

LICENSING COMMITTEE

Date: 3 October 2012

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30 pm

Present: Councillors:- Glenn Harwood (Chairman)
Brian Northall (Vice-Chairman)

Tony Boto	Barbara Jenney
Pauline Bradberry	Andy Mercer
Richard Gell	Bob Nightingale
Glenvil Greenwood-Smith	Anna Sauntson

Sgt. Mark Worthington (Northamptonshire Police)

215. PC NICOLA HUGHES AND PC FIONA BONE

The Chairman asked the committee to observe a moment of silence in memory of the recent tragic deaths of PC Nicola Hughes and PC Fiona Bone in Manchester, who gave their lives in the course of their duties.

216. MINUTES

The minutes of the meeting held on 7 March 2012 were confirmed and signed by the Chairman as a correct record.

217. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Gill Mercer.

218. DECLARATIONS OF INTEREST

There were no declarations of interest.

219. QUESTIONS BY MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions.

220. LICENSING ACTIVITY

The Committee received and noted details of applications received under the Licensing Act 2003 between March 2012 and September 2012, broken down into new premises licences and licence variations, removals of Designated Premises Supervisors (DPS), transfers, Interim Authority Notices, Temporary Event Notices (TENs), personal licences and changes to details, and notifications of interest.

Members asked questions regarding the new TENs system and the potential impact this had on the workload for the Licensing Department.

RESOLVED:

That the contents of the report be noted.

221. LICENSING ACT 2003 - CRIME STATISTICS FOR LICENSED PREMISES

Further to minute 353 (12 March 2008), the Committee received and noted an analysis of criminal activity relating to licensed premises in East Northamptonshire, covering the period 1 September 2011 to 31 August 2012 and monthly crime volumes supplied by the police covering the same period.

Totals of crimes perpetrated on East Northamptonshire licensed premises in various wards of the district were provided alongside totals of crime arranged in date order and detailing those where violence was used with the offender being under the influence of alcohol.

For the period September 2011 to August 2012, there had been 78 crimes on licensed premises in East Northamptonshire.

Member also received Accident and Emergency statistics from Northamptonshire NHS covering Kettering and Northampton hospitals. The statistics broke down the figures for the number of assault victims, the percentage of those assaults taking place on licensed premises and the number involving alcohol. Members noted that the initial figures supplied had no information on where incidents took place unless it was a repeat location. Since the report had been written further information had been received for the period April-June 2012. Of the 352 assaults reported, only nine had taken place in East Northamptonshire and of those none were associated with licensed premises, although 2 were associated with alcohol.

The following points, comments and requests were made during the discussion on this item:-

- Minor injuries units would soon be in operating at both Corby and Isebrook Hospital in Wellingborough and efforts would be made to obtain data via the Primary Care Trust.
- The Old Swan in Higham Ferrers had been renamed Joe's Bar.
- The Crows Nest in Irthlingborough had now closed.

Members thanked the Licensing Enforcement Officer for his excellent enforcement work which had contributed to the small number of incidents in the district.

RESOLVED:

That the contents of the report be noted.

222. PUBWATCH IN EAST NORTHAMPTONSHIRE

The Commercial Health Manager presented a report to members to inform them of the current position of Pubwatch in the district.

Members were advised that the Pubwatch scheme is comprised of a voluntary grouping of licensed premises in a given area who meet regularly to discuss issues they may have and to exchange information that could be of use to others.

Members were advised that Rushden & Higham Pubwatch was at saturation level, with all pubs in the area signed-up as members. Raunds Pubwatch was noted as having full pub membership although there were issues with some smaller shops and off-licences. With regards to Oundle Pubwatch, members were advised that all pubs in the town centre were onboard alongside some of the village pubs in the vicinity with work ongoing to persuade others to attend. Members heard that all Pubwatch meetings are attended by the Licensing Enforcement Officer and a local police officer.

The Chairman advised members that membership of Pubwatch is no longer conditioned when a premises licence is granted as this could be legally challenged and may be unenforceable. Members noted that membership of Pubwatch could still be added as an informative when a licence is granted.

RESOLVED:

That the contents of the report be noted.

223. DELEGATION OF FUNCTIONS BY LICENSING COMMITTEE

A report was presented to the committee by the Commercial Health Manager which requested delegation of the responsible authority functions to the Head of Environmental Services, the Commercial Health Manager and the Licensing Enforcement Officer in relation to submission of representations and the ability to request reviews of premises licences.

Members were advised that ENC as a Licensing Authority can now object and ask for reviews of licences as a consultee. Currently, the responsibility for all functions of the Licensing Act was with the Licensing Committee, however due to the infrequent nature of committee meetings, the discharge of functions could provide an issue.

It was requested by members that the Licensing Committee retain the ability to discharge its functions should it so wish. Members also requested that should a license review be called, that the ward member be notified.

R.6 RESOLVED TO RECOMMEND:

That subject to the inclusion of the above comments, the committee recommend to the Council that the Constitution be amended and the Scheme of Delegation also be amended to reflect the additional option for delegation of the responsible authority functions within the Licensing Act 2003 relating to the submission of representations and requesting reviews of licenses to the Head of Environmental Services, the Commercial Health Manager, the Licensing Enforcement Officer and the ward member.

224. GAMBLING ACT 2005 - REVIEW OF STATEMENT OF LICENSING POLICY

The Commercial Health Manager presented a report which sought comments from the committee on the Statement of Licensing Policy and a resolution on the Council's approach to casinos within the East Northamptonshire district.

Members noted that the Gambling Act 2005 required each Local Authority to review, consult and publish a statement of its licensing policy every three years alongside making a resolution on its approach to casinos. At the last review in 2009, the committee had decided not to pass a "no casino" resolution which kept future options relating to casinos open.

Members provided their comments on the Statement of Licensing Policy, before it was

RESOLVED:

- 1) The Statement of Licensing Policy be recommended to the Policy and Resources Committee for approval.
- 2) A recommendation be made to the Policy and Resources Committee to approve the view of the Licensing Committee not to pass a 'no casino' resolution under Section 166 of the Gambling Act 2005.

225. PENALTY POINT SYSTEM FOR THE HACKNEY CARRIAGE AND PRIVATE HIRE TRADE IN EAST NORTHAMPTONSHIRE

The Licensing Enforcement Officer attended a presented a report which explained the proposed introduction of a penalty points system for the Hackney Carriage and Private Hire trade in East Northamptonshire.

Members were advised that licence-holder transgressions were currently dealt with on an ad hoc basis with no system in place for referral to a licensing panel. It was noted that many other authorities utilised a similar system to that proposed and that implementation of the scheme would make for consistency. Members were further advised that the point system, if supported, would undergo full consultation with the trade before presentation to Policy and Resources Committee. It was noted that the trade supported the system in principle at present, but that a full consultation would officially establish that position.

RESOLVED:

A recommendation be made to the Policy and Resources Committee to approve the Penalty point system for the Hackney Carriage and Private Hire trade in East Northamptonshire.

Chairman