

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Licensing Committee** held in the Castle House, Great North Road, Newark, Notts. NG24 1BY on Thursday, 6 September 2018 at 6.26 pm.

PRESENT: Councillor Mrs R Crowe (Chairman)
Councillor I Walker (Vice-Chairman)

Councillor Mrs K Arnold, Councillor Mrs B Brooks, Councillor Mrs I Brown, Councillor D Clarke, Councillor M Cope, Councillor P Duncan, Councillor Mrs S Michael, Councillor D Payne, Councillor Mrs S Saddington, Councillor Mrs S Soar, Councillor Mrs L Tift and Councillor B Wells

APOLOGIES FOR ABSENCE: Councillor Mrs Y Woodhead

11 DECLARATIONS OF INTERESTS FROM MEMBERS AND OFFICERS

NOTED: that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

12 DECLARATION OF ANY INTENTION TO RECORD MEETING

NOTED: that there would be an audio recording of the meeting.

13 MINUTES OF THE MEETING PREVIOUS MEETING

AGREED (unanimously) that the Minutes of the meeting held on 14 June 2018 be approved as a correct record and signed by the Chairman.

14 SCHEMELINK FOR PUBWATCH

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing which sought approval for the purchase of the SchemeLink software for the members of Pubwatch within the District.

It was reported that SchemeLink was an app that had been developed as a central point for easier data sharing and communication across scheme types e.g. pubwatch and shopwatch and unified online services for members, police and council's.

The report set out that it was proposed to purchase membership for one year for active members of Pubwatch. If the Pubwatch member ceased to attend meetings their membership would be cancelled with remaining period being transferred to another organisation.

A Member commented that he had seen a demonstration of the SchemeLink app and was confident that it would be a useful tool to the licensing trade. He added that following his visit to a Pubwatch meeting he considered that it may be beneficial if the Chairman of the organisation was invited to a future meeting of the Committee to inform Members of the Committee about some of the issues they face in their licensed premises.

A Member commented that the Committee had not had a demonstration of the SchemeLink app and felt that this would be beneficial prior to them approving its purchase. A Member also commented that invariably if an individual was banned from one licensed premise they would take their business elsewhere and that if the premise was not in Pubwatch then the app would not prevent them gaining access to that particular premise.

In response to whether supermarkets who sold alcohol used the app the Licensing Officer advised that the app could be tailored to meet the needs of the user, noting that Aldi, Boots and Tesco's used it for Shopwatch to assist in the prevention of shoplifting.

In noting the proposed uses of the app e.g. taking photographs of individuals and sharing that with other premises, a Member queried whether this would be a breach of the new GDPR legislation. The Business Manager advised that should Members approve the purchase of the app all the necessary checks would be carried out to ensure that it met with all current legislative requirements. He noted that it was already successfully in operation in the Bassetlaw areas of Retford and Worksop.

AGREED (unanimously) that the purchase of the SchemeLink app be deferred pending further information being provided to the Committee.

15 LICENSING ACT TRAINING FEEDBACK

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing which provided feedback from the Licensing Act training provided on 4 July 2018.

It was noted that the feedback from the training had been positive and useful to both experienced and new Members to the licensing regime. The topics covered the following areas of licensing legislation: county lines and drug trafficking; safeguarding and vulnerable people in the night time economy; and licensing hearings.

A Member stated that he had found a comment by the presenter of the Sexual Exploitation topic to be unacceptable when he had accused elected Members of being at fault by not asking the right questions of Officers. He added that this called into question the professionalism of Officers and that the sexual exploitation of youngsters in Rochdale and Rotherham had arisen due to political correctness. He further added that a degree of fault lay with all parties, e.g. the Council, the Police, Social Services etc.

The Member also went on to say that since the new licensing regime had been introduced, with responsibility being transferred from Magistrates Courts to Councils, the number of Magistrates Courts had decreased with there now being only two in Mansfield and Nottingham. It was his belief that any appeal of a decision made by the Licensing Authority should be heard at Crown Court and not the Magistrates Court. The Business Manager advised that the Clerk to the Court was often invited to speak at meetings of the Nottinghamshire Authorities Licensing Group (NALG) but that these were becoming much less frequent. He added that he would raise the above comments at the next meeting of NALG.

AGREED (unanimously) that the report be noted.

16 ADDRESSING SAFEGUARDING IN LICENSED PREMISES

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to the actions being taken to address issues of safeguarding in licensed premises.

The report highlighted that there was increased scrutiny to ensure that users of the night time economy were safe and that younger people and vulnerable adults were safe from harm. Steps had already been taken in relation to the requirement for all licensed drivers to undertake safeguarding training but that recent focus had moved towards licensed premises. Leaflets covering a range of premises had been designed with all licensing authorities across the county using the same design to ensure a consistent approach. A number of training sessions had already been delivered with attendance by some of the major venues in Newark. There had been positive engagement with door staff companies and a date had been confirmed for a training session.

A Member requested that copies of the aforementioned leaflets be circulated to Members.

AGREED (unanimously) that the actions taken to address safeguarding in the night time economy be noted.

17 A COMMUNITY ALCOHOL PARTNERSHIP IN OLLERTON

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to the establishment of a Community Alcohol Partnership (CAP) in Ollerton. The report also sought a representative for the Project Group.

It was reported that the partnerships brought together local retailers and licensees, trading standards, police, health services, education providers and other local stakeholders to tackle the problem of underage drinking and associated anti-social behaviour. The CAP model was unique in that it recognised that retailers and licensees were part of the solution and had been shown to be more effective than traditional enforcement methods alone. The core activities of the partnerships were: Education; Enforcement; and Business Engagement.

The Business Manager highlighted that the aim of the partnership was to reduce the amount of underage drinking. He added that discussions had taken place with a view to setting up a partnership in Southwell but the issues experienced there were mostly in relation to over-18s. He added further that at that time there had been no Police commitment in Newark to establishing such a partnership. However, the relevant organisations in Ollerton, Boughton and Edwinstowe were keen to progress the partnership.

AGREED (unanimously) that:

- (a) the progress in establishing the local CAP be noted; and
- (b) Councillor B. Wells be appointed as the Committee's representative on the Ollerton CAP Project Group.

18 UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Licensing Manager in relation to the activity and performance of the Licensing Team between 1 April and 30 June 2018 inclusive, together with details of current ongoing enforcement issues.

Information contained within the report related to the number of applications for the grant or variation of licences received between the above dates and the enforcement activity between the same two dates.

AGREED (unanimously) that the report be noted.

19 TEMPORARY EVENT NOTICES 1 APRIL TO 30 JUNE 2018

The Committee considered the report of the Licensing Manager in relation to the Temporary Event Notices (TEN) received and acknowledged between 1 April and 30 June 2018 inclusive.

In reviewing the number of TENs applied for a Member commented on the number issued to a particular premises in Newark stating that they covered an external area. He added that restrictions and conditions in relation to potential noise nuisance were applied to applicants of a premises licence but that no such conditions were applied to TENs and that the only objections could be from either the Police or Environmental Health Officers (EHO).

AGREED (unanimously) that the report be noted.

20 EXCLUSION OF THE PRESS AND PUBLIC

That, under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1, 2, 3 and 7 of part 1 of Schedule 12A of the Act.

NONE

Meeting closed at 7.15 pm.

Chairman