

LICENSING COMMITTEE

12 NOVEMBER 2020

UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

1.0 Purpose of Report

1.1 To inform Committee of the activity and performance of the Licensing Team between 1 July and 30 September 2020 inclusive and to provide Members with details of current going enforcement issues.

2.0 Background

2.1 This report covers the period from 1 July and 30 September 2020 inclusive and sets out the range and number of licence applications during this period. It also highlights any activity required as a result of the applications.

Activity Report for 1 July to 30 September 2020

Application Type	Number Received	Number Issued	Number Refused	Comments
Personal Licence	12	12		
Vary the Designated Premise Supervisor	17	17		
Transfer of Premise Licence	4	4		
Minor Variation	0	0		
Variation to Premise Licence	2	1		1 PENDING HEARING
New Premise licence	7	7		
Change of Premise Name	0	0		
Notification of Interest	0	0		
Temporary Event Notices	23	23		

2.2 By way of comparison, the number of Temporary Event Notices received for the same period last year was 113.

Enforcement Activity

2.3 Ongoing Enforcement Activity 1 July to 30 September 2020

Location	Summary of Complaint/Reason for Visit	Date Case Opened	Action Taken So Far
Newark Cue Club, 41A Carter Gate, NG24 1UA	Report that the club was open despite Covid regulations not allowing it to be and that Police were called to a party on 1 July.	03/07/2020	LEO contacted the owner, who denied that the club had been open apart than for building work. LEO also contacted Police, who confirmed that they did attend but found no offences.

Saracens Head Hotel, Market Place, Southwell, NG25 0HE	A council visit found that the premises were not taking track and trace details.	08/07/2020	LEO visited and saw a track and trace book, advised them to tell staff to make sure this was used for all customers. All other Covid safety measures appeared to be in place.
Old Reindeer, Main Street, Edingley, NG22 8BE	Complaint of increased noise from the pub.	17/07/2020	LEO spoke to DPS, who said that this was a one-off event (birthday party for a family member) and has no intention of having regular music events at the premises. The complainant was satisfied with this response as there have been no further issues.
Black Swan, High Street, Edwinstowe, NG21 9QR	Noise from the pub and car park till late at night, including shouting, swearing and revving motorbikes and no social distancing	20/07/2020	LEO monitored noise and behaviour over a number of weeks and observed loud groups of people outside and no intervention from pub staff. LEO met with the DPS, brewery director and Police to discuss the issues and agreed an action plan. Further complaints were received. The premises was visited as part of a night of action and the same issues were observed. An improvement notice was served in conjunction with EH. This was found to have been complied with 16/10/2020. Since the 10pm closing time came in there have been no further complaints.
Bramley Apple, 51 Church Street, Southwell, NG25 0HQ	Noise issues from people outside/leaving the pub	22/07/2020	A meeting was arranged with the pub and residents. A plan was agreed for a trial period, however in the meantime an application to review the licence was submitted, which was heard on 29/10/2020
Turquoise Teapot, 108 Bowbridge Road, Newark, NG24 4BZ	Excessive noise till 10/11pm	27/07/2020	LEO spoke to the DPS who assured him that this would not happen again. No further complaints and the business has now closed.
Madisons, 37-39 Carter Gate, Newark, NG24 1UA	Music till 3am	31/07/2020	LEO spoke with Police, who are heavily involved with this premises due to some serious incidents. A review application has been submitted by the Police and is due to be heard in November. No action was taken in regards to this specific complaint.

Waggon And Horses, The Turnpike, Halam, NG22 8AE	Report that the field behind the pub car park was being used as an overspill area and that customers are being noisy	03/08/2020	LEO spoke to DPS who informed him that they use a courtyard area at the rear of the pub for outside eating and drinking. Advice was given regarding keeping noise to an acceptable level.
Turquoise Teapot, 108 Bowbridge Road, Newark, NG24 4BZ	Report of no social distancing and not taking track and trace details	07/08/2020	LEO visited and gave strong advice about social distancing, track and trace. Owners stated that they do take track and trace details and regularly remind customers of the need to social distance. The business has now closed.
Sir John Arderne, 10 Market Place, Newark, NG24 1DU	The premises provides slips of paper for track and trace but report of many customers not filling them in.	07/08/2020	LEO visited and asked the manager to brief all staff and to treat track and trace as a priority. LEO visited at a later date and found that staff were still not getting customers to complete track and trace forms. The manager said they would put a member of staff on the door to ensure it was done. LEO has since visited 3 more times and found all in order.
Turquoise Teapot, 108 Bowbridge Road, Newark, NG24 4BZ	Complaint of loud music	10/08/2020	LEO visited and strongly advised them in relation to music levels and social distancing. The business has now closed.
White Hart, Market Place, Ollerton, NG22 9AD	Report of no Covid safety measures in place	10/08/2020	LEO visited and found no track and trace system in place. A letter was sent to the brewery informing them of this. LEO later revisited and saw that a track and trace system was now in place.
Muskham Ferry, Ferry Lane, North Muskham, NG23 6HB	Complaint that the track and trace forms are on display, personal data not being kept secure and also that customers are not being asked to fill out details.	10/08/2020	LEO visited and advised the DPS to change to slips of paper which can be kept in a box when filled out and to remind customers to complete these.
Ye Olde Bridge Inn, Nottingham Road, Oxtun, NG25 0SE	Report of track and trace details not being taken.	10/08/2020	LEO visited the DPS who explained that walk-in customers are usually asked for their details when they pay the bill. He agreed to put up signs to remind customers of the need to do this.

The Wheatsheaf, Slaughterhouse Lane, Newark, NG24 1ER	Complaint of loud noise on most evenings.	11/08/2020	LEO visited the DPS who states that no music is being played outside and that she will try to manage noisy customers outside. LEO made house to house enqs and no other residents had a complaint. LEO then met with the brewery and the complainant separately. No further issues reported.
Old Malt Shovel, 25 North Gate, Newark, NG24 1HD	Follow up visit needed after council officers visited and found the DPS in drink and a large wedding party in attendance.	11/08/2020	Visited the premises and found it to be well managed by the manager.
Old Kings Arms, 19 Kirk Gate, Newark On Trent, NG24 1AD	Follow up visit needed after council officers visited and advised about risk assessment and social distancing measures.	11/08/2020	LEO visited and saw the risk assessment and good track and trace system. Advised to put markers on floor to better enable social distancing at the bar.
The Plough, Main Street, Coddington, Newark, NG24 2PN	Report of no Covid safety measures	11/08/2020	LEO visited and observed proper Covid safety measures.
Riverside, North End, Farndon, NG24 3SX	Report of 130 booked in to the pub on one day and no social distancing	12/08/2020	LEO visited and saw a good track and trace system. DPS was strongly advised to remind customers about social distancing.
Farndon Ferry, North End, Farndon, NG24 3SX	Report of not taking track and trace details	12/08/2020	LEO visited and saw that the venue is now placing track and trace forms on every table, which seems to be working.
Tawny Owl, William Hall Way, Fernwood, NG24 3NG	Report of not taking track and trace details	14/08/2020	LEO visited and found that only the government app was being used for track and trace, which some people will not be able to use. On revisit, LEO found that each customer is now greeted on the door and details recorded on a tablet.
Southwell Rugby Club, Park Lane, Southwell, NG25 0QN	Report of no social distancing or Covid safety measures.	17/08/2020	LEO visited and saw that Covid safety measures were in place.
White Hart, 5 White Hart Yard, Newark, NG24 1DX	Complaint that at weekends the pub gets too crowded for social distancing to take place.	28/08/2020	Complainant could not be contacted. LEO contacted the DPS who said that there was an incident where a member of the public complained about a group of men around a table and said that they would complain to the

			council, however the DPS did not get chance to explain that they were part of the same bubble. LEO was happy with this explanation.
Bridge and Bay Leaf, Gunthorpe, NG14 7FB	Complaint that the premises were taking group bookings and not adhering to social distancing.	28/08/2020	LEO visited and spoke to DPS on phone. They seem to have good social distancing and track and trace in place. Advised to increase toilet cleans but other than that all in order.
Chesters, Main Street, Balderton, NG24 3LL	Complaint of loud music from live band and fire safety risk from the gate to car park being blocked.	01/09/2020	LEO visited and was assured by the DPS that the loud music was from a one off event and will not happen again. LEO found 2 other exits for the car park, so no fire safety issues.
Turquoise Teapot, 108 Bowbridge Road, Newark, NG24 4BZ	Complaint of loud music.	01/09/2020	LEO conducted house to house enqs and found one other resident who was affected by the noise. LEO visited the DPS, who denied that they play loud music but said he would monitor the noise levels. The business has now closed.
The Plough, Main Street, Coddington, Newark, NG24 2PN	Complaint of loud singing and music in garden.	02/09/2020	LEO spoke to the DPS who advised that a TEN was in place for the event in question, and no further events planned. LEO advised that noise must be kept at a reasonable level.
Madisons, 37-39 Carter Gate, Newark, NG24 1UA	Concerns over social distancing.	09/09/2020	Police were aware of this as part of their review application.
Alders, Worksop Road, Ollerton, NG22 9DR	Report of not taking track and trace details.	15/09/2020	LEO spoke to the assistant manager who stated that they were treating track and trace seriously and had started to use a new system in which every customer's details were recorded on an iPad when they entered.
Jolly Roger Club, Forest Road, Ollerton, NG22 9QS	Videos of no social distancing sent in by Police	15/09/2020	LEO visited premises with Police, observed little social distancing, more than 6 people sat at 1 table. Manager was told to separate out tables and ensure only 6 can sit at each. At a later visit LEO met with the DPS and brewery manager and saw the new measures that had been put in place.

Brew Brothers, Rubys Avenue, Fernwood, NG24 3RQ	Report of not taking track and trace details	18/09/2020	LEO visited the premises and found that they were taking track and trace details.
Top Club, Mansfield Road, Clipstone, NG21 9AA	Report of a hen and stag party, police attended and found no social distancing.	22/09/2020	LEO spoke to the DPS on the phone who stated that the group of people that the Police attended for were not on pub land and that everyone inside was social distancing. LEO visited and found most Covid safety measures in place. Advice given regarding increasing space between tables/chairs and the use of pool table and fruit machines.
Maypole at Wellow, Newark Road, Wellow, NG22 0EA	The premises closed as a couple of customers tested positive after visiting but waited 10 days to inform the pub.	24/09/2020	LEO visited premises and saw the manager. She explained that they had been shut for 5 days as per advice and had now reopened. All Covid safety measures in place.
Newark Cue Club, 41A Carter Gate, NG24 1UA	Report of not taking track and trace details, one way system not being adhered to, not enough space between tables.	28/09/2020	LEO viewed CCTV which Police had seized and did not see anything untoward apart from last customers leaving at 10.15pm rather than 10pm. LEO visited but no one was there. Information passed to PC Nelson who will visit and advise accordingly.
Harbour Master Café, The Wharf, Newark, NG24 1EU	Report of not taking track and trace details and staff not wearing face masks	28/09/2020	LEO visited and found everything in order, staff wearing masks, track and trace QR code on display, tables well spread out. Advice was given regarding social distancing at busy times.

Visits and Actions in Response to Coronavirus

- 2.4 The move to a three-tier model in Early October introduced a number of changes that required advice, guidance and enforcement in licensed premises. The rule of 6 was removed for indoor settings including pubs and clubs. This resulted in venues having to ensure that only single households were meeting in their premises. However, the rule of 6 did apply to outdoor settings such as beer gardens. Visits were made to as many establishments as possible to provide advice and guidance and to ensure compliance with the new rules.
- 2.5 There was a breach of the tier 2 regulations that resulted in the serving of a fixed penalty notice on a pub in Newark.
- 2.6 The tier 2 controls also introduced the 10.00pm curfew. A small number of complaints were received alleging that this was being breached. Evening visits were carried out and no evidence was found to support these claims.

- 2.7 The introduction of tier 3 restrictions on 29 October proved challenging to licensed premises. The restrictions only allowed the sale of alcohol if it was served with a substantial meal. The Business Unit received numerous calls seeking advice on the definition of a substantial meal. The tier 3 restrictions also introduced no off sales of alcohol after 9.00pm, in both retail and hospitality venues.
- 2.8 In order to support business throughout this time the Council mobilised staff from across the workforce to act as 'Covid Ambassadors' visiting retail, services and hospitality venues across the district giving advice and acting as point of contact for questions from business owners.
- 2.9 New national restrictions will now be introduced that will take precedence over any local restrictions.
- 2.10 Set out below is a summary of the actions taken to date as a response to Covid-19.

Opening of None Essential Retail

- (i) We produced simplified guidance for all none essential retail to summarise the regulations and guidance. We also produced an advice pack on queuing and impacts on the public realm.
- (ii) 09.06.20 we had an advice and guidance phone in for retail businesses to 'ask the expert'.
- (iii) w/c 15.06.20 Week of action to support retail opening. Approx. 300 visits made by covid ambassadors.

Opening of hospitality

- (i) 25 visits made to licensed premises to provide pre-opening checks
- (ii) 04.07.20 night of action to carry out covid secure checks 30 premises visited. Joint operation with Police
- (iii) 08.08.20 in response to Newark being on the watch list visits to hospitality venues 107 visits made during day time and evening
- (iv) 18.09.20 night of action in Ollerton and western villages. Joint with Police licensing. 6 premises visited.
- (v) 08.10.20 day of action. Retail and close contact premises. 93 premises visited

Tier 2 controls

- (i) 12.10.20 mobilisation of covid ambassadors into high streets to offer advice guidance and reassurance on Tier 2 implications. Engagement with businesses and the public on a daily basis. Leaflets also being distributed. So far estimate over 1000 interactions
- (ii) 17.10.20 night of action. Hospitality venues. 35 premises visited

Tier 3 controls

- (i) 29.10.20 – new leaflets produced for hospitality trade. Mobilisation of covid ambassadors into high streets to distribute.
- (ii) 31.10.20 – Licensing staff carried out evening visits to Newark town centre.

Enforcement

- (i) 1 FPNs issued under coronavirus Regs.
- (ii) 2 Health & Safety at Work Improvement Notices issued. 1 to hospitality venue and 1 to close contact business.
- (iii) 6 Community Protection Warnings issued.

3.0 RECOMMENDATION

That the Committee consider the contents of the report and identifies any issues it wishes to examine further.

Background Papers

Nil

For further information please contact Nicola Kellas on extension 5894

Matthew Finch
Director – Communities & Environment