

**REDDITCH BOROUGH COUNCIL**

**LICENSING  
COMMITTEE**

19th July 2010

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

Relevant Portfolio Holder	Cllr J Brunner
Relevant Head of Service	Angie Heighway, Head of Community Services
Non Key Decision	

**1. SUMMARY OF PROPOSALS**

This report provides an update on progress made in implementing recommendations made by Redditch Community Safety Partnership designed to prevent and reduce violent crime and disorder associated with licensed premises and the wider night-time economy.

These recommendations affected Redditch Borough Council services and other local agencies, and were contained in the report "Findings from visit to Cardiff – licensing and regulation of the night time economy" (abbreviated to "the Cardiff Report") which was presented to the Licensing Committee in December 2007.

**2. RECOMMENDATIONS**

**The Committee is asked to RESOLVE**

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

**3. BACKGROUND**

- 3.1 During 2007, representatives from Redditch Borough Council, West Mercia Police, and Worcestershire County Council, undertook a review of the Redditch Community Safety Partnership's approach to regulating the local night-time economy (NTE) with the particular aim of reducing associated violent crime and disorder.
- 3.2 The review was based on national research showing a strong connection between alcohol, NTEs and violent crime & disorder. Further, the research identified that social and physical environmental factors in licensed premises predict levels of aggression, disorder and violence within and in

**LICENSING  
COMMITTEE**

**19th July 2010**

---

the vicinity of these premises. It was observed that the licensing system provides a means of influencing and controlling premises' environmental factors.

- 3.3 A key aspect of this review was a multi-agency visit to Cardiff, where local agencies had received national recognition for their approach to these issues.

In particular Cardiff's approach had been credited with achieving:

- a) A 30% reduction in hospital Accident and Emergency Unit attendance due to assault injury between 2003 and 2007.
- b) Reductions in violent crime, which saw Cardiff make substantial improvements in its position relative to similar Community Safety Partnerships between 2002-03 and 2006.

- 3.4 A report containing the review findings and recommendations was published and endorsed by Redditch Community Safety Partnership (RCSP) in October 2007 ("the Cardiff Report").

- 3.5 The Licensing Committee received and endorsed this report at its meeting on 5th December 2007.

- 3.6 Fourteen recommendations were made in six key areas:

- a) Enhance intelligence gathering on premises.
- b) Introduce regular, joint risk assessments for each premise.
- c) Improve Officer and Member knowledge of licensing law and the local NTE.
- d) Developing the ability to engage with licensed premises and modify their behaviour short of formal enforcement action
- e) Strengthen the licence review and enforcement capabilities.
- f) Integrate these components into an effective system.

Some of the above held direct implications for the Borough Council, and some more relevance to the various relevant partner agencies.

**LICENSING  
COMMITTEE**

**19th July 2010**

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3.7 In August 2009, relevant Officers were requested to provide updates in relation to the report's recommendations. These updates were presented to the Licensing Committee on 14th December 2009.

3.8 At the Committee meeting, Members requested that a further update on the recommendations be provided in approximately six months time. Relevant officers have again been requested to provide updates and these are enclosed at Appendix 1.

**4. KEY ISSUES**

4.1 Since the last update to the Cardiff Report in the August to December 2009 period, further activity has been undertaken by a range of agencies to implement and sustain the recommendations of the report.

4.2 Town centre violence and disorder has decreased in recent months. The Police have suggested that this is either through worsening economic circumstances (less people frequenting) or improved management of the licensed premises.

4.3 A range of evidence and intelligence gathering activities are occurring such as the "last-drink" interview policy, test-purchase operations and the A&E patient assault data-sharing pilot. No problems are reported in respect of the availability of premises licence conditions information to the Police; however the recommendation that these be published online to allow partner and public access has yet to be taken forward.

4.4 The abilities of the licensing authority and responsible authorities to engage with premises, prior to taking enforcement action, have continued to progress through the development of the Licensing Tasking Forum and closer working relationships between agencies.

4.5 Enforcement capabilities have also taken a step forward, resulting in the first licence review being brought before Licensing sub-committee recently. The Licensing Team through an agreement with the Security Industry Authority (SIA) can now require door supervisors working in the Borough to prove their accreditation.

4.6 Training activities have resulted in several Councillors and officers gaining accredited licensing qualifications and further opportunities to consider procedural and policy questions relating to the licensing regime.

## REDDITCH BOROUGH COUNCIL

# LICENSING COMMITTEE

19th July 2010

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- 4.7 In summary, the majority of the Cardiff report recommendations have now been successfully adopted by the relevant bodies and there is a strong argument that this activity is starting to improve the ability and willingness of premises in the Borough to promote the licensing objectives, and particularly reduce violent crime and disorder.
- 4.8 Members may wish to consider requesting that Officers report back to the Committee in the future once the updated Licensed Premises Risk Assessment is completed, which will provide statistical information on the amount of violent crime and disorder directly associated with premises in the Borough and, by way of comparison, those elsewhere in the County.
- 4.9 The licensing regime is likely to undergo significant changes both at a local, and at a national level where the Government are signalling an intention to conduct a major review of the Licensing Act 2003 and associated legislation.
- 4.10 Despite these changes, the core activities of engaging with premises, collecting evidence and intelligence, maintaining effective partnership working and taking appropriate enforcement action are likely to remain crucial to maintaining safe premises and an inclusive and attractive town centre NTE in the future.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 Progress in implementing recommendations from the Cardiff Report has generally been financed from current resources.
- 5.2 In respect of the provision of accredited licensing training, it has been necessary for Officers working through the Redditch Community Safety Partnership to bid for and win a one-off external grant of around £2,500 to finance this.

## **6. LEGAL IMPLICATIONS**

- 6.1 The licensing system is primarily governed by the statute, regulations and guidance of the Licensing Act 2003. One of the four primary objectives of the Licensing Act is “the prevention of crime and disorder”.
- 6.2 Further, section 17 of the Crime and Disorder Act 1998 requires Redditch Borough Council to have due regard to the likely effect of the exercise of each of its functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

## **LICENSING COMMITTEE**

**19th July 2010**

---

- 6.3 The recommendations made in the Cardiff Report aim to help the Council to meet these duties.

### **7. POLICY IMPLICATIONS**

- 7.1 As the local licensing authority, Redditch Borough Council is required to have in place a statement of licensing policy that sets out its general approach to making licensing decisions and how it will promote the licensing objectives. The Council is required to review this statement at least once every three years. The current licensing policy covers the period 2007 – December 2010.

### **8. COUNCIL OBJECTIVES**

- 8.1 The information contained in this report and its appendices relate directly to the Council's priority/objective of 'Safe'.

### **9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS**

- 9.1 Decisions made by the Licensing Sub-Committee in respect of licence applications, variations and reviews can be appealed which carries a risk of costs being awarded against the Council.
- 9.2 Any failure to appropriately apply statutory Licensing requirements either in the operation of Officer delegated authority, or in Committee practice, may lead to challenge and undermine the Council's ability to impact on the prevention of Crime and Disorder in the Borough.

### **10. CUSTOMER IMPLICATIONS**

- 10.1 Progress made against implementing the recommendations of "the Cardiff Report" supports the reduction of violent crime and disorder in the Borough enhancing customers' experiences of the local night time economy.

### **11. EQUALITIES AND DIVERSITY IMPLICATIONS**

None Identified

**LICENSING  
COMMITTEE**

19th July 2010

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**12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT**

Asset Management – Minimal, however some Council premises are licensed and therefore are affected by this report. The Town Hall itself is one Town Centre licensed venue however events here are not frequently linked to violence and disorder

**13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY**

None Identified

**14. HUMAN RESOURCES IMPLICATIONS**

Revisions to the Council's staffing of the Licensing function have improved the Council's capacity in this area. Further revisions are under consideration as part of the current WETT (Worcestershire Enhanced Two Tier) project.

**15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS**

Violence and disorder associated with the night-time economy feature significantly in the data provided for NI 15 Serious Violent Crime Rate

**16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998**

Licensing and the regulation of the night time economy play a key role in preventing and reducing violent crime and disorder.

**17. HEALTH INEQUALITIES IMPLICATIONS**

Good management of licence premises can have a direct impact on health issues such as of binge drinking, and violence (including domestic abuse)

**18. LESSONS LEARNT**

Since the publication of the "Cardiff Report" substantial efforts have been made by a range of agencies across Redditch Community Safety

**REDDITCH BOROUGH COUNCIL**

**LICENSING  
COMMITTEE**

**19th July 2010**

Partnership of which Borough Council is a partner to implement the recommendations contained within the report.

**19. COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The contributors of the updates featured in Appendix 1 are:  
West Mercia Police – Inspector Ian Joseph  
Worcestershire County Council Trading Standards – Simon Wilkes  
Redditch Borough Council Licensing Team – Sue Garratt

**20. OTHERS CONSULTED ON THE REPORT**

Portfolio Holder	YES
Chief Executive	Yes
Executive Director (S151 Officer)	Yes
Executive Director – Leisure, Cultural, Environmental and Community Services	Yes
Executive Director – Planning & Regeneration, Regulatory and Housing Services	NO
Director of Policy, Performance and Partnerships	NO
Head of Service	Steve Jordon – Head of Regulatory Angie Heighway – Head of Community Services
Head of Resources	NO
Head of Legal, Equalities & Democratic Services	NO
Corporate Procurement Team	NO

**21. WARDS AFFECTED**

**All wards**

**LICENSING  
COMMITTEE**

**19th July 2010**

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**22. APPENDICES**

Appendix 1 - "Update on recommendations arising from report – June 2010. Findings from visit to Cardiff – licensing and regulation of the night time economy.

**23. BACKGROUND PAPERS**

Copies of these papers are available on request.

The Hampton Review; (March 2005); "Reducing administrative burdens: effective inspection and enforcement"; HM Treasury.

Cooper, J. (October 2007); "Findings from visit to Cardiff – licensing and regulation of the night time economy". Report to Redditch Borough Council's Licensing Committee, 05/12/07. Redditch Community Safety Partnership.

Cooper, J. (November 2008); "Alcohol Related Partnership Activity – Redditch Community Safety Partnership Funding Application"; Redditch Community Safety Partnership.

Cooper, J. & Ray, K. (March 2009); "Pilot scheme for depersonalised A&E assault attendance data sharing"; Redditch Community Safety Partnership / Worcestershire Drug and Alcohol Action Team.

Deehan, A. (1999); "Alcohol and Crime: Taking Stock"; Home Office, Crime Reduction Research Series Paper 3.

Moore, L. (May 2007); "Violence and Disorder related to Redditch's Night Time Economy: Fuse and Chicago Rock"; Redditch Community Safety Partnership.

Moore, S. & Jones, T. (December 2006) "Green, Amber, Red – Cardiff's Unique Traffic Light System Targets Disorder in Licensed Premises" in "Police Review" (01/12/06), Cardiff Police licensing team.

Redditch Borough Council (2007). "Statement of Licensing Policy 2007-10".

The Rogers Review, (March 2007); "National Enforcement Priorities for Local Authority Regulatory Services"; Cabinet Office.



**REDDITCH BOROUGH COUNCIL**

**LICENSING  
COMMITTEE**

**19th July 2010**

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Shepherd, JP. (2004); "The role of emergency departments in community violence prevention"; Department of Health.

Shepherd, J. (October 2007) "Effective NHS Contributions to violence prevention – The Cardiff Model."

Warburton, AL. & Shepherd, JP. "Tackling alcohol related violence in city centres: effect of emergency medicine and police intervention"; (2006); Journal of Emergency Medicine.

**AUTHOR OF REPORT**

Name: James Cooper (Community Safety Project Officer)  
E Mail: james.cooper@redditchbc.gov.uk  
Tel: (01527) 64252 ext 3352