

Public Health Suffolk – response statement to licensing application.**Application from:** Suffolk Constabulary**Premise details:** Spice of Balti, St Marys Street, Bungay, NR35 1AX**Licensing authority:** East Suffolk Council**Date received by Public Health:** 25/02/2021**Date response sent by Public Health:** 19/03/2021**Subject of application:** Review application**Summary of this response:**

In response to this consultation on a license review, Public Health Suffolk has undertaken an assessment of the public health evidence. Based on our assessment of the evidence, Public Health Suffolk would recommend that East Suffolk Council review the license for this premises. We believe this will help to mitigate any further risk to the public as a result of COVID-19 transmission associated with the premises.

On 25th February 2021 Public Health Suffolk received consultation documents from East Suffolk Council to review the license of Spice of Balti. The Director of Public Health is a responsible body and therefore a statutory consultee.

On 9th January 2021 police officers entered the premises in question and reported that they had found members of the public inside the venue drinking alcohol, and staff members present without face coverings.

Below, we present evidence that pertains to these events and to the two relevant licensing objectives as detailed in the Licensing Act 2003 – prevention of crime and disorder, and public safety.

1) Prevention of crime and disorder

The Health Protection (Coronavirus Restrictions) (No.3) and (All Tiers) (England) (Amendment) Regulations 2021 came into force on 6th January 2021 and contained provision to strengthen existing Tier 4 restrictions and apply those restrictions to every area in England

(1). This resulted in the following restrictions being in place, which are relevant to the circumstances described:

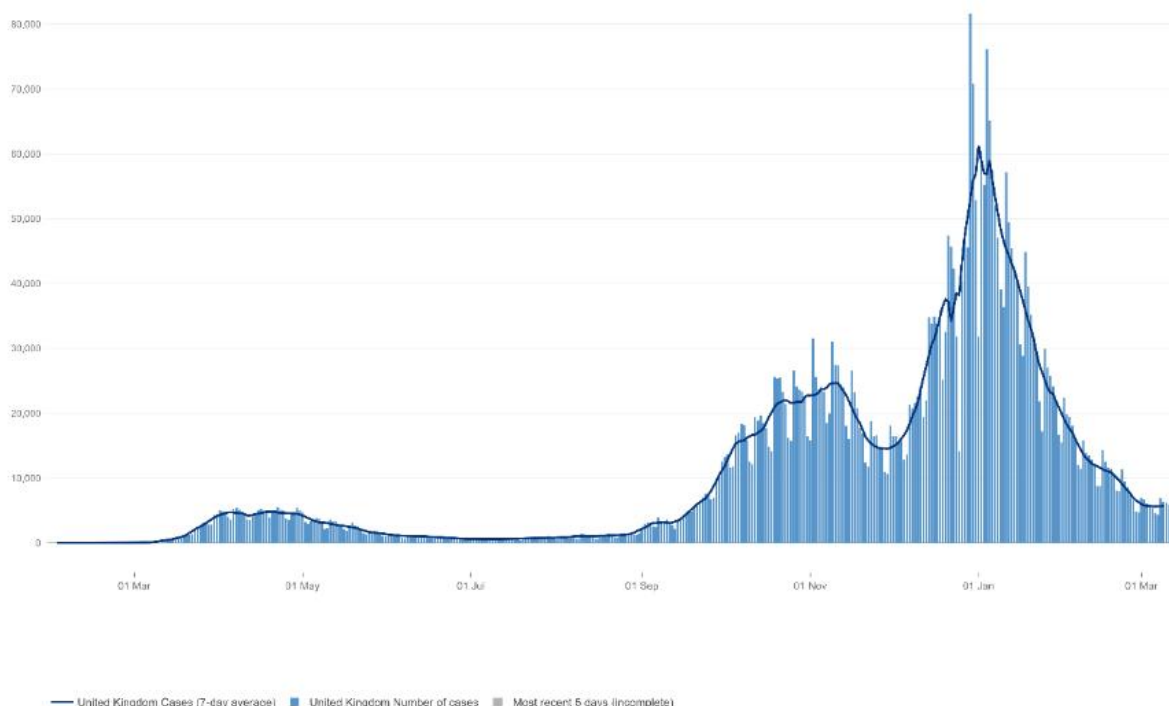
- Hospitality venues were required to close, including restaurants, with the exception of providing food and non-alcoholic drinks for takeaway (until 11pm), click-and-collect, and drive-through. Alcoholic drinks were permitted to be provided through takeaway delivery only.

The evidence presented by the police suggests that there has been contravention of regulation intended to protect the health of the public, which pertains to the licensing objective of prevention of crime and disorder.

2) Public safety

As indicated in Figure 1 below, this event took place around the peak of the second wave of the COVID-19 pandemic. On 9th January 2021 there were 39,104 positive cases of COVID-19 in the UK (people testing positive who provided a specimen on this day) (2).

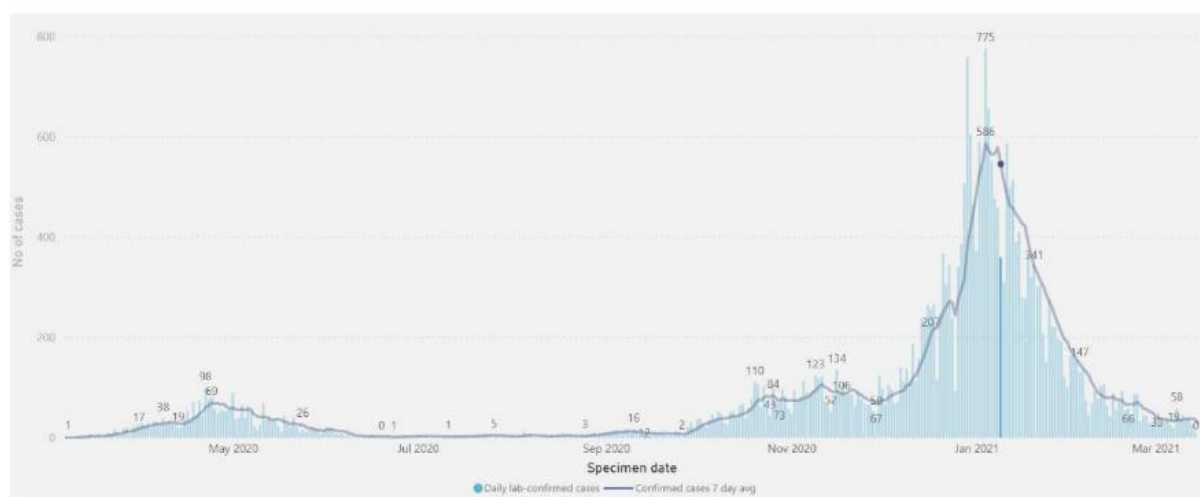
Figure 1: Number of people with at least one positive COVID-19 result by specimen date, UK.



source: [Gov.uk](https://www.gov.uk)

This was also a time when there was a high number of cases in Suffolk, indicating that the virus was in circulation in the area. On 9th January 2021 there were 359 daily lab confirmed cases in the county, indicated by the highlighted bar in Figure 2 below (3).

Figure 2: COVID-19 cases by specimen date in Suffolk



Source: [Suffolk Coronawatch](#)

There is a consensus that COVID-19 spreads most effectively through close proximity, prolonged contact, high frequency of contacts and confined shared environments, with the vast majority of transmission happening in indoor spaces (4). Evidence has been presented by the UK's Chief Medical Officer, Chris Whitty, indicating that hospitality venues count for 30% of common exposure settings (5).

Social distancing and use of face coverings can help to mitigate the risk of contracting COVID-19. Transmission risk has been found to be greater at a distance of 1m or less (12.8%) compared with over 1m (2.6%) (6) and there is evidence that the risk of transmission increases by 2-10 times at 1m compared to 2m (7). The use of face masks has been found to result in a 14.3% reduction in the absolute risk of infection (the risk of infection without a face mask has been estimated at 17.4%; with one, it reduces to 3.1%) (8).

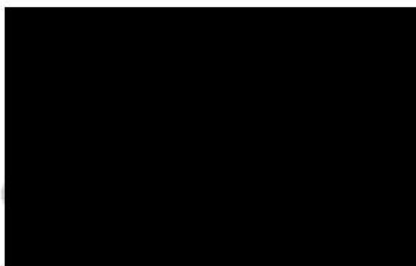
This event took place when case numbers were high, meaning increased risk of community transmission. The police describe a situation whereby a group of people were interacting in an indoor environment in the absence of social distancing and face coverings. Therefore, we would argue that the events as described by the police may constitute a risk to public safety.

In summary:

- The evidence presented by Suffolk Constabulary indicates that there has been a contravention of law which is intended to protect the health of the public, pertaining to the licensing objective of prevention of crime and disorder.
- Because of the lack of adherence to COVID-19 rules and regulations and disregard for social distancing and the use of face coverings, the events described may have constituted a risk to the public's health and this pertains to the licensing objective of public safety.

Please accept this as our formal representation.

Yours sincerely,



on behalf of Director of Public Health

Dr P Badrinath

Consultant in Public Health Medicine

Public Health, Suffolk County Council

References:

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- (3) Suffolk CoronaWatch. Cases by specimen date [Internet] 2021 [cited 2021 Mar 16].
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- (4) PHE Transmission Group. Factors contributing to the risk of SARS-CoV2 transmission associated with various settings [Internet] 2020 [cited 2021 Mar 16]. Available from:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/945978/S0921_Factors_contributing_to_risk_of_SARS_18122020.pdf
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- (6) Derek K Chu D K, Akl E A, Duda S, Solo K, Yaacoub S, Schünemann H J. Physical distancing, face masks, and eye protection to prevent person-to-person transmission of SARS-CoV-2 and COVID-19: a systematic review and meta-analysis. The Lancet [Internet] 2020 Jun [cited 2021 Mar 17]; 395: 1973-87. Available from:
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- (7) Gov.uk. Guidance: review of two metre social distancing guidance [Internet] 2020 [cited 2021 Mar 16]. Available from: <https://www.gov.uk/government/publications/review-of-two-metre-social-distancing-guidance/review-of-two-metre-social-distancing-guidance>
- (8) Derek K Chu D K, Akl E A, Duda S, Solo K, Yaacoub S, Schünemann H J. Physical distancing, face masks, and eye protection to prevent person-to-person transmission of SARS-CoV-2 and COVID-19: a systematic review and meta-analysis. The Lancet [Internet] 2020 Jun [cited 2021 Mar 17]; 395: 1973-87. Available from:
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