

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Licensing Committee** held in the Civic Suite, Castle House, Great North Road, Newark NG24 1BY on Thursday, 11 November 2021 at 6.00 pm.

PRESENT: Councillor Mrs R Crowe (Chairman)
Councillor R White (Vice-Chairman)

Councillor Mrs B Brooks, Councillor S Carlton, Councillor P Harris, Councillor R Jackson, Councillor Mrs S Saddington, Councillor I Walker and Councillor T Wildgust

APOLOGIES FOR ABSENCE: Councillor L Brazier (Committee Member), Councillor M Cope (Committee Member), Councillor Mrs S Michael (Committee Member), Councillor K Walker (Committee Member) and Councillor Mrs Y Woodhead (Committee Member)

20 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.

21 DECLARATION OF ANY INTENTION TO RECORD MEETING

The Chairman advised that the proceedings were being recorded by the Council and that the meeting was being livestreamed and broadcast from the Civic Suite, Castle House.

22 MINUTES OF THE MEETING HELD ON 2 SEPTEMBER 2021

AGREED that the Minutes of the meeting held on 2 September 2021 were a correct record and signed by the Chairman.

23 ATTENDANCE AT COMMITTEE BY CHAIRMAN OF NEWARK PUB WATCH

The Committee considered a verbal presentation by the Chairman of the Newark Pub Watch Scheme, Mr. Paul Goodman, who was in attendance.

Mr. Goodman outlined to Members his personal licensing history and that he had been Chairman of the Group for three and a half years. He advised that he had visited all the public houses in Newark with one of the Council's Licensing Enforcement Officers (LEO) in an attempt to get them involved with the Scheme, however, some remained uninterested.

Members were advised of how frequently the meetings were held and how they were run together with information as to which external organisations and individuals also attended.

Referring to when a decision was taken to bar a customer from entering licensed premise, Mr. Goodman advised that letters were sent to the individual, explaining the reason for the decision and that these were hand delivered by either the Police or the LEO. Should an individual breach the ban, they would receive a further letter with an additional one month ban from entering the premises. Mr. Goodman also advised that the Group were part of the SchemeLink app which was a useful tool for licensed premises. It was noted that should a licensed premise not attend for 3 consecutive meetings they would be informed that they would be suspended from using the SchemeLink app.

The Chairman thanked Mr. Goodman for his presentation and asked Members if they wished to raise any issues.

In response to how the Licensing Committee could assist with increasing participation in the Group, Mr. Goodman advised that he worked closely with the LEO in an attempt to encourage participation. He added that, if possible, he would like to see it as a licensing condition.

A Member queried as to whether the behaviour of customers had changed since the recent lockdowns due to the pandemic. Mr. Goodman advised that there were currently sixty people barred from entering premises in Newark but that most of these were due to drug taking and/or dealing and not violent behaviour due to drunkenness, noting that this was not just an issue for Newark. He advised that the Group would continue to bar the individuals but that a lack of Police resource had an impact. He highlighted that due to the Newark Police Station no longer having its own custody suite, any individual arrested by the Police had to be transported to Mansfield, thereby removing an Officer from the Newark area.

In relation to whether an individual's behaviour was changed by being barred from a premise, Mr. Goodman advised that some only ever received one such sanction. However, some individuals reoffended regularly. They argued with door supervisors and designated premise supervisors when trying to gain entry. After the ban was lifted they would 'behave' for a short period of time and then be barred again.

A Member queried whether customers knew what the Group were trying to achieve. Mr. Goodman advised that all premises who were part of the Group displayed signage in their premises to make customers aware. He added that the Newark Group worked closely with the national group.

In relation to the length of a ban, Mr. Goodman provided the Members with examples of an incident and the length of the ban therefrom e.g. a minor scuffle – 3-6 months; unprovoked fight – 1-2 years. He added that the Police also had powers to impose a criminal ban which could be for a period of 5 years.

The Chairman advised that some of the Committee would welcome the opportunity of attending meetings and queried what would be an acceptable number. Mr. Goodman welcomed the interest but advised that the current location was too small to accommodate a large number of people. He advised that the Group met on the last Thursday of each month and with the meeting commencing at 9.30am.

A Member queried whether any decision to bar an individual was communicated with other Groups e.g. Southwell or Ollerton Pub Watch. Mr. Goodman advised that this did not happen at present but understood that the SchemeLink app could be linked with other Groups. The Senior Licensing Officer confirmed that this could be done if requested.

In relation to increasing participation, the Vice-Chairman queried whether it would help if the Council promoted the premises which were part of the Group: that they were a safe venue to visit. Members agreed and felt that it would encourage other premises to join the Group.

The recent incidents surrounding 'spiking' was raised with a Member querying whether there had been any incidents in the Newark area. Mr. Goodman advised premises were actively trying to prevent the spiking of drinks by offering customers covers for their drinks when they left them unattended. The Business Manager – Public Protection added that any incidents of drinks being spiked or individuals being spiked with a needle were reported to the Police and would be investigated by the CID. To date, most of the needle spiking incidents had not involved any drugs.

On behalf of the Committee, the Chairman thanked Mr. Goodman for his attendance and presentation which had been worthwhile and informative.

24 FORWARD PLAN FOR DECEMBER 2021 TO NOVEMBER 2022

AGREED that the following items be added to the Forward Plan.

- (i) Verbal Update on Night Time Economy Visits (March 2022)
- (ii) Promotion of Pub Watch Scheme (March 2022)

25 UPDATE ON LICENSING APPEAL - MADISON'S LOUNGE BAR & BISTRO

The Committee considered the report presented by the Business Manager – Public Protection which sought to provide Members with an update on the licensing appeal lodged by Madison's Lounge Bar & Bistro.

The report set out that attempts had been made in the summer months to reach an agreement between Madison's, the Police and the Council which would have resulted in the withdrawal of the appeal lodged with the Magistrates but that these had been unsuccessful. During this time it became known that the premise were proposing to hold a special event night consisting of UK drill, a genre of music often associated with urban gangs. Discussions were held between the Police and the Designated Premise Supervisor (DPS), Wezley Ranyard, about what controls would be in place to manage the event. The Police visited the premises during the event and found that a number of the agreed measures had not been implemented and it was subsequently agreed, between the Police and Council, that any further negotiations with the DPS were of no benefit and that the matter would go to appeal. As a result of this decision the management of Madison's announced on social media that they had closed the premises 'due to the actions of the Council'.

AGREED (unanimously) that the report be noted.

26 UPDATE ON LICENSING APPEAL - THE CORN EXCHANGE, 18 CASTLEGATE, NEWARK

The Committee considered the verbal report of the Business Manager – Public Protection in relation to the latest position of the licensing appeal submitted by the Corn Exchange, Castle Gate, Newark.

The Business Manager provided Members with a reminder of the outcome of the Licensing Hearing; that the application had been granted but with amended hours, following which the applicant had submitted an appeal to the Magistrates Court. The Council were currently gathering their evidence for submission. It was noted that it was likely that the appeal would be heard in 2022.

AGREED (unanimously) that the verbal report be noted.

27 TEMPORARY EVENT NOTICES RECEIVED AND ACKNOWLEDGED BETWEEN 1 JULY AND 30 SEPTEMBER 2021

The Committee considered the report presented by the Senior Licensing Officer in relation to the Temporary Event Notices received between 1 July and 30 September 2021. The appendix to the report listed all the TENs received.

Members were advised that there was a change to the number of TENs which could be applied for which would come into effect in January 2022. The number dates was rising from 15 to 20. The number of days was rising from 21 to 26.

The Business Manager – Public Protection also drew Members' attention to the application fee payable for a TEN. He noted that the fee had been set in 2004 and came into effect in 2005 when the Licensing Act 2003 came into force. The fee set at the time was £21 and this still remained the same some 17 years later despite the increased cost in administering such an application.

AGREED (unanimously) that the report be noted.

28 UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Senior Licensing Officer in relation to the activity and performance of the Licensing Team between 1 July and 30 September 2021.

The Senior Licensing Officer advised Members that a series of test purchases was being undertaken and that the new Licensing Apprentice was acting as the customer. The Apprentice, who was 19 years of age, was attempting to buy alcohol to see whether the premise was operating the Challenge 25 scheme.

A Member noted that some of the investigations listed in the report appeared to be taking a considerable amount of time to resolve. In response, it was noted that it could be that an application for a premise licence had been submitted and was still within its representation period. The Business Manager added that the length of investigations varied from premise to premise and that each was dealt with on an individual basis e.g. noise monitoring at a premise which did not operate on a regular basis would lengthen the time required to gather evidence.

AGREED (unanimously) that the report be noted.

Meeting closed at 6.55 pm.

Chairman