

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, 15 November 2018 at 6.00 pm.

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

Councillor Mrs K Arnold, Councillor Mrs I Brown, Councillor D Clarke,
Councillor M Cope, Councillor Mrs S Michael, Councillor D Payne,
Councillor Mrs S Saddington, Councillor Mrs L Tift, Councillor B Wells
and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor Mrs B Brooks, Councillor P Duncan and Councillor Mrs S Soar

21 DECLARATIONS OF INTERESTS FROM MEMBERS AND OFFICERS

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

22 DECLARATION OF ANY INTENTION TO RECORD MEETING

NOTED that there would be an audio recording of the meeting undertaken by the Council.

23 MINUTES OF THE PREVIOUS MEETING

Minute No. 17 – Community Alcohol Partnership in Ollerton (UPDATE)

Councillor Wells advised that he had attended one meeting of the Group but had not received an invitation to any subsequent meetings.

Officers advised that work had commenced in the local area and was being supported by both Managers from Tesco and Asda who had offered to train smaller businesses in the area around the Challenge 25 Scheme.

Officers also advised that some test purchasing had been undertaken in the area using employees of the Council who were all over 18 but who did not look 25 years old. Of the 6 test purchases carried out, 3 had resulted in the challenge being made and 3 premises had sold alcohol without asking the individual for proof of age. The 3 premises in question had been advised of their responsibilities by the Licensing Enforcement Officers.

AGREED (unanimously) that the Minutes of the Meeting held on 6 September 2018 be approved as a correct record and signed by the Chairman.

24 PRESENTATION OF SCHEMELINK SOFTWARE FOR PUBWATCH

The Committee received a remote presentation of SchemeLink, the app that had been developed as a central point for easier data sharing and communication across scheme types. The Licensing Enforcement Officer provided Members with a brief overview of how the app would work in practice and the parameters of within which users would have to work in order to comply with all legal requirements e.g. in the uploading and sharing of photographic images. It was noted that the app had been in use in the Retford area for a period of 6 months and that it had been of great benefit.

In response to Members querying the cost of the app, the Business Manager – Environmental Health & Licensing advised that if purchased on an individual basis it was £35.99 but, with Committee approval, it was intended to purchase 40 licences which would reduce the cost of £31.00 per licence/pa. These would then be shared amongst the members of PubWatch and it was hoped that after the 12 month period, the members would purchase their own licence.

A Member of the Committee noted the restrictive guidelines in relation to the use of photographic images and queried how this would be of benefit to users. The Committee were informed that it was often the case that the individual who was of concern displayed their facial image on social media and as that was already in the public domain these were being uploaded and used on the app.

Members queried whether the use of the app by PubWatch would allow the user to access other schemes e.g. ShopWatch or HotelWatch. Officers advised that following the purchase of the licences by the Council they then had the choice of who received them, however, it was likely that it would attract an additional cost. Members stated that they would wish to see its use restricted to PubWatch.

In relation to how the individual premises would log in, Members were advised that this would be done by email and password. It was anticipated that each pub would use a generic email and then issue staff with the password. This could be changed on a nightly basis to restrict it to employees who were working a specific shift.

AGREED (unanimously) that the purchase of 40 annual licences for the SchemeLink app, at a cost of £1,240 for one year only, be supported and approved.

25 REVIEW OF CONTROLS FOR DRINKING IN PUBLIC PLACES

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing which sought to inform Members of the changes to the legislative controls relating to Designated Public Places Orders (DPPOs) and the control of drinking in public places. The report also sought Members approval to commence a consultation process on the use of Public Spaces Protection Orders (PSPOs) to control drinking in public places.

It was reported that there had been 14 DPPOs in the district, with the areas listed in paragraph 2.3 of the report, all of which had automatically been transferred to PSPOs in October 2017 and that these must be reviewed within a 3 year period of transfer. Paragraph 3.5 set out the basis on which a local authority could make a PSPO. It was

proposed that the relevant town and parish councils be contacted as to whether they would seek to renew, replace or remove the current controls for drinking in public spaces and that comment also be sought from the Police and the Council's Community Safety Business Unit.

To clarify, the Business Manager advised that the Orders did not prohibit the drinking of alcohol in public spaces but gave the Police powers to stop an individual drinking alcohol if there was a possibility of antisocial behaviour occurring. He also advised that prior to the Inspector for Newark leaving to take up her new role, she had stated that she thought there was insufficient evidence to support some of the Orders' continuation.

In relation to how these Orders would be enforced, the Business Manager advised that under the Council's recently launched Cleaner, Safer, Greener Campaign there would be a recruitment of Neighbourhood Wardens who would be authorised to confiscate alcohol as well as Police Officers.

AGREED (unanimously) that the transfer of DPPOs to PSPOs and the proposals for consultation be noted and supported.

26 REVIEW OF STATEMENT OF LICENSING POLICY - CONSULTEE RESPONSES

The Committee considered the reported presented by the Business Manager – Environmental Health & Licensing which sought Members' approval for the proposed revision of the Council's Licensing Policy and a recommendation to Full Council for approval and adoption.

The Committee had approved some amendments to the Policy in June 2018 and that it be released for consultation. The responses received to that were included at Appendix 1 to the report. Paragraph 3.2 of the report stated that there had been no substantial changes made as a result of the responses received.

A Member of the Committee noted that there was a congregation of establishments in Newark Market Place and queried whether consideration had been given to preventing this in future. The Business Manager advised that location would be a planning matter and that when determining an application for a premises licence the demand for a premise could not be taken into consideration. It was also noted that a more diverse spread of establishments led to lower levels of antisocial behaviour.

Members noted the comments in relation to vertical drinking made by Newark Town Council and that it should be supported. The Chairman commented that this had been subject to discussion some years previously when evidence had shown that vertical drinking was the main source of antisocial behaviour.

AGREED (unanimously) that the draft Statement of Licensing Policy be approved and forwarded to full Council with a recommendation for adoption.

27 MINUTES OF LICENSING HEARING HELD ON 21 SEPTEMBER 2018

AGREED (unanimously) that the Minutes of the Licensing Hearing held on 21 September 2018 to consider the suspension or revocation of a Personal Licence be noted.

28 TEMPORARY EVENT NOTICES RECEIVED AND ACKNOWLEDGED BETWEEN 1 JULY AND 30 SEPTEMBER 2018

The Committee considered the report presented by the Licensing Officer in relation to Temporary Event Notices received between 1 July to 30 September 2018.

A Member of the Committee noted that a particular venue continued to have numerous TENs to supplement their Premises Licence with the Member stating that he considered it to be an abuse of the licensing process. The Business Manager advised that there was a planning and environmental health investigation into the area.

AGREED (unanimously) that the report be noted.

29 UPDATE ON QUARTERLY PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Licensing Officer in relation to the activity and performance of the Licensing Team between 1 July and 30 September 2018.

AGREED (unanimously) that the report be noted.

30 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 6.50 pm.

Chairman