



Licensing Committee

19th July 2010

MINUTES

Present:

Councillor Michael Braley (Chair), Councillor Anita Clayton (Vice-Chair) and Councillors Kath Banks, Michael Chalk, Simon Chalk, Jack Cookson, Adam Griffin, Bill Hartnett, Wanda King, Jinny Pearce and Brenda Quinney

Also Present:

Insp Ian Joseph (West Mercia Police) and Simon Wilkes (WETT Regulatory Services)

Officers:

A Heighway, S Garratt and C Flanagan

Committee Officers:

D Sunman

9. APOLOGIES

Apologies for absence were received on behalf of Councillors Carole Gandy, Robin King and Juliet Brunner (Portfolio Holder for Community Safety).

10. DECLARATIONS OF INTEREST

There were no declarations of interest.

11. MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 3rd June 2010 be confirmed as a correct record and signed by the Chair.

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Chair

12. LICENSING ACT 2003 - LICENSING MANAGER'S HALF YEARLY REPORT

The Licensing Manager tabled a copy of information extracted from the Licensing Public Register as follows:

Number of licences at July 2010

Personal Licences	473
Premises Licences	202
Club Premises Certificates	24

Number of licence applications received for the year 2010

Personal Licences	20
New Applications for Premises Licences	3
Applications to vary Premises Licences	3
Applications to vary the Designated Premises Supervisor	10
Application to Transfer Premises Licences	2
Temporary Event Notices	37

Number of licences which have required hearings / review / appeals 2010

Hearings	0
Reviews	1
Appeals to Magistrates Courts	0

Number of licences that have ceased to trade / lapsed licences

Ceased to trade / lapsed licences (last 3 years)	0
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Number of complaints made against licensed premises

Complaints Total	25
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The Licensing Manager reported that the majority of complaints received had been about noise or smoking and had been dealt with by Officers.

Members sought clarification regarding whether the complaints had been received for one premise or a number of premises and requested a breakdown of the figures in future reports. It was also thought to be helpful if the data could be compared with the same period of the previous year.

Members were informed that the countywide Statement of Licensing Policy was subject to consultation and a report would be made to the next meeting of this Committee.

RESOLVED that

- 1) **the report be noted; and**
- 2) **the information suggested by Members be included in future reports to the Committee.**

13. LICENSING ACT 2003 - WEST MERCIA POLICE - HALF YEARLY REPORT

Insp Ian Joseph, West Mercia Police, presented a report on the previous six months from the Police perspective.

He referred to the fear that cuts in police budgets would result in a reduction of operational policing numbers that might have a potential impact on the reduction in crime. He reported that the Chief Constable would do all he could to avoid any reduction in the delivery of front line services.

He confirmed that the three tier approach to policing, which operates in Redditch, Bromsgrove and Kidderminster, had proved to be effective in terms of crime reduction and detection as well as public reassurance. A recent review of the partnership approach to community safety had identified several excellent ideas for future working.

He reported that the removal of all previous performance measures, including the measure of public confidence and satisfaction, together with the suspension of the Policing Pledge meant that there could be no clear performance base at present. However, the continued reduction in crime and anti social behaviour coupled with the effective detection of offences would remain at the forefront of effort.

Members were informed that it was too early to comment on the Government's proposed changes to policing.

In the Town Centre, the closure of one licensed premise had made a marked impact on offending across the night time economy. He reported that larger gatherings and dangers of substantial disorder in and around Unicorn Hill at closing time had largely stopped, possibly as a consequence of the new planters and improved street lighting that had been installed, or possibly because there were fewer customers as a consequence of the current financial climate.

Members were informed that of ten offences involving violence over the previous weekend only one had taken place in the Town Centre. The remainder were mainly cases of domestic violence in other parts of the town with alcohol proving to be an aggravating factor.

Insp Joseph reported that high profile policing during the World Cup had been successful with few, if any, incidents being directly attributable to the event.

He has witnessed the positive approach of many Designated Premise Supervisors, (DPS) particularly during matches involving the England team.

He reported that the Licensing Committee had conducted one premise review during the period, which had resulted in new conditions being imposed on the licence.

Members were informed that partnership working across agencies continued to produce excellent results. Links to the Drug and Alcohol Action Team (DAAT) had been established to assist in providing support for people with alcohol additions.

Insp Joseph outlined the effectiveness of Operation Staysafe, a multi agency initiative which had taken place on the evening of 25th June. The initiative had aimed to identify and manage children at risk through alcohol, drugs or their environment and had identified four young people who were taken, under police protection, to the Town Hall as a place of safety. Members were informed that two of these young people had been involved in anti social behaviour and two were under the influence of alcohol. The young people and their parents were interviewed by family support professionals who identified further interventions to address their risks and make them less likely to offend or become a future victim of crime. Further similar operations would be carried out throughout the coming year. He reported that the Alexandra Hospital Accident and Emergency Department in partnership with the DAAT and Youth Services had recently started a Straight Line project to make an impact on the longer term care of young people involved in excessive drinking.

Members were informed that a Drink Banning Order had been used to assist in managing a chaotic and alcohol effected offender. Insp Joseph reported that it was too early to assess whether the order would have any real impact on the offender's behaviour.

Designated Public Place Orders were in place in the Town Centre and the Woodrow Centre and remained an effective tool in the reduction of offending and improvement of the environment for others.

RESOLVED that

the report be noted.

**14. LICENSING ACT 2003 - WORCESTERSHIRE COUNTY COUNCIL
- HALF YEARLY REPORT**

The Committee received a report from Simon Wilkes, WETT Regulatory Services.

Mr Wilkes reported that Trading Standards functions for Redditch had been transferred to a countywide shared Regulatory Service from 1st June 2010. The Investigations Team had received training on the wider requirements of the Licensing Act 2003 to enable them to carry out functions relating to weights and measures, food standards, fair trading and also be able supplement the activities of existing licensing teams.

Members were informed that following re-testing of premises that had sold alcohol to under age customers during 2009, one premise had made a further sale. This had led to the Licensing Committee carrying out a review of the licence for the premise and resulted in the removal of the existing DPS and the addition of a wide range of conditions to the licence. The premise will be monitored to ensure that it complies with these conditions.

He reported that plans for test purchasing had been made for both public houses and off-licences in Redditch for the coming year. The premises where issues had been identified by Trading Standards and / or partner agencies would be targeted. Complaints regarding under age sales for Redditch had reduced but remain at a relatively low level.

The Committee was informed that the Coalition Government were looking to limit local authorities' use of surveillance activity to serious crime with each operation authorised by local magistrates. He reported that this might affect the way Trading Standards operate unless the sale alcohol to minors was included in any future legislation.

RESOLVED that

the report be noted.

15. PREMISES LICENSING - UPDATE ON IMPLEMENTATION OF RECOMMENDATIONS ARISING FROM VISIT TO CARDIFF, 2007

The Committee received an update report the recommendations made by Redditch Community Safety Partnership following a visit to Cardiff in 2007.

Members were informed that the recommendations had been designed to prevent and reduce violent crime and disorder associated with licensed premises and the wider night time economy.

The Head of Community Services reported that the majority of the recommendations had been successfully adopted by the relevant bodies and that there was evidence that this had started to impact on the ability and willingness of premises in Redditch to promote the licensing objectives and, in particular, the reduction of crime and disorder.

Members were informed that significant changes at both local and national level were expected following the Coalition Government's signalled intention to undertake a review of the Licensing Act 2003 and associated legislation.

The Committee was asked to consider receipt of a further report on the Licensed Premises Risk Assessment when the update had been completed. This would provide statistical information on the amount of violent crime and disorder associated with licensed premises in the Borough compared with elsewhere in the County.

RESOLVED that

- 1) the report be noted; and**
- 2) Members receive further updates on the Licensed Premises Risk Assessments.**

16. TAXI RANK, EVESHAM ROAD - UPDATE REPORT

The Committee received a further report on the proposals for an additional and an alternative taxi rank on Evesham Road, Headless Cross, which would increase the number of spaces available by 6 or 7.

The Licensing Manager reported that the Committee had received reports on this issue at their meetings on 25th January and 3rd June 2010. As a result Members of the Committee had carried out a late night site visit on 25th June 2010. She referred members to

advice given by the Traffic Management Officer, West Mercia Police attached at Appendix 2 of the report.

RESOLVED that

- 1) the report be noted;
- 2) **West Mercia Police and Worcestershire County Council be consulted on an alternative suggestion for taxi ranks as follows:**
 - a) removal of existing rank on pavement outside the White Hart Inn;
 - b) an additional rank be provided from the letter box (marked LB) to the junction of Highfield Avenue.
 - c) an extension of the proposed rank outside Steps to increase available space toward the junction of Highfield Avenue. (as shown on the map attached at Appendix 1 of the report);
 - d) removal of the proposed taxi rank at the bus shelter outside 100 and 100a Evesham Road. (as shown on the map attached at Appendix 1 of the report); and
- 3) that once an agreement has been reached on the siting of new taxi ranks, enforcement action be carried out at appropriate times.

17. LICENSING - REGULATION OF SEXUAL ENCOUNTERS VENUES

The Committee received a report on the new powers given to Local Authorities to regulate lap dancing clubs as Sex Establishments under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. Members were informed that lap dancing clubs had been reclassified as Sexual Encounter Venues by the Policing and Crime Act 2009.

The Licensing Manager reported that the measures were effective from 6th April 2010 and once adopted by the Council would give local people a greater say over where, and how many, lap dancing clubs open and operate in their neighbourhoods.

RECOMMENDED that

- 1) the adoption of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, and adopt Section 27 paragraph 2(2) of Schedule 3 to the Policing and Crime Act 2009 with effect from (no more than 1 month after the day on which the resolution was passed) be re-affirmed.
- 2) a fee for a Sex Shop and / or a Sexual Encounter Venue Licence and include that fee within the Council's Fees and Charges register be set as follows:-
 - a) Grant £920.00
 - b) Renewal £890.00
 - c) Transfer £135.00
- 3) the Head of Worcestershire Regulatory Services be delegated all powers under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, and section 27 paragraph 2(2) of Schedule 3 to the Policing and Crime Act 2009.

18. COMMITTEE WORK PROGRAMME 2009/10

Members considered the Committee's Work Programme for 2009/11.

RESOLVED that

- 1) the report be noted.
- 2) the programme be amended to become a rolling programme items for discussion at future meetings.

The Meeting commenced at 7.00 pm
and closed at 8.30 pm