

Committee :	Date	Classification	Report No.	Agenda Item No.
<b>Licensing Committee</b>	<b>15th July 2014</b>	<b>Unclassified</b>	<b>LC 03/145</b>	

Report of <b>Consumer and Business Regulations</b>  Originating Officer: <b>David Tolley – Head of Consumer and Business Regulations</b>	Title <b>Licensing Act 2003 – Current Licensing Programs</b>  <b>Wards affected: All</b>
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## **1 SUMMARY**

- 1.1 This report updates the Licensing Committee on current work programs that are planned for the municipal year 2014/15. These programs are predominately non statutory and work along-side the licensing processes.
- 1.2 These programs are organised across the Consumer and Business Regulations Service and involve staff from the Trading Standards, Food Safety and Health and Safety disciplines.
- 1.3 The report also details the effective dates relating to the Sexual Entertainment Venues Licensing agreed by full Council on the 26<sup>th</sup> March 2014. Members will receive separate training in relation to SEVs prior to any applications being considered.

## **2. RECOMMENDATIONS**

- 2.1 That the Licensing Committee note, consider and comment on the on the current work programs of the Service that have an impact on licensed premises.
- 2.2 That the Licensing Committee note the effective dates for the Sexual Entertainment Venue Licensing.

### **3. BACKGROUND**

3.1 The Licensing Act 2003 requires that the Licensing Authority carries out its various functions to promote the four licensing objectives.

3.2 The licensing objectives are:

The prevention of crime and disorder

Public safety

The prevention of public nuisance

The protection of children from harm

3.3 However, it is possible for the Council to embark on schemes that are voluntarily and fall outside the scope of the licensing process but support legislative frameworks elsewhere and promote the general spirit of the licensing objectives.

3.4 As background, there are approximately 2,600 premises in the Borough that sell food, of these approximately 1000 hold a licence to sell alcohol and a fifth of these premises are within the Brick Lane Cumulative Impact Zone. Therefore it is expected that a considerable amount of our activity is within this area.

#### **Current Work Programs**

3.5 Our current proactive work programs cover:

- a) Reducing the high strength alcohol offering across the Borough. This program encourages retailers to agree to a voluntary condition on their licence not to sell alcohol above 6.5 ABV. This is targeted around areas where there are complaints of street drinkers.
- b) Responsible Retailer Scheme – encouraging sign up to a best practice scheme that prevent the sale of age restricted products to minors.
- c) Pub Watch – we co-ordinate meetings, to promote best practice to achieve a safer drinking environment across licensed premises. This is the coming together of licence holders to discuss ideas and share problems.
- d) Best Bar None scheme – this scheme is aimed at premises currently in the Brick Lane area. It is a national scheme that recognises responsible management and operations within bars, clubs and pubs. Its aim is to tackle alcohol related crime and disorder which result from excessive alcohol consumption. This is an award based scheme and the premises are formally assessed to ensure that standards are maintained.

- e) Tasking Meeting – every two weeks, we meet with the Metropolitan Police and Council Anti-Social Behaviour (ASB) Teams to discuss ASB complaints in relation to licensed premises, tasking's are allocated accordingly.
- f) Licensing Enforcement Forum- the forum consists of responsible authorities where problem premises are highlighted with regards to inspections and complaints. Relevant actions plans are devised to address the issues highlighted by partners.
- g) Community Alcohol Partnership – this is a partnership project to tackle underage drinking and associated ASB within the Bethnal Green and St Peter's wards.
- h) Late Night Inspections – Officers from the Consumer and Business Regulations Service undertake regular late night visits to licensed premises to ensure that conditions are being maintained and that premises are not operating without the appropriate licences.

### Sexual Entertainment Venues

3.6 The Sexual Entertainment Venues licensing was agreed at full Council on the 26<sup>th</sup> March 2014. As a result the following effective dates became active;

1<sup>st</sup> June 2014 – the first date when existing operators can make an application under the new sexual entertainments licensing regime.

1<sup>st</sup> December 2014 – All applications made on or after the 1<sup>st</sup> June but before the 1<sup>st</sup> December will be considered together. Thus applications will be determined on their merit and not on a first come first served basis. If a new applicant is granted a licence, it will take effect immediately. If an existing operator is granted a licence, it will not take effect until the 1<sup>st</sup> June 2015.

1<sup>st</sup> June 2015 – existing operators should have their applications determined by this date and operating under the new sexual entertainment licensing regime.

3.7 It is expected that from the 1<sup>st</sup> December 2014 Members will be asked to determine applications for sexual entertainment venues.

3.8 Members will be given training in relation to sexual entertainment venue licences in later this year.

**4. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 4.1 The report sets out for consideration and comments the current work programs for the service during the current financial year. There are no specific financial implications emanating from this report. There is sufficient provision within the Licensing Services Budgets to meet the cost of the program in 2014/15.

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

- 5.1 The report sets out for consideration and comments the current work programs for the service during the current financial year. There are no specific legal implications arising out of this report.
- 5.2 In respect of Sexual Entertainment Venue Licensing, Members will receive specific training in respect of this prior to being asked to consider any applications.

**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 current work programs support and assist with crime and disorder reduction.

**10. EFFICIENCY STATEMENT**

10.1 There are no efficiency elements to this report.

**11. APPENDICES**

None

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Background Papers: Section 100D of the Local Government Act 1972

NONE