

# Licensing Committee Minutes

Wednesday 10 July 2013

## PRESENT

**Committee members:** Councillors Peter Graham (Chairman), Michael Cartwright, Steve Hamilton, Wesley Harcourt, Lucy Ivimy (Vice-Chairman), Caroline Needham, Matt Thorley, Daryl Brown and Charlie Dewhirst

**Officers and Guests:** Patrick Crowley, Licensing Team Manager; Lewis Aldous and Lisa White, Licensing Officers; Police Sergeant Stuart Ratcliffe, Metropolitan Police; Alex Russell, Environmental Services Lawyer; Valerie Simpson, Head of Licensing and Trading Standards; and Daniel McArthur, Committee Coordinator

## 1. MINUTES

### RESOLVED THAT:

The minutes of the meeting held on Wednesday 11 July 2012 be confirmed and signed as an accurate record of the proceedings.

## 2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Alford, Brocklebank-Fowler, Carlebach, Crofts, Dewhirst, G. Donovan, Karmel and Aherne.

Apologies for lateness were received from Councillor Thorley.

## 3. DECLARATIONS OF INTEREST

There were no declarations of interest.

## 4. ANNUAL LICENSING REPORT

Valerie Simpson, Head of Licensing and Trading Standards presented the annual licensing report, which gave an overview of the licensing team's performance over the last 15 months.

She said that the number of applications for new premises licences had decreased, but the number of applications for Temporary Event Notices (TENs) had increased. It was thought that this increase was partly due to a change in the

regulations, and partly an effect of the Olympics. The number of review hearings had decreased relative to 2011/12, and this was thought to be because more premises are being compliant. There had been several successful prosecutions of premises.

Ms Simpson also noted that service improvement work had been ongoing, in order to improve the public face of the service, make it easier for the public and the police to search for licenses and make online applications. In response to a question from Councillor Thorley, Lewis Aldous, Licensing Officer, said that all existing licenses can be viewed online.

Councillor Harcourt noted an increase in the number of betting shops in the borough. He asked whether the authority had considered taking steps to prevent the proliferation of betting shops, as had been done in the London Borough of Newham.

Ms Simpson said that, in its capacity as a licensing authority, the Council was constrained in its attempts to limit the number of betting shops that open in the borough because each application has to be considered on its own merits. However, she emphasised that licensing worked closely with planning on gambling applications, and she attended the Council's business strategy group, which was taking positive steps to encourage new businesses to the area.

Sergeant Stuart Ratcliffe of the Metropolitan Police said that, based on the records he kept, gambling premises were not associated with high levels of crime and disorder. Councillor Cartwright agreed that there were not high numbers of crimes in gambling premises, but pointed out that in his role as a magistrate he saw large numbers of people in court who had lost their money in betting shops.

Councillor Needham said that there was a misconception amongst the public that their views would be taken into account in relation to licence applications under the Gambling Act 2005 in the same way as they are considered under the Licensing Act 2003. She also said that gambling was associated with domestic violence and other forms of abuse. Councillor Ivimy agreed, saying that these concerns had not been taken into account under the Gambling Act.

The Chairman said that the concerns of the committee had been noted.

Sergeant Ratcliffe provided an update on the activities of the police over the previous year. He thanked the committee for their work over the previous year. He said that despite the challenges presented by the Olympics, which had put a strain on police resources, there had been 200 fewer offences (a 9.5 % reduction) in Licensed premises in Hammersmith in Fulham compared to the previous year. Performance in more recently had been impressive, and there had been a 36% reduction in crime across all licensed premises. The 10 premises in the borough which had seen the most offences in the last 3 months had only seen between 5 and 9 offences, with the higher figures seen in the case of very large premises such as the Hammersmith Apollo.

Sergeant Ratcliffe emphasised the use of action plans as a way of managing problematic premises. He described it as a relatively informal intervention, like

performance management, where the police go to a premises, inform them of their concerns and tell them how to resolve the problems they face. A large number of premises in the borough had been on action plans at one time or another.

He then described 'Operation Condor'- which comprised a number of whole weekend partnership operations involving the police, environmental health, trading standards and safer neighbourhoods teams. He felt that these exercises had obtained very positive results.

He said that several key reviews had been heard in the last year, dealing with some premises which were seen as causing persistent problems to the police.

Councillor Dewhirst asked whether having all of the borough's 3 football teams in the premiership the previous season had caused extra problems for the police. Sergeant Ratcliffe said that it had not, because the problems caused by Championship games are not dissimilar. A series of reviews in the Shepherd's Bush area that had taken place the previous year had fundamentally improved conditions in the Uxbridge Road area.

The Chairman and committee thanked Sergeant Ratcliffe for his work over the year.

Alex Russell, Environmental Services Lawyer, provided an update on appeals against sub-committee decisions. He welcomed the use of action plans by the police, as they provide a useful evidence base which can be drawn on both in reviews, and when decisions come to appeal. He provided a quick summary of the cases that had come to review, noting that premises often withdrew their appeals not long before they were due to be heard. He noted that the case law regarding appeals has not moved on much, and emphasised to members the importance of giving as many reasons as possible for decisions.

Valerie Simpson briefed the committee on the bi-borough service review. The review had involved a comparison of the Hammersmith and Fulham and Kensington and Chelsea licensing teams, and a number of proposals for service reorganisation had been considered. It had been found, for example, that having licensing officers working in a different section from the administration/processing teams caused problems.

Ms Simpson introduced Patrick Crowley, who would be the new bi-borough Licensing manager. He was a 50:50 H&F/ RBKC appointment. The two boroughs had very similar numbers of premises. The reorganisation had reduced the number of posts in the RBKC team by two, and the H&F team by one. Licensing officers from the two boroughs would be able to share experience, and work jointly. However, the separate sovereignty of the two boroughs would be retained, and Licensing Sub-Committees would be serviced separately.

#### **RESOLVED THAT:**

The report be noted.

Meeting started: 7:00pm

Meeting ended: 7:45pm

Chairman .....

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