

LICENSING COMMITTEE

Tuesday, 10 March 2015 at 6.30 p.m.

The Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove
Crescent, London, E14 2BG

The meeting is open to the public to attend.

<u>Members:</u>	Ward Represented
Chair: Councillor Amy Whitelock Gibbs	Bethnal Green;
Vice-Chair: Councillor Peter Golds	Island Gardens;
Councillor Khaled Uddin Ahmed	Bromley North;
Councillor Rajib Ahmed	Lansbury;
Councillor Suluk Ahmed	Spitalfields & Banglatown;
Councillor Mahub Alam	St Dunstan's;
Councillor Shah Alam	Mile End;
Councillor Amina Ali	Bow East;
Councillor Rachel Blake	Bow East;
Councillor Gulam Kibria Choudhury	Poplar;
Councillor Andrew Cregan	Island Gardens;
Councillor Md. Maium Miah	Canary Wharf;
Councillor Mohammed Mufti Miah	Bromley North;
Councillor Muhammad Ansar Mustaqim	St Peter's;
Councillor Candida Ronald	Blackwall & Cubitt Town;

[The quorum for this body is 3 Members]

Contact for further enquiries:

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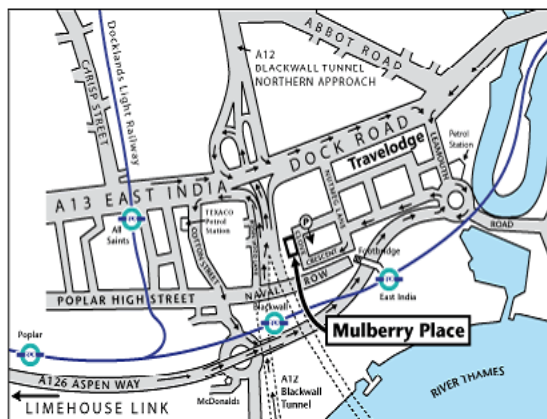
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APOLOGIES FOR ABSENCE

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST (Pages 1 - 4)

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.

	PAGE NUMBER	WARD(S) AFFECTED
2. MINUTES OF THE PREVIOUS MEETING(S)		
	5 - 8	
To confirm the minutes of the meeting of the Licensing Committee held on 9 th December 2014 as an accurate record of the proceedings.		
3. ITEMS FOR CONSIDERATION		
3 .1 Licensing Act 2003 - Cumulative Impact Zone	9 - 32	Spitalfields & Banglatown; Weavers
3 .2 Touting - Brick Lane Area	33 - 38	Spitalfields & Banglatown
3 .3 Update in Relation to Prosecutions and Appeals - Quarters 1-3 2014/2015	39 - 46	All Wards
4. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT		

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Agenda Item 1

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Meic Sullivan-Gould, Monitoring Officer, Telephone Number: 020 7364 4801

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 9 DECEMBER 2014

**THE COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5
CLOVE CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Amy Whitelock Gibbs (Chair)

Councillor Rajib Ahmed
Councillor Suluk Ahmed
Councillor Shah Alam
Councillor Rachel Blake
Councillor Gulam Kibria Choudhury
Councillor Andrew Cregan
Councillor Peter Golds (Vice-Chair)
Councillor Mohammed Mufti Miah
Councillor Muhammad Ansar Mustaqim

Officers Present:

Kathy Driver	– (Principal Licensing Officer)
Cam Lieng	– (Licensing Officer)
John McCrohan	– (Trading Standards & Licensing Manager)
David Tolley	– (Head of Consumer and Business Regulations Service, Safer Communities, Communities Localities & Culture)

Apologies

- Councillor Khaled Ahmed
- Councillor Mahbub Alam
- Councillor Amina Ali
- Councillor Candida Ronald

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of disclosable pecuniary interests.

2. MINUTES OF THE PREVIOUS MEETING(S)**RESOLVED**

That the minutes of the Licensing Committee meeting held on 16th October 2014 were confirmed and agreed as a correct record.

3. ITEMS FOR CONSIDERATION**3.1 Community Alcohol Partnership**

Ms Cam Lieng, Licensing Officer gave Members a brief update on the Community Alcohol Partnership (CAP) work program. She explained that it was a partnership project to tackle underage drinking and associated anti-social behaviour within Bethnal Green Ward and St Peter's Ward.

It was noted that anti-social behaviour (ASB) was identified as being a problem within the CAP area, having the second highest ASB and ambulance calls for alcohol related incidents in Tower Hamlets. There were 41 off-licences in the Wards and specific problems had been identified with underage drinking, street drinking and a general lack of retailer awareness around underage sales.

Ms Ling highlighted that a survey of 820 young people revealed 12.3% of young people had tried an alcoholic beverage. 74% of these young people were only 13 years old or younger at the time of their first alcoholic drink. 33% claimed to be obtaining their alcohol drink from their parents and 18% from off-licences. There were a small percentage of students who did drink before attending school and/ or during school time and/ or straight after school

In response to questions the following was noted;

- That the CAP work program had been recognised at a national scale.
- That the time limit of the CAP scheme was dependent on receiving further funding.
- That THEO's would extend their patrols in other hotspots areas, such as St Peters Close, Mullen Gardens, Nelson Gardens, Oakland School and Collingwood Estate.
- That the survey of young people was anonymous and therefore unable to identify individuals who were drinking before, during and after school. Ms Ling stated that officers did visit the school with feedback from the survey and highlighted the services available to tackle underage drinking.
- That currently the funding for CAP program was from the Drug and Alcohol Team.

- That Trading Standards had been working with retailers to promote the Responsible Retailer Scheme, offering support and guidance to off licences.
- That there should be more after school activities, youth centres and projects such as Summer Nights Lights to reduce anti-social behaviour by creating diversionary activities for young people.
- That the CAP was working in partnership with Gateway Housing to train and support young people who were not in work or education to complete a qualification of employability and obtain work experience from Sainsburys.

Members welcomed the report and asked Mr David Tolley to keep Members updated on further progress made by the CAP, and whether additional funding is secured to start this scheme in other wards.

RESOLVED

That the activity that has been undertaken by the Community Alcohol Partnership be noted.

4. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

Members raised concerns about the Appeal process following decisions made at Licensing Sub Committees, the lack of training and knowledge of the process Members had and the lack of communication Members had in relation to a recent application that had been appealed.

Following a short discussion it was agreed that;

- Legal and Licensing Officers should try and contact Members via Democratic Services if they unable to contact Members.
- Members should receive robust training on the Appeals process.
- A briefing item to be circulated at the next meeting of the Licensing Committee detailing the recent decisions made at Licensing Sub Committees to keep Members updated on what decisions were being made etc.

Members also requested that a report on touting is to be brought to the next meeting of the Licensing Committee detailing a draft strategy on touting in order for Members to gain a better understanding of how premises are being reviewed and monitored and a way of systemising and applying consistency across all the restaurant premises in Brick Lane.

The meeting ended at 7.15 p.m.

Chair, Councillor Amy Whitelock Gibbs
Licensing Committee

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Agenda Item 3.1

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Committee	10 March 2015	Unclassified	LC 08/145	

Report of Consumer and Business Regulations Originating Officer: David Tolley – Head of Consumer and Business Regulations	Title Licensing Act 2003 – Cumulative Impact Zone Wards affected: Weavers, Spitalfields and Banglatown
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1 SUMMARY

- 1.1 At the Licensing Committee on the 16th October 2014, it was requested that a further update be provided on the licences issued within the Cumulative Impact Zone (CIZ) to enable Members to consider the impact of the CIZ.
- 1.2 The licences within the CIZ have been collated and tabulated from the commencement date of the CIZ on 1st November 2013 to February 2015.

2. RECOMMENDATIONS

- 2.1 That the Licensing Committee note, consider and comment on the numbers of licences issued, refused or had conditions attached within the CIZ.

3. BACKGROUND

- 3.1 Under the Licensing Act 2003, the Council is required to determine its policy with respect to exercising its licensing functions and as part of that policy, the Council may have a special policy whereby it can designate an area within the Borough as a Cumulative Impact Zone (CIZ), if it feels that the number of licensed premises is having an adverse impact on any of the Licensing Objectives i.e. crime and disorder, noise/nuisance, public safety and harm to children.
- 3.2 On 1st November 2013, the CIZ for the Brick Lane area came into effect after adoption of the Statement of Licensing Policy at Full Council. Area of the CIZ is shown in Appendix One.
- 3.3 The licenses that are potentially affected within the CIZ, with a presumptive rebuttal, are new applications and variations for alcohol on sales (pubs and

restaurants) and off sales of alcohol (off licences) and late night refreshment licences i.e. the sale of hot food or drink after 11.00pm (takeaways).

- 3.4 The CIZ was sponsored by the Metropolitan Police through the Community Safety Partnership and the justification for the CIZ was summarised in consultation documents to residents and businesses Appendix One:
- 3.5 The consultation took place between 21st December 2012 and 22nd March 2013 with licence holders, residents groups, responsible authorities and interested networks/forums responding. A public event was held in Toynbee Hall and the Council's Licensing Committee was consulted. Appendix Two sets out the local issues outlines in the consultation report and Appendix Three sets out the result that were obtained from the consultation.
- 3.7 A summary of the decisions made by the Licensing Committee with regards to applications or variations within the CIZ is detailed in Appendix Four and Five and the table below summarises the current position as of February 2015.

Type of Licence	Granted	Granted with Conditions	Refused	In consultation	Application withdrawn
New Premises Licence	11	22	3	1	2
Variation of premises Licence	2	2	3		
Time Limited Premises Licence	2	0	0		1
Totals	15	24	6		3

4. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 4.1 There are no specific financial implications emanating from this report which provides an update for members on the impact of the Cumulative Impact Zone which commenced on 1st November 2013.

5 LEGAL COMMENTS

- 5.1 The Council is a licensing authority under the Licensing Act 2003. Section 5(1) of the Licensing Act requires the Council to determine and publish its policy with

respect to the exercise of its licensing functions. Once the licensing policy is in place, the Council is required to have regard to that policy in the exercise of its licensing functions.

- 5.2 The 2003 Act imposes a general duty on licensing authorities to exercise their licensing functions with a view to promoting the licensing objectives; those objectives are the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.
- 5.3 Cumulative Impact Zones are not provided for expressly in the 2003 Act. However guidance issued by the DCLG under Section 182 of the Act allows Councils to adopt area specific policies to address the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in that area.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 No adverse impacts have been identified

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1 There are no adverse impacts identified.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1 The Council will be at risk of legal challenge if its decision making process on determining applications is not transparent and evidentially based.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 9.1 One of the key licensing objectives is to prevent licensed premises from being a source of crime and disorder. The Responsible Authorities support and assist with crime and disorder reduction by controlling those who manage premises open to members of the public and imposing conditions on relevant premises licences.

10. EFFICIENCY STATEMENT

- 10.1 There are no efficiency elements to this report.

11. APPENDICES

- Appendix One: CIZ area
Appendix Two: Issues raised in the consultation documents
Appendix Three: Summary of results from the consultation
Appendix Four: Weaver's Ward Summary
Appendix Five: Spitalfields and Banglatown Ward Summary

Local Government Act, 1972 Section 100D (As amended) List of "Background Papers" used in the preparation of this report

Brief description of "background papers"	Name and telephone number of holder and address where open to inspection.
None	N/A

The Proposed Saturation Zone in the Brick Lane area

The proposed Saturation Zone area is detailed in the map below. The map shows all of the premises (red dots) currently licensed under the Licensing Act 2003 in the Brick Lane Area. The proposed area is defined by the blue line.



Map courtesy of Metropolitan Police

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Appendix Two:

Summary of issues raised within the consultation document

- a. There are already over 207 Licensed Premises within this small area.
- b. The continuing high levels of violent / alcohol related in the Brick Lane Area (2011 Violent Crime 30% of all Alcohol Related Crime)
- c. It is responsible for 8% of all crime within Tower Hamlets.
- d. It is responsible for the highest level of complaints about street drinking.
- e. 22% of all police calls to licensed premises are in the Brick Lane Area.
- f. There are clear demonstrable links between violence against the person offences and alcohol related violence in the Brick Lane Area.
- g. LBTH has the second highest level of ASB in London.
- h. The highest rates of ASB in the Borough are in the Brick Lane Area.
- i. ASB is now decreasing in the Borough and the Brick Lane Area but it still is at levels that continues to give rise to complaints from local residents.
- j. LBTH has significantly worse alcohol related harm indicators compared with regional and national averages.
- k. There is a steady increase in ambulance call outs in the Brick Lane Area.
- l. The Brick Lane Area has a vibrant and expanding night time economy which has led to a sizeable and steady increase in visitors to the area.
- m. Considerable tensions have been built up because of the conflicting demands of the night time economy and the local residents.

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Appendix Three

Summary of results obtained from the consultation

- a) 165 responses were received
- b) 69.9% were in favour of a CIZ in respect of on sales
- c) 80% were in favour of a CIZ in respect of off sales
- d) 69.2% were in favour of a CIZ in respect of the sale of hot food or drink after 11pm
- e) Letters of support were received from the Chief Officer of Tower Hamlets Clinical Commissioning Group, Public Health Director from Barts Health NHS Trust and the Interim Director of Public Health.
- f) A 220 signed petition was received from SPIRE, a local residents group in favour of the Council adopting a CIZ for the Brick Lane area.
- g) Cllrs Pierce and Mukit provided a joint response supporting the CIZ but wanted to see the area to include the Boundary Estate – Boundary Street, Virginia Road, Swanfield Street, Brick Lane and Shackwell Street.
- h) The Licensing Committee when consulted expressed concerns that the CIZ may be too large by extending into the city fringe.

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Weavers ward CIZ

Date of application	Application	Premises type	Name address weavers	Determination
31/10/13	New Premises licence	Restaurant	Byron, Unit 13 (Basement and Ground Floors)	31/10/13
06/11/2013	New Premises licence	Fast food Takeaway, small seated area	Subway 222 Brick Lane E1 6SA	LSC 4/2/14 granted with conditions
20/11/2013	New Premises licence	Commercial members club above existing premises	Private Members Club 1st Floor 19-23 Bethnal Green Road E1 6LA	LSC 4/2/14 granted with conditions
06/01/2014	New Premises licence	restaurant	Pretty Cuppa Ltd 178D Brick Lane E1 6SA	Representations withdrawn Licence granted The provision of regulated entertainment in the form of films (indoors) <ul style="list-style-type: none"> • Monday to Sunday from 08:00hrs to 23:00hrs
24/01/2014	Time Limited Premises Licence	Circus event	Arnold Circus Event	24/01/2014
11/03/2014	New Premises licence	Restaurant	Qualm Free Tearoom 240 Brick Lane E2 7EB	LSC 26/6/14 - granted with conditions
12/03/2014	New Premises licence	Restaurant	BusabaEathai 3 Innova Passage E1 6LJ	LSC 8/5/14 - granted with conditions. Alcohol off and on sales, LNR , regulated entertainment
29/04/2014	New Premises licence	Cinema	Close-Up Film Centre Limited 97-99 Sclater Street E1 6HR	LSC 8/8/14 - granted with conditions, alcohol on sales. LNR, regulated entertainment cinema
21/05/2014	Variation of Premises Licence	Restaurant	Burro E Salvia 52 Redchurch Street E2 7DP	LSC 19/8/14 – granted with conditions with terminal hour for alcohol of 21:30
25/06/2014	New Premises	Existing pub with	Lounge Lover	withdrawn

Weavers ward CIZ

	licence	grandfather rights licence	25 Whitby Street E1 6JU	
23/07/2014	New Premises licence	Restaurant	MaisonTrois Garcons 45 Redchurch Street E2 7DJ	LSC 23/9/14 – granted with conditions, terminal for alcohol of 22:00
29/07/2014	New Premises licence	Basement cinema, ground floor café, 1 st floor nail bar	Redchurch General Store Basement Ground & 1st Floor 64-66 Redchurch Street E2 7DP	<p>LSC 29/9/14 – granted with conditions <u>Sale of Alcohol (on sales only)</u></p> <p>Monday to Saturday from 09:00 hours to 23:00 hours Sunday from 10:00 hours to 23:00 hours</p> <p><u>The Provision of Regulated Entertainment in the form of Films (indoors) & Recorded Music (indoors)</u></p> <p>Monday to Saturday from 09:00 hours to 23:00 hours Sunday from 10:00 hours to 23:00 hours</p>

Weavers ward CIZ

05/08/2014	Time Limited Premises Licence	Pop – up Cinema	Former Shoreditch Station Pedley Street E1 5EW	<p><u>1st October 2014 to 1st October 2015</u></p> <p><u>Sale of Alcohol (on sales only)</u></p> <p>Monday to Friday from 18:00 hours to 22:30 hours Saturday and Sunday from 12:00 hours (noon) to 22:30 hours</p> <p><u>The Provision of Regulated Entertainment in the form of Films</u></p> <p>Monday to Friday from 18:00 hours to 23:00 hours Saturday and Sunday from 12:00 hours (noon) to 23:00 hours</p>
1/9/14	New premises	Restaurant with ground floor bar	Bone Daddies, Units 1-2 Avant Garde, 64 Bethnal Green Road, London, E1 6GQ	<p>No representations licence granted</p> <p><u>The Supply of Alcohol (both on and off premises)</u></p> <ul style="list-style-type: none"> • From Monday to Sunday from 10:00hrs to 00:00hrs (midnight) <p><u>The provision of late night refreshment (indoors)</u></p> <ul style="list-style-type: none"> • From Monday to Sunday from 23:00hrs to 00:00hrs (midnight)

Weavers ward CIZ

				<p><u>Regulated Entertainment (in the form of music) (indoors)</u></p> <ul style="list-style-type: none"> From Monday to Sunday from 10:00hrs to 00:00hrs (midnight) <p>Plus conditions</p>
25/11/14	New premises	Restaurant	Tapas Revolution, Unit 8 and Ground Floor, 58 Bethnal Green Road, London, E1 8JW	<p>No representations licence granted</p> <p><u>The Supply of Alcohol on premises)</u></p> <ul style="list-style-type: none"> From Monday to Sunday from 10:00hrs to 00:00hrs (midnight) <p><u>The provision of late night refreshment (indoors)</u></p> <ul style="list-style-type: none"> From Monday to Sunday from 23:00hrs to 00:00hrs (midnight)

Spitalfields and Banglatown CIZ

Application date	activity	Premises type	Name, address	Determination
08/11/2013	New Premise Licence	Mini-grocer off licence	Convenience Store 129 Whitechapel High Street E1 7PT	LSC 28/1/14 refused application
18/11/2013	Variation of Premises Licence	Mini-grocer – off licence	Best Star One 23 Whitechapel Road E1	LSC Refused variation extend alcohol hours to 24 hrs: LNR to 5am
28/11/2013	Variation of Premises Licence	Restaurant	Lupita 60-62 Commercial Street E1 6LT	LSC4/2/14 refused application 24 hours sale of alcohol
10/12/2013	New PremiseS Licence	Restaurant	Preem Ground & Basement 118-122 Brick Lane E1 6RL	LSC 4/3/14 refused application
31/1/14	New Premises Licence	Restaurant	Tapas Revolution 58 Bethnal Green Road, E1 6JW	LSC 22/4/14 granted with conditions
12/02/2014	new Premise Licence	Specialist retail premises	Bicycle Retail Ltd 4 Market Street E1 6DT	LSC 15/8/14 <u>Sale of Alcohol (on sales)</u> Monday to Friday from 12:00 noon to 17:00 hours Saturday and Sunday from 11:00 hours to 17:00 hours <u>The Provision of Regulated Entertainment (Recorded Music)</u> Monday to Friday from 08:30 noon to 17:30 hours Saturday and Sunday from 11:00 hours to 17:00 hours
31/03/2014	new Premise Licence	Organic health store retailer	As Nature Intended Exchange Building 132 Commercial Street E1 6NG	LSC 26/6/14 Licence granted with conditions
4/4/14	New Premises	Restaurant	Pizzaluxe, Unit 11, Avant Garde,	LSC 15/5/14 Licence granted with conditions

Spitalfields and Banglatown CIZ

	licence		Sclater Street, London E1 6HZ	
08/04/2014	new Premises Licence	Restaurant	Spianata& Co 41 Brushfield Street E1 6AA	LSC 8/7/14 Licence granted with conditions
08/04/2014	Variation of Premises Licence	Restaurant	Boho Mexica 151-153 Commercial Street E1 6BJ	LSC 24/7/14 rejected application to vary hours to later times
06/05/2014	Time Limited Premises Licence	Open space	Car Park 152 Brick Lane E1 6RU	application withdrawn by applicant
09/05/2014	Variation of Premises Licence	Restaurant	Ottolenghi 11a Artillery Passage E1 7LJ	variation to re-model interior of premises granted as no objections were made
12/05/2014	Variation of Premises Licence	Restaurant	Wright Brothers 8 Lamb Street E1 6EA	LSC 5/8/14 granted variation to extend licensing area to outside the premises for the supply of alcohol with conditions added
20/05/2014	new Premises Licence	Restaurant	Pilpel 38 Brushfield Street E1 6AT	LSC 19/8/14 Licence granted with conditions
03/06/2014	new Premises Licence	Bar	Public Life 82a Commercial Street E1 6LY	application withdrawn by applicant
04/06/2014	new Premises Licence	Restaurant	Bundu Khan 43 Commercial Street E1 6BD	LSC 2/9/14 granted with conditions <u>Sale of Alcohol (on sales only)</u> Monday to Sunday from 12:00 hours to 22:30 hours <u>The Provision of Regulated Entertainment - Recorded Music (indoors)</u> Monday to Friday from 12:00 hours to 15:00 hours and from 18:00 hours to 23:00 hours Saturday and Sunday

Spitalfields and Banglatown CIZ

				from 12:00 hours to 23:00 hours
14/07/2014	new Premises Licence	Mini grocer – off licence	Food Giant Express 129 Whitechapel High Street E1 7PT	LSC 2/9/14 granted with conditions <u>Sale of Alcohol (off sales only)</u> Sunday to Thursday from 08:00 hours to 22:00 hours Friday and Saturday from 08:00 hours to 22:30 hours
21/7/14	new Premises Licence	Restaurant	A Filo Ltd Unit 9 Block B", 6 Richmix Square, London	LSC 16/9/14 granted with conditions <u>Sale of Alcohol (on and off sales)</u> Monday to Thursday from 10:00 hours to 23:00 hours Friday and Saturday from 10:00 hours to 23:30 hours Sunday from 10:00 hours to 22:00 hours <u>The Provision of Late Night Refreshments</u> Friday and Saturday from 23:00 hours to 23:30 hours
24/07/2014	new Premises Licence	Bar and entertainment area in Entrepreneurs Cub	Second Home Limited Ground Floor 68-80 Hanbury Street E1 5JL	LSC 23/9/14 granted with conditions <u>Sale of Alcohol (on sales only)</u> Monday to Friday from 08:00 hours to 22:30 hours Saturday from 09:00 hours to 22:30 hours Sunday from 09:00 hours to 22:00 hours <u>The Provision of</u>

Spitalfields and Banglatown CIZ

				<p><u>Regulated Entertainment in the form of Plays, Films, Indoor Sporting Events, Live Music, Recorded Music and Performance of Dance (indoors only)</u></p> <p>Monday to Friday from 08:00 hours to 23:00 hours Saturday from 09:00 hours to 23:00 hours Sunday from 09:00 hours to 22:00 hours</p>
24/07/2014	new Premises Licence	Restaurant	Misschu 91 Whitechapel High Street E1 7RA	<p>LSC 23/9/14 granted with conditions <u>Sale of Alcohol (on sales only)</u></p> <p>Monday to Sunday from 11:00 hours to 22:30 hours</p>
05/08/2014	new Premises Licence	Restaurant	Mercado, City Scape Retail Unit D Wentworth Street E1 6BD	<p>LSC 23/9/14 granted with conditions <u>Sale of Alcohol (on sales only)</u></p> <p>Monday to Thursday from 09:00 hours to 23:00 hours Friday and Saturday from 09:00 hours to 23:30 hours Sunday from 09:00 hours to 22:00 hours <u>The Provision of Late Night Refreshments</u> Monday to Thursday from 23:00 hours to 23:30 hours Friday and Saturday from 23:00 hours to 00:00 hours (midnight)</p>
05/08/2014	Variation of	Restaurant	Ottolenghi 11 Artillery	LSC 30/9/14 granted with conditions

Spitalfields and Banglatown CIZ

	Premises Licence		Passage E1 7LJ	<p><u>Sale of Alcohol (on sales)</u></p> <ul style="list-style-type: none"> Monday to Saturday from 08:00hrs to 00:00hrs (midnight) Sunday from 08:00hrs to 23:30hrs <p><u>Sale of Alcohol (off sales)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 10:00hrs to 21:00hrs
01/09/2014	new Premises Licence	Restaurant/ wine bar	Lonzo 10a Lamb Street E1 6EA	LSC 4/11/14 refused application
04/09/2014	new Premises Licence	Restaurant	Khushbu 74 Whitechapel High Street E1 7QX	<p>LSC 16/12/14 granted with conditions</p> <p><u>The Provision for Late Night Refreshments</u></p> <ul style="list-style-type: none"> Friday and Saturday, 23.00 hours to 02.00 hours (the following day)
08/09/2014	new Premises Licence	Restaurant	Impresso 4 Commercial Street E1 6LP	<p>No representation received Licence granted</p> <p><u>Sale of Alcohol (on sales)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 11:00hrs to 23:00hrs
10/09/2014	new Premises Licence	Restaurant	Inito 31 Bell Lane E1 7LA	<p>LSC 4/11/14 granted with conditions</p> <p><u>Sale of Alcohol (on sales)</u></p>

Spitalfields and Banglatown CIZ

				<p><u>only)</u></p> <p>Monday to Thursday from 11:00 hours to 22:30 hours Friday and Saturday from 11:00 hours to 23:00 hours Sunday from 11:00 hours to 21:30 hours</p> <p><u>The Provision for Late Night Refreshments</u></p> <p>Friday and Saturday from 23:00 hours to 23:30 hours</p>
17/09/2014	new Premises Licence	Hotel	Adagio London 45 Whitechapel Road E1 1DU	<p>No representations received Licence granted</p> <p><u>The sale by retail of alcohol (both on and off sales)</u></p> <ul style="list-style-type: none"> • Monday to Sunday from 09:00hrs to 23:59hrs <p><i>For hotel residents and guests of hotel residents the sale of alcohol shall not be restricted as to time i.e. 24hrs on each day of the year.</i></p> <p><u>The provision of late night refreshment (indoors)</u></p> <ul style="list-style-type: none"> • Monday to Sunday from 23:00hrs to 05:00hrs <p><u>The provision of regulated entertainment in the form of films (indoors)</u></p> <ul style="list-style-type: none"> • Monday to Sunday from 00:00hrs to 23:59hrs

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18/09/2014	new Premises Licence	Pub	The Gun 54 Brushfield Street E1 6AG	RepresentationS withdrawn Licence granted <u>The on and off sale of alcohol</u> Monday to Thursday, 11.00am to 23.00pm. Friday and Saturday, 11.00am to 23.30pm. Sunday, 12noon to 22.30pm.
22/09/2014	new Premises Licence	Restaurant with bar area	Hotbox 46 Commercial Street E1 6LT	Representations withdrawn Licence granted <u>Sale of Alcohol (on sales only)</u> Monday to Saturday from 11:00 hours to 01.00 hours Sunday from 11:00 hours to 23:00 hours <u>The provision of late night refreshment (indoors)</u> <ul style="list-style-type: none"> • Monday to Saturday from 23:00hrs to 01:00hrs <u>Provision of live and recorded music</u> Monday to Saturday 23:00 to 01.30
22/09/2014	new Premises	Restaurant	Pilpel Brushfield Street	LSC 18/11/14 Granted with conditions.

Spitalfields and Banglatown CIZ

	Licence		E1 6AA	<p><u>Sale of Alcohol (on and off sales)</u></p> <p>Monday to Sunday from 11:00 hours to 19:00 hours</p>
23/09/2014	new Premises Licence	Restaurant	Olives and Figs 14 Artillery Passage E1 7LJ	<p>Representations withdrawn Licence granted</p> <p><u>Sale of Alcohol (on sales only)</u></p> <p>Monday to Saturday from 11:00 hours to 22:00 hours Sunday from 12:00 hours to 21:00 hours</p>
27/10/2014	new Premises Licence	Restaurant	The Dish Kitchen Ltd 144-146 Commercial Street E1 6NU	<p>No representations received Licence granted</p> <p><u>Sale of Alcohol (on sales only)</u></p> <p>Monday to Thursday and Sunday from 11:00 hours to 23:00 hours</p> <p>Friday to Saturday from 11:00 hours to 00:30 hours</p> <p><u>The provision of late night refreshment (indoors)</u></p> <ul style="list-style-type: none"> • Friday to Saturday from 23:00hrs to 0:30hrs
31/10.14	Variation of premises licence to	Restaurant	Blixen, 65a Brushfield Street, London, E1 6AA	Representations withdrawn following mediation Licence granted with agreed

Spitalfields and Banglatown CIZ

	layout and extend licensable area			conditions
01/12/2014	new Premises Licence	Wine bar	Vagabond Wines Brushfield Street E1 6AA	Representations withdrawn Licence granted <u>The sale by retail of alcohol (both on and off premises)</u> <ul style="list-style-type: none">• Monday to Saturday from 10:00hrs to 23:00hrs• Sunday from 10:00hrs to 22:00hrs <u>The provision of late night refreshment (both indoors and outdoors)</u> Monday to Saturday from 23:00hrs to 23:30hrs

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Agenda Item 3.2

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Committee	10 March 2015	Unclassified	LC 09/145	

Report of Consumer and Business Regulations Originating Officer: David Tolley – Head of Consumer and Business Regulations	Title Touting – Brick Lane Area Wards affected: Spitalfields and Banglatown
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1 SUMMARY

- 1.1 At the Licensing Committee on the 9th December 2014, it was requested that an update was provided on the enforcement of touting within the Brick Lane area to ensure that it was fair and comprehensive.

2. RECOMMENDATIONS

- 2.1 To note the activity that has been undertaken with regards to touting in the Brick Lane area.
- 2.2 To make recommendations on any further activities on touting.

3. BACKGROUND

- 3.1 There has been a long-standing practice within Brick Lane whereby the restaurants engage touts to engage with visitors to the area, offering discounted prices on food and drink to attract customers. The practice is used due to the highly competitive business environment in that particular visitor attraction within the Borough.
- 3.2 Touting has caused problems for the trading and general environment in that:
- Touts, due to their persistent and aggressive behaviour either obstruct the footpath or cause annoyance to the public.
 - Touts are known to entice potential customers by using false and misleading claims of either free or discounted food or drink.
 - Touting has caused some inter-business tension.

- 3.3 It is generally accepted that touting is not desirable, the Licensing Team do receive a number of complaints each year from members of the public expressing their concerns, although these are now reducing in number.
- 3.4 The table below shows the number of complaints received by the Licensing Team across the calendar year, with the highest number of complaints against the same premises.

Calendar year	Complaints	Highest recorded against single premises	Premises type
2012	221	20	Restaurant
2013	33	5	Off- licence
2014	11	1	restaurant

- 3.5 In order to deal with the issue of touting within Brick Lane, the following actions have been undertaken over the years.
- a) Licence holders were encouraged to voluntarily have a licence condition imposed on their licence to support anti-touting in the area.
 - b) Premises licences were reviewed, where touting was identified, to enable the Licensing Sub-committee to impose the ant-touting condition on the licence.
 - c) Licence holders that continued to breach this condition were brought back to the Licensing Sub- committee and a number of licences were suspended.
 - d) Prosecutions were also taken against licence holders who continued to refuse to prevent touting.
 - e) Several meetings were held with the Brick Lane Restaurant Association, who developed a 'Meeters and Greeters' Policy, to overcome touting – the promotion and adherence to the Policy is governed by the Brick Lane Restaurant Association.
 - f) In 2012-13, a number of directed surveillance authorisations were granted to enable test purchases to be undertaken using 'body cameras'. The later authorisations were given judicial authorisation as in the summer of 2013, Local Authorities were required to gain Magistrates approval for directed surveillance. The last directed surveillance was carried out in October 2013.
 - g) Licensing Police Officers have recently provided evidence of touting occurring in Brick Lane and these matters are either taken to the Licensing Sub-committee or to Court, depending on previous actions taken. The Police

determine if the matter is referred as a prosecution file or if a review is triggered from their interventions.

- 3.6 Litigation is pursued only after dialogue with the businesses and /or voluntary agreements have failed to secure behaviour change. Every effort is made to achieve the required cessation of touting behaviour without the need for litigation. During 2014, there have been 10 prosecution cases that have been referred to Legal Services with arecommendation for prosecution. Eight of these cases were referred by the Police Licensing Officers, this resulted in three successful prosecutions, one case revoked and six cases currently pending. All cases would be reviewed in light of the Councils Enforcement Policy.
- 3.7 In addition there were four Licensing Sub-committee reviews in 2014, three triggered by the Police and one by Trading Standards. The Licensing Sub-committee issued two licence suspensions, one had extra conditions added and the other was withdrawn.Trading Standards have written to all the Brick Lane restaurants advising them that they must provide itemised bills to customers at the end of a meal; otherwise they would breach unfair commercial practices rules, and commit criminal offences under the Consumer Protection from Unfair Trading Regulations 2008.
- 3.8 To ensure that a balanced approach is taken to the enforcement, the following controls are in place:
- a) Directed surveillance is now approved by the Magistrates Courts and suitable evidence needs to be provided to satisfy their scrutiny.
 - b) The Council's Enforcement Policy and the Code of Crown Prosecutors tests must be satisfied before Legal Officers commence proceedings.
 - c) The Licensing Sub-committee act in a quasi-judicial manner in determining the outcome of the hearing.
- 3.9 The number of complaints has reduced in 2014 and consequently so has the activity undertaken by the Council. However, the Police consider that there is merit in bringing these issues to the Courts and Sub-Committee's attention due the breach of licensing conditions.The Police have evidence of violence and disorder at a number of restaurants in the area involving touts and restaurant staff. In addition, the Police have reported that the businesses fail to comply with licensing conditions about maintaining CCTV operation and storing footage.

4. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 4.1 There are no specific financial implications emanating within this report which provides an update regarding the touting in the Brick Lane area.

5 CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)

- 5.1 The Regulation of Investigatory Powers Act 2000 is the framework in which a public authority may use covert investigation for the purposes of preventing or detecting crime or preventing disorder.
- 5.2 The Council's priorities for using RIPA, are specified in its policies and they include touting.
- 5.3 The Council may use covert investigation for the purpose of serious offences. This includes an offence punishable by a maximum term of at least 6 months of imprisonment. This would include breaches of licence conditions – including touting.
- 5.4 An authorisation for surveillance by the Council should not take effect until the relevant judicial authority has made an order approving the grant of the authorisation.

With regards to touting, Section 136 of the Licensing Act 2003 states that A person commits an offence if— .

- (a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or .
- (b) he knowingly allows a licensable activity to be so carried on.....

- 5.5 A person guilty of an offence is liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding £20,000, or both.
- 5.6 Touting in breach of a condition in a premises licence can be classed as carrying out a licensing activity otherwise than in accordance with an authorisation.
- 5.7 The Code for Crown Prosecutors applies to all public prosecutors and the Local Authority Prosecutors must also have regards to the Code, which imposes two tests. The first is the Evidential Test and this provides that the Prosecutor must be satisfied that there is enough evidence to provide a realistic prospect of a conviction. This is an objective test and the Prosecutor must be more satisfied than not that the Magistrates will convict if properly directed.
- 5.8 In having regard to this test, consideration is given to what the defence case may be; the reliability of the evidence; the credibility of any witness; and the admissibility of the evidence. The second test is the Public Interest test. Is it in

the public interest to prosecute. Both tests must be passed for the case to proceed.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 No adverse impacts have been identified

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

7.1 There are no adverse impacts identified.

8. RISK MANAGEMENT IMPLICATIONS

8.1 The Council will be at risk of legal challenge if its decision making process do not conform to the Council’s Enforcement Policy or the terms of reference of the Licensing Committee.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

9.1 One of the key licensing objectives is to prevent licensed premises from being a source of crime and disorder. The enforcement of the licensing conditions by the Licensing Sub-committee and the Magistrates Court assists with this.

10. EFFICIENCY STATEMENT

10.1 There are no efficiency elements to this report.

11. APPENDICES

None

**Local Government Act, 1972 Section 100D (As amended)
List of “Background Papers” used in the preparation of this report**

Brief description of “background papers”	Name and telephone number of holder and address where open to inspection.
None	N/A

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Agenda Item 3.3

Committee: Licensing Committee	Date: 10 March 2015	Classification: Unrestricted	Report No: LC 10/145	Agenda Item:
Report of: Service Head - Legal Services Originating officer(s) Agnes Adrien Team Leader – Enforcement & Litigation		Title: Update in relation to Prosecutions and Appeals - Quarters 1-3 2014/2015 Wards Affected: All		

1. **SUMMARY**

- 1.1 At its meeting on 4th June 2013, the Licensing Committee requested that regular reports should be prepared for the Licensing Committee giving details of licensing enforcement activity and specifically as to outcomes of prosecutions and appeals.
- 1.2 This report and provides details of completed licensing related prosecutions and appeals for Quarters 1 to 3 2014/2015 (April to December).

2. **RECOMMENDATIONS**

The Licensing Committee is recommended to:-

- 2.1 Consider and comment upon the information provided in the report.

3. **BACKGROUND**

3.1 The London Borough of Tower Hamlets is a Licensing Authority and amongst its functions it is required to ensure compliance with conditions imposed on Premises Licences; take action against unlicensed premises; and act as a respondent on Appeals against decisions of the Licensing Sub-committee in respect of applications that come before it.

3.2 Where the Licensing Authority takes enforcement action to ensure compliance with conditions etc. then it does so in accordance with the Council's Enforcement Policy. The Enforcement Policy provides that the Council's approach to enforcement is founded on firm but fair regulation, around the principles of:

- **raising awareness** of the law and its requirements
- **proportionality** in applying the law and securing compliance
- **consistency** of approach
- **transparency** about the actions of the Council and its officers
- **targeting** of enforcement action.

3.3 Further, as a Licensing Authority the Council has a duty under section 4 of the Licensing Act 2003 to carry out its Licensing functions with a view to promoting the Licensing Objectives and in carrying out such functions must also have regard to its own statement of licensing policy and the Licensing Guidance issued pursuant to section 182 of the Licensing Act 2003.

4. **BODY OF REPORT**

Prosecutions

4.1 In Quarters 1-3 2014/2015, there were proceedings taken against four (4) business establishments and one (1) individual Please see the results of the prosecutions below

4.3 The results of the Prosecutions are as set out below:

No.	Offences	Outcome
1.	Papodoms – 94 Brick Lane s.136(1)(a) Licensing Act 2003 (Breach of condition 1 in Annex 3 of the Premises Licence)	Guilty in absence – Fine £200, costs £300 – Victim Surcharge £20.

	1 offence under section 57(4) and 57(8) of the Licensing Act 2003 (failure to display a summary of the Premises Licence)	Guilty in absence. Fine £400 Costs £600 Victim Surcharge £40
2.	Café Bangla – 128 Brick Lane s.136(1)(a) Licensing Act 2003 and 1 offence under section 57(7) of the Licensing Act 2003	Plea of guilty before the hearing Fine £300, Costs £250 and Victim Surcharge £20
3.	Preem – 118-122 Brick Lane 2 x s.136(1)(a) Licensing Act 2003 1x offence contrary to s.57(4) Licensing Act 2003 offence of failing to keep licence at the premises in the custody of the licence holder or person nominated by him as the custodian 1x offence contrary to section 57(7) Licensing Act 2003 – offence of failing to produce premises licence to a constable or an authorised person when required	Fine £6,000, costs £729, Victim Surcharge £120
4.	Gazmend Kilokoqi s.136(1)(a) Licensing Act 2003 (Breach of condition 21 in Annex 2)	Withdrawn – written warning issued regarding conduct
5.	Zonemax Ltd 1 x s.136(1)(a) Licensing Act 2003 (Breach of condition 21 in Annex	Penalty – Cautions given for both offences

	2) 1 x s.57(4) and (8) –failure to keep licences at premises in the custody of licence holder or person nominated by premises holder	
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Appeals

- 4.4 During quarters 1 to 3 2014/2015, there were four(4) Appeals that were concluded.

The Outcomes of the Appeals are set out below:

No	Outcome
1	The Appeal dismissed. Appellant did not attend. Costs of £4,215 awarded
2	The Appellant was succesful. Licence granted with the same conditions as set out in the original application Costs against the Council £27,555
3	Appellant successful. Application for costs refused.
4.	Appeal dismissed following contested hearing and revocation of Premises Licence

Two (2) were in respect of new premises licences (1) related to the grant of a time limited premises licence and the conditions and the other in respect of a

Two (2) were in respect of reviews that were conducted.

5. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 5.1 This report describes the Council’s licensing enforcement activity and the outcomes of prosecutions and appeals for Quarters 1 to 3 2014/2015.
- 5.2 There are no financial implications arising from the recommendations in this report.

6. LEGAL COMMENTS

6.1 Any legal implications are addressed in the body of the report.

7. ONE TOWER HAMLETS CONSIDERATIONS

7.1 Enforcement action that complies with the five principles expressed in the Council's enforcement policy should help to achieve the objectives of equality and personal responsibility inherent in One Tower Hamlets.

7.2 The enforcement policy should enhance Council efforts to align its enforcement action with its overall objectives disclosed in the Community Plan and other key documents such as the local area agreement and the Local Development Framework. For example, one of the key Community Plan themes is A Great Place to Live. Within this theme there are objectives such as reducing graffiti and litter. The enforcement policy makes clear the need to target enforcement action towards such perceived problems. At the same time, the enforcement policy should discourage enforcement action that is inconsistent with the Council's objectives.

7.3 The exercise of the Council's various enforcement functions consistent with the enforcement policy and its principles should also help achieve the following key Community Plan themes-

- A Safe and Cohesive Community. This means a safer place where feel safer, get on better together and difference is not seen as a threat but a core strength of the borough.
- A Great Place to Live. This reflects the aspiration that Tower Hamlets will be a place where people live in quality affordable housing, located in clean and safe neighbourhoods served by well-connected and easy to access services and community facilities.
- A Prosperous Community. This encompasses the objective that Tower Hamlets will be a place where everyone, regardless of their background and circumstances, has the aspiration and opportunity to achieve their full potential.

7.4 An equality analysis was conducted prior to approval of the revised enforcement policy by Cabinet on 3 October 2012. A further equality analysis was done on 16th September 2011 in relation to touting prosecutions. It is recognised that Enforcement action may lead to indirect discrimination in limited circumstances but prior to taking any proceedings, an assessment as to whether the case meets the two stages in the Code for Crown Prosecutors is undertaken so that there is both a realistic prospect of a conviction and that it is in the public

interest to prosecute. Further, proceedings are kept under review once initiated.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 The enforcement policy seeks to target the Council's enforcement action in accordance with the Community Plan. The Community Plan contains the Council's sustainable community strategy for promoting or improving the economic, social and environmental well-being of Tower Hamlets and contributing to the achievement of sustainable development in the United Kingdom. To the extent that the enforcement policy aligns enforcement action with the Community Plan it will tend to promote sustainable action for a greener environment.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 Enforcement action carries with it a variety of inherent risks, including the potential for allegations of over- or under-enforcement, discrimination, adverse costs orders and damage to the Council's reputation. It is considered that proper adherence to the Council's policies, the Licensing Objectives, the Council's Statement of Licensing Policy and the section 182 guidance will ensure that risks are properly managed.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 One (1) of the four (4) Licensing Objectives is Crime and Disorder and enforcement promotes that Licensing Objective. Enforcement will also play its part in helping to drive down crime and which in turn will reduce fear of crime and ASB levels helping to promote a healthier, happier and more cohesive community. This will have efficiency benefits for adult social care and public health costs by keeping people healthier and more active for longer.

11. EFFICIENCY STATEMENT

- 11.1 The report does not propose any direct expenditure. Rather, it is concerned with advises as to outcomes in areas in which the Council is already active. The enforcement policy seeks to ensure that enforcement action is targeted to the Council's policy objectives. This is more likely to lead to efficient enforcement action than a less-controlled enforcement effort.

12. **APPENDICES**

None

**Local Government Act, 1972 Section 100D (As amended)
List of “Background Papers” used in the preparation of this report**

Brief description of “background papers”	Name and telephone number of holder and address where open to inspection.
None	N/A

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