

Minutes

LICENSING COMMITTEE

27 September 2013

Meeting held at Committee Room 4/4a - Civic Centre, High Street, Uxbridge UB8 1UW



HILLINGDON
LONDON

	<p>Committee Members Present: Councillors Dominic Gilham (Chairman) Mike Bull Josephine Barrett Judy Kelly Peter Kemp Brian Stead Lynne Allen (Labour Lead) Janet Gardner</p> <p>LBH Officers Present: Stephanie Waterford, Licensing Service Manager Sharon Garner, Licensing Officer Beejal Soni, Legal Advisor Danielle Watson, Democratic Services Officer</p> <p>Also Present: Leo Charalambides PC Ian Wares Cllr Susan O'Brien</p>
1.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies for absence had been received from Cllr David Yarrow and Cllr Carol Melvin.</p>
2.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest notified.</p>
3.	<p>TO AGREE THE MINUTES OF THE MEETING HELD ON 5 JUNE 2013 (<i>Agenda Item 3</i>)</p> <p>The minutes of the meeting held on 5 June 2013 were agreed as a correct record.</p>
4.	<p>PERSONAL LICENCE CONSULTATION (<i>Agenda Item 4</i>)</p> <p>Sharon Garner, Licensing Officer, introduced the officer's report and informed the Committee of the Home Office Personal Alcohol Licences consultation which began on 12 September 2013 and would end on 7 November 2013. The proposals would abolish personal licences and would affect conditions previously imposed on a licence.</p> <p>Stephanie Waterford, Licensing Service Manager, suggested to Members that the proposals could have benefits. Currently personal licences could last for 10 years. The new proposals would require Disclosure and Barring Service (DBS) checks to be submitted with every variation of Designated Premises Supervisor application, which would ensure that any relevant convictions were flagged up.</p>

PC Ian Wares concurred with Ms Waterford and informed the Committee that the current licensing scheme was impractical to police and that the proposals would give more up to date information about the Personal Licence Holder.

Ms Garner stated that the proposals would enable the Committee to impose conditions on a premises licence following a review of the licence, requiring all staff selling alcohol to undertake training. Members were informed the accredited training regime would be approved by the Secretary of State.

Beejal Soni, Legal Advisor, stated that DBS checks were the primary source of control, however, Ms Soni raised concerns about the number of premises a Designated Premises Supervisor could be responsible for.

Resolved –

- 1. The Committee noted the update.**
- 2. Agreed that the Committee meet to discuss the consultation document with a view to drafting a response within 28 days of this meeting.**

5. ADDRESSING THE PROBLEMS WITH SUPER STRENGTH ALCOHOL & STREET DRINKERS (Agenda Item 5)

Stephanie Waterford, Licensing Service Manager, updated Members on what action had been carried out since the last meeting regarding the 'Reducing the Strength' scheme implemented in Ipswich.

PC Ian Wares informed the Committee that his team had a site visit to Ipswich, which unfortunately he did not get to attend. PC Wares stated that the Suffolk Constabulary had a fully resourced team of Police Officers to undertake proactive work relating to tackling street drinkers. He said that the Police resources in Hillingdon were very stretched and that there were no current plans to dedicate the resources required to implement a similar scheme here.

Members discussed various street drinking hotspots in the Borough. The Grand Union Canal next to the Crown Pub in Townfield Ward was a popular congregation spot for street drinkers as well as St Andrews subway and war memorial in Uxbridge Town Centre. Members were aware that street drinkers would often be moved on by officers and would then reappear later in the day. Members agreed this action did not solve the problem.

The Chairman had spoken to Hillingdon Hospital and was told that the majority of Accident and Emergency patients were alcohol related. Members discussed their personal experiences of coming into contact with street drinkers and stated it was sad to watch people effectively killing themselves. Members agreed more needed to be done to work with external agencies to tackle the problem.

Members discussed responsible retailers and suggested that those who are responsible should be highlighted by having scores on the doors to indicate their good practice. Residents would then be aware who was a responsible retailer and would be able to make a more informed choice where to shop.

Members discussed targeted enforcement and reviews of premises licenses which was believed to be a sensible approach. Monitoring premises and compliance inspections in problem areas would assist, however, Members appreciated that there were not enough resources for additional staff to carry out inspections.

	<p>Ms Waterford informed the Committee that the Licensing Service had made a joint bid with Public Health to tackle alcohol misuse which was currently at phase 2. The bid for funds was made to support methods in addressing the sale of high strength alcohol and also alcohol harm reduction.</p> <p>Members discussed street furniture and how benches often became focal meeting points for street drinkers. The Chairman informed the Committee that a bench located next to a school in his ward was removed at the request of the police which deterred a local street drinker from loitering.</p> <p>PC Wares informed the Committee that enforcement action had taken place in July 2013 at various hotspots in the Borough as part of a police operation to tackle anti-social behaviour.</p> <p>The Chairman was happy to produce a joint letter from the Metropolitan Police and Committee to notify licence holders of their obligations.</p> <p>Resolved –</p> <ol style="list-style-type: none"> 1. The Committee noted the update. 2. Agreed that Ms Waterford and Ms Soni will draft a letter with the Metropolitan Police in consultation with the Chairman.
6.	<p>SCRAP METAL DEALERS ACT 2013 (<i>Agenda Item 6</i>)</p> <p>Beejal Soni, Legal Advisor, informed the Committee that new legislation would be coming into effect on 1 December 2013. Ms Soni explained that lead and metal theft was an issue as it was more valuable than before.</p> <p>Ms Soni informed the Committee that scrap dealing needed to be enforced and the new legislation would give the Licensing Authority more power to tackle bad practice. The Police Act was also being amended to reflect the changes made. Enforcement was previously carried out by the police who undertook site visits and background checks.</p> <p>Ms Soni explained that a policy and fee charge for scrap dealers or collectors was to be presented to Cabinet in November 2013 to determine. The proposal was for the Licensing Sub Committees to deal with hearings concerning scrap metal licenses.</p> <p>Stephanie Waterford, Licensing Service Manager, informed the Committee that so far over 50 application forms had been returned. Ms Waterford also informed the Committee that if a scrap dealer was working in more than 1 borough he or she would have to apply for a licence for each authority.</p> <p>PC Ian Wares informed the Committee that he was aware there were 8 active scrap dealers that do not use cash since the policy was changed last year</p> <p>Resolved – The Committee noted the update</p>
7.	<p>UPDATE ON LADBROKES LICENSING APPEAL (<i>Agenda Item 7</i>)</p> <p>Mr Leo Charalambides, updated the Committee on the Ladbrokes appeal which had recently taken place. Mr Charalambides informed the Committee that unfortunately Hillingdon had lost the case against Ladbrokes as the Magistrates were not satisfied with the evidence provided. Additional submissions could have been given by Social Services or local School Teachers to support the Licensing Authorities case for defence.</p>

Stephanie Waterford, Licensing Service Manager, informed the Committee that Beejal Soni, Legal Advisor, had approached the Education department but unfortunately these bodies did not know how to respond. Members were keen for Headteachers, School Governors, Youth workers and social workers to give evidence that would support these hearings.

Mr Charalambides stated that crime and disorder associated with Coral or William Hill in Uxbridge was not associated with Ladbrokes. Although crime and disorder could be linked to the gambling premises there was no evidence to suggest there were any issues with Ladbrokes in Uxbridge. However, there were issues with street drinkers and betting shops in Hayes where there was a high number of vulnerable people either unemployed or on a low income.

Members discussed the possibility of including a saturation policy within the Councils Statement of Gambling Principles. Ms Soni stated that when the policy was drafted the Gambling Commission guidance suggested that saturation policies would require a specific case for justification and Officers would have to gather robust evidence to support such a policy.

During a site visit to Uxbridge High Street, one of the Council's Planning Officer's identified 40 units that could potentially become betting shops without going to a Planning Committee. This was due to the type of use class that had been given under planning laws, making it easy to transfer from an office/agency type premises into a betting shop.

The Committee discussed the importance of central government reclassifying the Planning uses so that Betting Shops are given their own use class.

Members understood that both Planning Committees and Licensing Committees looked at different things. It was suggested that there should be a memo of understanding between the two, detailing the specific considerations available to each committee.

Mr Charalambides concluded that Hillingdon had strong policies which stood up well in court. .

Resolved –

- 1. The Committee noted the update.**

The meeting, which commenced at 10.00 am, closed at 11.15 am.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Danielle Watson on 01895 277488. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.