

Minutes

Licensing Committee
Tuesday, 4 April 2023
Meeting held at Committee Room 5 - Civic Centre



Members Present:

Roy Chamdal (Chairman)
Darran Davies (Vice-Chairman)
Shehryar Ahmad-Wallana
Reeta Chamdal
Scott Farley
Janet Gardner
Kuldeep Lakhmana
Barry Nelson-West
Peter Smallwood
Colleen Sullivan

Officers Present:

Mark Braddock (Democratic Services)
Daniel Ferrer (Licensing Services)
Lois King (Licensing Services)
Chantelle McCleod (Legal Services)

Also Present:

PC Dave Butler
PC Penelope Brown
PC James Bradshaw

25. APOLOGIES FOR ABSENCE

All Members were present.

26. DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING

There were no interests declared by Members present.

27. TO APPROVE THE MINUTES OF THE MEETING HELD ON 4 OCTOBER 2022

The minutes of the meeting held on 4 October 2022 were agreed as a correct record.

28. TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND ANY ITEMS OF BUSINESS MARKED PART 2 IN PRIVATE

It was confirmed that items marked public and private would be heard as set out on the agenda.

29. METROPOLITAN POLICE SERVICE PRESENTATION ON LICENSING RESPONSIBILITIES AND MEMBER QUESTIONS (VERBAL UPDATE)

Representatives from the Metropolitan Police provided an update on their role and responsibilities in relation to licensing matters in the Hillingdon area. They introduced themselves and explained that Hillingdon was part of the West area policing unit, covering Hillingdon, Ealing and Hounslow. They expressed their dedication to assisting with licensing matters in these boroughs and discussed their daily responsibilities.

The police officers explained that they closely collaborate with the local Council's licensing team, dealing with various aspects of licensing, such as processing new premises license applications, variations to licenses and changes in license holders. They highlighted their focus on preventing crime and disorder in licensed premises. This involved conducting daily checks to identify any licensed premises with crime and disorder issues and taking appropriate actions, including meetings, advice, or enforcement if necessary.

With approximately a thousand licensed premises in Hillingdon, effective communication and collaboration were essential to ensure responsible operations. The officers mentioned their involvement in multi-agency work and partnerships with local authorities. They briefed the Committee on the "Ask for Angela" initiative, aimed at providing a discreet way for individuals to seek help in potentially unsafe situations at licensed venues.

The police officers discussed their efforts to raise awareness about "Ask for Angela" and its testing. They pointed out that while most premises passed the safety test associated with the program, some failed due to misunderstandings. They stressed that their work was not solely about prosecution but also involved education, early intervention, evidence gathering, enforcement when necessary and post-evaluation.

The police officers also mentioned their engagement in addressing child exploitation within the licensed premises and collaborating with other agencies. They emphasised their significant workload across the West area, covering multiple boroughs and a large number of licensed premises. They mentioned the challenges of resource constraints and the need to prioritise their activities.

In response to questions from Councillors, the police officers discussed their engagement with the LGBTQ+ community, test purchasing of alcohol using police cadets, and outreach to community groups. They acknowledged resource limitations and explained how they work with partner agencies and Safer Neighbourhood Teams to address specific issues and prioritise their tasks.

A discussion led by Councillors also included concerns about the impact of police resource limitations on tackling specific issues, such as roads with numerous off-licenses, and the police officers emphasised their commitment to working collaboratively to ensure the responsible and safe operation of licensed premises in Hillingdon.

It was explained that when a specific problem related to crime and disorder arises, they link with the Anti-Social Behaviour Enforcement Team (ASBET) and organise a multi-agency approach to tackle the issue. They gave an example of a current specific problem they were working on and how they collected crime statistics, identified trends, and collaborated with relevant teams to address it. The approach involved a lot of behind-the-scenes work, including data analysis and evidence gathering.

In response to a question from a Councillor about recruitment, the police officers acknowledge that they were stretched due to resource constraints. They mentioned plans for recruiting additional licensing officers and discussed the long-term restructuring within the Metropolitan Police Service to address priorities such as licensing. They also expressed their willingness to work outside regular hours.

Councillors expressed further concerns about the stretched resources and the need for more recruitment. They suggested reaching out to the Mayor of London and the Police Commissioner for support and resources. Councillors also offer to help engage community organisations in assisting with licensing-related matters.

30. UPDATE ON RECENT LGA LICENSING CONFERENCE FROM THE CHAIRMAN (VERBAL UPDATE)

The Chairman deferred his specific update on the LGA licensing conference and indicated he would address some issues raised later in the meeting.

31. LEGISLATIVE & INDUSTRY UPDATE- APRIL 2023

The Chairman raised the matter of the licensing of alcohol delivery services during the COVID-19 pandemic and questioned the optional nature of contacting the license authority for advice. It was explained that some entrepreneurs had explored selling alcohol as a side business during the pandemic. It was clarified that the Council was open to providing guidance.

The Committee then discussed closure notices under the Criminal Justice and Police Act 2001 and it was explained that there were no major changes affecting the Police in this regard. The Chairman then moved on to proposed conditions. He mentioned that Hillingdon was proactive in setting comprehensive conditions for various applications, particularly related to CCTV.

The topic of waste management, specifically dumping bottles, was raised. It was noted that Hillingdon had regulations in place for waste collection from 8pm to 10am, a practice that some other councils didn't have.

Councillors then moved to the implementation of "Martin's Law," named after a counter-terrorism measure introduced following the terrorist attack at the Manchester Arena during an Ariana Grande concert. The Committee discussed how many licensed venues with over 100 people were in the Borough, including sports stadiums, and how they were working to implement the necessary safety measures to prevent terrorism. Officers indicated they would provide further information to the Committee and the Police informed the Committee about counter-terrorism training available.

The Chairman mentioned past discussions about planning and licensing coming together, which had taken place at the House of Lords, but the outcome was that the two functions would continue to remain separate.

The meeting touched on regulatory easements or "Agent of Change" principles, which were related to issues like noise complaints when new developments were built near existing licensed premises.

Concerns were raised by Councillors about the sharing of data between physical gambling establishments and online gambling platforms under the Gambling Act. The Committee touched on the challenges of addiction, self-exclusion, and data sharing, particularly in cases of significant losses. A recent example involving a fine imposed on William Hill was highlighted.

Councillors also sought to understand the connection between self-exclusion online and in physical bookmakers, as well as the broader impact of gambling on issues like crime and disorder. Reference to sex establishment licenses and a lack of nightlife policies in Hillingdon was also made.

Additionally, Councillors raised the licensing of taxi activity in London, though it was noted that taxi licensing in London was under TfL jurisdiction.

RESOLVED:

That the Committee notes the report.

32. COMMITTEE FORWARD PLANNER 2023/24

The Committee noted the Forward Planner as set out on the agenda. Councillors inquired about the possibility of arranging Martin's Law training, as many committee members lacked insight into it. Councillors further suggested more information on how pavement licenses were applied and granted, with an emphasis on achieving more consistency in the process. Additionally, the suggestion of having a representative from the gambling commission present at a future meeting was raised.

RESOLVED:

That the Committee note the Forward Planner.

33. RATIFICATION OF LICENSING SUB-COMMITTEE MINUTES

Members were updated on recent Licensing Sub-Committee decisions since the last meeting and ratified the minutes of the recent sub-committees hearing.

RESOLVED:

That the Committee, with the agreement of any Members present at the following Sub-Committees that they are a correct record, ratify the minutes of the following meeting:

- 1. 10am, 23 November 2022 - Application to vary a Premises Licence: Dhamaka, 37 Swakeleys Road, Ickenham, UB10 8DG (Part 1, Public minutes)**

34. ANY OTHER ITEMS THE CHAIRMAN AGREES AS URGENT OR RELEVANT

The Chairman raised several questions related to vaping, licensed premises, legal limits for opening new premises, and nitrous oxide canisters.

This included a question about the legality of nitrous oxide canisters and their impact on licensing. Officers advised that these canisters fell under the Psychoactive Substances Act 2016 rather than the Licensing Act. The Government's standpoint was that existing legislation was sufficient to handle issues related to nitrous oxide abuse.

The Chairman inquired about limitations on opening new licensed premises. It was discussed whether there was a legal limit on how many licensed premises could be opened within a specific area. Officers advised that currently, there was no specific limitation, and each case was assessed on its merits. If there were concerns about the concentration of licensed premises, a special policy would need to be adopted, which would be a matter for the Committee.

The issue of "spiking" at licensed premises was raised, and the Chairman asked about guidance for licensees. It was explained that a national consultation was ongoing regarding spiking, with recommendations expected after the consultation concluded in April.

Councillors on the Committee further discussed vaping, with questions about whether there were problem areas and age restrictions for the sale of vaping products. It was noted that Trading Standards was leading efforts to tackle illegal sales, and there were ongoing efforts to address the issue.

A request was made for updates on actions taken regarding specific premises, and it was clarified that nitrous oxide cylinders themselves are not illegal, but their resale and supply for illicit purposes was.

The topic of alcohol sales at airports, specifically airside areas, was raised. The Chairman questioned if there were any legislative measures that could restrict alcohol consumption at airports, especially before flights. It was advised that a

Government consultation in the past had considered extending licensing laws to airside areas, but that there was no appetite for such a change, leaving airside areas largely unregulated.

Finally, the Chairman requested an update on actions taken regarding specific premises discussed earlier in the meeting, and it was agreed to provide information about the follow-up actions taken.

The discussion concluded with a transition to a private part of the meeting for Councillors.

35. UPDATE AND FEEDBACK ON MEMBER LICENSING SITE VISITS TO PREMISES (VERBAL UPDATE)

Councillors discussed their recent sites visits to licensed premises with officers and their findings. They gave feedback for officers for future visits to be arranged.

The matter was declared as exempt from publication as it involved the disclosure of information in accordance with Section 100(A) and paragraphs 1,2 & 7 of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contained information relating to any individual, information likely to reveal the identity of an individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime and that the public interest in withholding the information outweighed the public interest in disclosing it.

The meeting closed at 11:30am