk and rowdy – see Figure 4:

Figure 5: Annual Residents Survey 2014 results.



Area which includes Crickets Green Ward is highlighted: in 2014 an above average number (42%) of local residents are very worried or fairly worried about people being drunk and rowdy, this is an decrease on 2013 (48%).

For more information see the Merton Joint Strategic Needs Assessment (JSNA) chapter on alcohol: <http://www.merton.gov.uk/health-social-care/publichealth/jsna/lifestyle-risk-factors/adults-substance-misuse/alcohol-jsna.htm>

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