

**CONSULTATION DRAFT STATEMENT OF LICENSING POLICY  
SCHEDULE OF RESPONSES**

Question	Respondent Ref No and Type	Comments	Appraisal	Response
<p><b>Q1</b> Is there anything you feel should be included in the draft policy document which is not currently addressed?</p> <p align="center" style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 67</p>	R/001 & 2 Tamworth Business	The map of the cumulative impact area should be redrawn to include properties on BOTH sides of the boundary streets, instead of being drawn down the middle of the street. There are significant numbers of licenced properties, together with empty properties which could become licenced, which are not included. For example, The Globe, Corys, Atik, Penny Black. Include them!	Comments noted. The Cumulative Impact Assessment (CIA) includes a statement that Where a boundary line follows a street or road, premises on both sides of the street or road are deemed to be within the cumulative impact area.	Note comment .Add statement to map in Statement of Licensing Policy (SoLP) for clarification.
	R/003	No comments given to questions 1, 2 & 3.		
	R/004 Tamworth Resident	Should there be requirement for licensed premises to guarantee an agreed number of door staff to be on duty at the peak times for possible disorder? Should there be a requirement for all licensed premises and takeaways to have full CCTV coverage, in colour, areas required to be covered agreed with local police? If knife crime becomes a local problem, should licensed premises be required to install "knife arches" to monitor admittance. Should all licensed premises carry drug testing kits and have them readily available if needed.	The matters of concern are noted The Licensing Act 2003 does not allow blanket conditions to be placed on premises licences. Conditions on premises licences are formed from those offered up in operating schedule for an application for grant / variation of a licence, or those agreed during consultation process with relevant authorities. Many premises – have conditions that require provision of CCTV and Door Supervisors based on risk assessment as agreed with Police. Police would advise premises on individual basis on knife crime /drug issues under Prevention of Crime and Disorder objective.	No change to SoLP

**CONSULTATION DRAFT STATEMENT OF LICENSING POLICY  
SCHEDULE OF RESPONSES**

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Page 68	R/005 Tamworth Resident	No. Except an extension of the Cumulative Impact Assessment area to include land off Gungate between spinning school lane and Victoria road. Most of this land ("temporary" car park) is now owned by TBC and should in time be redeveloped for housing. Its proximity to Spinning School Lane makes this a concern.	Comments noted. See comments above R/001 & 2. The CIA will include premises on each boundary of the shaded area detailed in the map in SoLP where the previous Gungate Precinct was located. Any increase in area covered by the CIA would require an evidence base to support the increase in the area.	No change to SoLP
	R/006	No comments given to questions 1, 2 & 3.		
	R/007 Tamworth Resident	No, I am happy with the document. However, there is a general issue I would just like to flag up generally under the principle of protecting children from harm and it concerns vaping lounges and ecigarettes sales in such outlets. I fully understand such premises do not require a license and broadly have no concerns about that. However, I do have concerns where such places allow young children and babies in prams to be present in that vaping atmosphere for considerable periods of time with their guardians. Second hand vapours comes out of the lungs and mouths of participants and the perfumes can be overwhelming. So, if in the future, national concerns are raised around the issue, I personally would like to see a broad and informed consideration on the issue and possibly a license required to admit very young children.	Comments and concerns are noted. The matters raised are not covered by the provisions of the Licensing Act 2003.	No change to SoLP

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<p>Page 29</p>	<p>R/008 Tamworth Resident</p>	<p>I think some money should be invested in extra recycling in the summer months. The bins smell awful and having food left to rot inside the bin with temperatures as high as 25°C is not nice. Maggots thrive in those temps. Not asking for 52 weeks of the year but definitely need weekly collection in summer months! Also use some money to fix up the community centres in each estate. The one on the leyfield is practically condemned, either let's use it or let's lose it, but don't leave them to decay and become breeding grounds for the vandals and druggies to use.</p>	<p>Comments and concerns are noted. This matter is not one that is covered by the provisions of the Licensing Act 2003. Concerns will be passed on to relevant Department operating the refuse collection and recycling service.</p>	<p>No change to SoLP</p>
	<p>R/009 Other</p>	<p>Please refer to final entry in table. Response given to questions 1,2 and 3</p>		
<p>Is there anything within the draft policy document which you feel should be removed or changed?</p>	<p>R/001 &amp; 2 Tamworth Business</p>	<p>The map of the cumulative impact area should be redrawn to include properties on BOTH sides of the boundary streets, instead of being drawn down the middle of the street. There are significant numbers of licensed properties, together with empty properties which could become licensed, which are not included. For example, The Globe, Corys, Atik, Penny Black. Include them!</p>	<p>Comments noted. The Cumulative Impact Assessment (CIA) includes a statement that Where a boundary line follows a street or road, premises on both sides of the street or road are deemed to be within the cumulative impact area.</p>	<p>Note comment. Add statement to map in Statement of Licensing Policy (SoLP) for clarification.</p>
	<p>R/004 Tamworth Resident</p>	<p>No response given</p>		
	<p>R/005 Tamworth Resident</p>	<p>No</p>		
	<p>R/007 Tamworth Resident</p>	<p>No</p>		
	<p>R/008 Tamworth Resident</p>	<p>No comments given</p>		

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<p><b>Q3</b> If you have any comments, questions or concerns about the draft policy, please include them here.</p> <p align="center" style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 70</p>	R/001 & 2 Tamworth Business	The map of the cumulative impact area should be redrawn to include properties on BOTH sides of the boundary streets, instead of being drawn down the middle of the street. There are significant numbers of licensed properties, together with empty properties which could become licensed, which are not included. For example, The Globe, Corys, Atik, Penny Black. Include them!	As Q1 and Q2 above for R/001 & 2	As Q1 and Q2 above for R/001 &2
	R/004 Tamworth Resident	I would not like to see applications for well managed and beneficial establishments refused licences on the grounds of cumulative impact, particularly if this meant existing, but more problematic establishments retained their licences on the grounds of tenure. Please also see previous comments.	When an application is made for a new premises licence or major variation and the premises is located in a CIA, if no relevant representations are made relating to cumulative impact the licence would be granted. If representations are made, the applicant would need to demonstrate no addition to Cumulative Impact that already exists. However important to remember that each application is considered on its own merits.	No change to SolP
	R/005 Tamworth Resident	Extension of the Cumulative Impact Assessment area to include land off Gungate between spinning school lane and Victoria road. Most of this land ("temporary" car park) is now owned by TBC and should in time be redeveloped for housing. Its proximity to Spinning school lane makes this a concern.	See comment above to Q1 reference R/005.	No change to SolP

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	R/007 Tamworth Resident	A very thorough document. Happy to support.		
	R/008 Tamworth Resident	No comments given		
<p><b>Q1</b> Is there anything you feel should be included in the draft policy document which is not currently addressed?</p>	R/009 Other	<p>The British Beer &amp; Pub Association is the UK's leading organisation representing the brewing and pub sector. Our members account for 90% of the beer sold in the UK and own around 20,000 of Britain's pubs. The pub plays a vital role in community cohesion and social life in Britain. They remain one of the few places where communities can come together to socialise. The British pub has been part of people's lives for hundreds of years. First and foremost, they are businesses which serve their local communities and contribute much to the social life of each and every community. The pub sector has enormous potential to generate economic growth and create jobs. It can also play an important part in local regeneration projects and has been at the heart of the regeneration of many of our key towns and cities over the last fifteen years. A major study undertaken by Oxford Economics in 2018 clearly identifies the significant local impact of brewing and pubs. Currently over £1.5 billion is invested in the pub sector per annum. Indeed, pubs are labour-intensive businesses so this investment directly correlates to jobs. Pubs employ 600,000 people across the UK, often</p>		

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Page 72		<p>providing vital work in small towns and villages. Indeed, 45% of those employed in the sector are aged 16-24 providing a vital route to work and first career-step for many young people. Across Britain, 30 million people visit Britain’s pubs each month, with over 15 million people drinking beer.</p> <p><b>BBPA’s Support for the Proposed Revisions to the Statement of Licensing Policy (SoLP):</b> Our review of the changes identified in the revised Statement of Licensing Policy Statement noted that these are mostly administrative, bringing the policy up to date and in accordance with recent legislation. On the basis that all of the proposed changes are those that have been identified as such on the revised Policy Statement, we can confirm that we are content with the proposed changes subject to the specific points made in the answers to the following questions</p>		
<p><b>Q2</b> Is there anything within the draft policy document which you feel should be removed or changed?</p>	<p>R/009 Other</p>	<p>3) Personal Licences – Suspension and Revocation – we would suggest that the Licensing Authority be obliged to inform a premises licence holder if their designated premises supervisor (DPS) has their personal licence either suspended or revoked. If the premise licence holder is not notified, they could be unknowingly in breach of their licence conditions because they would not have a DPS.</p> <p>3) EMRO and Late Night Levy – we</p>	<p>3) Personal Licences – Suspension and Revocation Section 3 of Statement of Licensing Policy (SoLP) – page 13 – states “the licensing authority may notify the premises licence holder”. In practice – the Licensing Authority officers would be in contact with the premises licence holder during this process and would notify the</p>	<p>3). No change to SoLP.</p>

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SCHEDULE OF RESPONSES**

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<p>Page 73</p>		<p>support the re-confirmation that the Borough will not be introducing an early morning restriction order or a late night levy at this time.</p> <p>4) Planning and Building Control - we agree that where the terminal hour dictated by the planning permission differs from the licensing hours, the applicant must observe the earlier closing time. However, we feel that the applicant should have the ability to challenge the earlier closing time specified in the planning permission if they are able to show that the later time will not hinder the promotion of the licensing objectives. In effect, the terminal hour given by the planning permission should be open to review if it is unnecessarily earlier than the licensing hours.</p> <p>6) Opening Hours – we support the re-confirmation that the Borough is not seeking to impose fixed trading hours within any designated area.</p> <p>12) Enforcement – we suggest that one of the overall aims of the enforcement policy is to uphold the promotion of the licensing objectives.</p>	<p>premises licence holder of any decision made.</p> <p>4) Planning and Building Control – Note the comment. However it is open to the applicant to apply for a review of the terminal hour given under the Planning legislation. The (SoLP) does not prevent this.</p> <p>6) Opening Hours – Comment noted. No action required.</p> <p>12) Enforcement page 31 Comment is noted and considered a valid point.</p>	<p>4) No change to SoLP</p> <p>6) Opening Hours - No change to SoLP</p> <p>12) Enforcement - include reference in SoLP page 31 as follows: In addition, any enforcement action undertaken will be taken with a view to upholding the promotion of the licensing objectives.</p>
<p><b>Q3</b> <b>If you have any comments, questions or concerns about the draft policy, please include them here</b></p>	<p>R/009 Other</p>	<p>The BBPA supports the Council’s review of their Cumulative Impact Assessment and Policy (CIP). However, any proposal to retain such a policy must be based on evidence of an</p>	<p>Comments are noted.  If retained the CIA policy will be reviewed again in 3 years as required by legislation or</p>	<p>In view of the Police request for retention of CIA area - recommend no change to the CIA area in the SoLP. However please refer to other responses below.</p>

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SCHEDULE OF RESPONSES**

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Page 74		<p>issue and that a CIP would be a proportionate solution. In addition, any CIP must be time-bound and regularly assessed, ensuring that it remains relevant and the best solution to the identified issues. In the absence of evidence of an issue, or that a CIP is the best solution, a CIP should not be retained or introduced.</p> <p>We support the Council’s assertion that exemptions could be made to the CIP where there is evidence “that there will be no negative cumulative impact on one or more of the licensing objectives.”</p> <p>We note the consultation submission and comments made by Staffordshire Police Licensing Department and support the use of evidence in reviewing the CIP. However, some of the “key points” provided only compare data from the last 12 months against the previous 12 months, despite this particular CIP being in effect since May 2005. Whilst an annual comparison might provide some of the evidence to support the existing policy, it does not assess whether a CIP is the best solution to the identified issue, or consider whether it was the CIP, or another factor, which brought about any significant changes. It is more appropriate for the Council to review the effectiveness of the CIP by comparing data from before and since the introduction of the CIP, and including a wide range of factors rather than rely solely on reported crime data, e.g.</p>	<p>earlier if deemed appropriate.</p> <p>These comments are noted.</p>	<p>Evidence provided by Staffordshire Police in support of the CIA and retention of the area will be included in an Appendix to the SoLP.</p> <p>A table giving comparison data of the number and type of licensed premises within the town centre CIA area at 2005 and in later years will be included in an Appendix to the SoLP.</p>



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