

Licensing Committee Minutes

Tuesday 21 June 2016

PRESENT

Committee members: Councillors Natalia Perez (Chair), Daryl Brown (Vice-Chair), Colin Aherne, Steve Hamilton, Iain Cassidy and Larry Culhane

Officers: Nick Austin, Director of Environmental Health, Patrick Crowley, Licensing Manager, Lisa White, Licensing Officer, Heidi Titcombe, Principal Solicitor and Ainsley Gilbert, Committee Administrator.

1. PERIOD OF SILENT REFLECTION

The Chair explained that a minute's silent reflection would be held in recognition of the recent deaths of Sue Perrin, a devoted committee administrator who had supported the licensing committee for many years, and Jo Cox, the Member of Parliament for Batley and Spen who had been murdered whilst out and about in her constituency. The period of silent reflection was observed immaculately.

2. MINUTES

RESOLVED THAT:

The minutes of the meeting held on 23 June 2015 confirmed and signed as an accurate record of the proceedings.

3. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Donovan, Lukey, Schmid and Vincent.

Sgt Stuart Ratcliffe had also sent his apologies as he was involved in a police licensing operation. He had sent a written report which was tabled by Patrick Crowley, Licensing Manager.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. ANNUAL LICENSING TEAM UPDATE

Patrick Crowley, Licensing Manager, explained that the borough had good partnership working between the police and council officers. This had helped to reduce crime and disorder and made the licensing process easier for applicants. The success of the approach was shown by the large number of applications being settled before a hearing became necessary.

One appeal had been made against the licensing authority. This related to the Rose Public House which had a problem with noise nuisance emanating from its garden. Officers had carried out significant amounts of observation work, and the results of this were so compelling that the appellant withdrew their appeal, with the Premises Licence Holder agreeing to pay the council significant legal costs.

Lisa White, Licensing Officer, explained that the council tried to work with businesses to resolve issues, and was generally successful in doing so. The council had issued 4 cautions and begun 2 prosecutions where licence holders had failed to improve their standards despite assistance. She explained that the number of complaints received had dropped and that working between licensing officers and noise nuisance staff had improved. Patrick Crowley added that crime on licensed premises had reduced again.

Patrick Crowley explained that the number of adult gaming centres in the borough had reduced from 5 to 2, which he considered to be because of reduced demand. There was also one less betting shop in the borough which was likely to be due to changes in planning law.

Patrick Crowley said that there were ongoing issues with managing debt as there was no interface between Agresso and the licensing team's Uniform system. There had also been a full licensing audit which had been carried out during the year identifying three finance issues. Mr Crowley explained that two of these had been resolved, whilst the third was currently being addressed.

Patrick Crowley explained that the council was currently updating the Statement of Licensing Policy, and that the pool of local conditions had already been updated as a result of this work. Mr Crowley said that the council had also made it possible to apply for more licences online which was more convenient for applicants and easier for officers.

The Chair thanked licensing officers for their hard work and for the effort which had gone into the report and presentation.

Councillor Aherne asked how the council met its obligation to prevent gambling from being used to support crime. Patrick Crowley explained that the council's role was fairly limited as the Gambling Commission investigated more serious allegations; officers passed on information to the police and gambling commission and would also deal with low level issues at the premises.

Councillor Cassidy asked how much time officers spent working around Agresso's imperfections. Mr Crowley explained that the administration manager shared with Kensington and Chelsea spent around ninety percent of their time dealing with Agresso. It also took up a significant amount of one of the dedicated Hammersmith and Fulham officer's time. Patrick Crowley explained that there had been payments made to the council for licences which had been misallocated by Agresso, however, mechanisms were now in place to allow the service to track payments made to it. The Chair asked how much debt was owed by licensees to the council. Patrick Crowley explained that the historic debt was between £20,000 and £25,000. Nick Austin, Director for Environmental Health, said that the licensing team had successfully reduced the historic debt over the past few years, however, there was an amount of debt which might have to be written off. He explained that non-payment of fees could eventually lead to the suspension of a licence, however, this could not be enforced if the premises had genuinely changed hands.

Councillor Aherne asked whether paragraphs 21.2 and 21.3 of the draft statement of licensing policy could be tightened to ensure that only those in the vicinity of the premises could object. Heidi Titcombe, Principal Solicitor, explained that the 'Vicinity Test' for representations had been removed from the Statement of Licensing Policy as a result of a change in legislation. She explained that it was impossible to set a standard distance from premises within which an objector had to live as each premises might have different impacts. The original wording of 'in the vicinity' had proven difficult to interpret, and the legislation now allows anyone to make a representation if that representation is relevant and relates to the promotion of the licensing objectives. Patrick Crowley noted that the council did not receive many frivolous objections.

The Chair asked officers to look at the online system for submitting representations, and ensure that it made it clear to residents whether an application was open for comments and to investigate whether it is possible for an automated acknowledgement to be generated once a representation has been made. Nick Austin agreed to test the system and feed the results back to the committee.

The Chair said that she was very impressed that the collaborative working between the police and council had led to there being around 450 fewer crimes in 2015-16 than in 2012-13. She hoped that this downward trend would continue.

Meeting started: 7.05 pm
Meeting ended: 7.35 pm

Chair

Contact officer: Ainsley Gilbert
Committee Co-ordinator
Governance and Scrutiny
☎: 020 8753 2088
E-mail: ainsley.gilbert@lbhf.gov.uk