

26 June 2017

Dear Sir/Madam,

**GENERAL PURPOSES COMMITTEE & LICENSING COMMITTEE**

Notice is hereby given that a meeting of the **General Purposes Committee** will be held in Room G21, Kelham Hall, Newark on Thursday, 15 June 2017 at **6.00pm**.

Notice is hereby given that a meeting of the **Licensing Committee** will be held in Room G21, Kelham Hall, Newark on Thursday, 15 June 2017 immediately following the General Purposes Committee.

Yours faithfully,



A.W. Muter  
Chief Executive

**AGENDA**

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1. Apologies

**GENERAL PURPOSES COMMITTEE**

2. Declarations of Interests from Members and Officers
3. Declaration of any Intention to Record Meeting
4. Minutes of the Meeting held on 16 March 2017

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**PART 1 – ITEMS FOR DECISION**

None

**PART 2 – ITEMS FOR INFORMATION**

None

**PART 3 - STATISTICAL AND PERFORMANCE REVIEW ITEMS**

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| 5. Update on Performance and Enforcement Matters | 6 – 9 |
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**PART 4 – EXEMPT AND CONFIDENTIAL ITEMS**

None

**LICENSING COMMITTEE**

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**PART 3 – STATISTICAL AND PERFORMANCE REVIEW ITEMS**

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**PART 4 – EXEMPT AND CONFIDENTIAL ITEMS**

None

**GENERAL  
PURPOSES  
COMMITTEE**

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the **GENERAL PURPOSES COMMITTEE** held on Thursday, 16 March 2017 in Room G21, Kelham Hall at 6.00pm.

PRESENT: Councillor Mrs R. Crowe (Chairman)  
Councillor I. Walker (Vice - Chairman)

Councillors: Mrs K. Arnold, Mrs B.M. Brooks, D. Clarke, Mrs S.M. Michael, D.R. Payne, Mrs S.E. Saddington, Mrs. L.M.J. Tift, K. Walker and B. Wells.

24. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors: Mrs I. Brown, M. Buttery, M. Cope and Mrs S. Soar

25. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

NOTED: that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

26. DECLARATION OF INTENTION TO RECORD MEETING

NOTED: that there would be an audio recording of the meeting.

27. MINUTES OF MEETING HELD ON 24 NOVEMBER 2016

AGREED that the Minutes of the meeting held on 24 November 2016 be approved as a correct record and signed by the Chairman.

28. STREET COLLECTIONS 2017

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing which sought to update Members on the number of applications received for Street Collections for the forthcoming year. Attached at Appendix A to the report was the list of the charitable organisations wishing to make a street collection.

AGREED (unanimously) that:

- (a) the applications for Street Collections for 2017 within the District of Newark & Sherwood be granted; and
- (b) following consultation with the Chairman of the General Purposes Committee, the Director – Safety be authorised to approve and issue licenses for all additional applications received for street collections within the District of Newark & Sherwood during the year 2017.

29. UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to the activity and performance of the Licensing Team together with details of current ongoing enforcement issues.

Information contained in the report related to the number of applications for the grants and renewals of licences for Hackney Carriage; Private Hire; and Ambulance Drivers together with those for Hackney Carriage and Private Hire Vehicles. Information was also provided in relation to Street Collections and House to House Collections. A note of ongoing enforcement activity was also listed with information as to what action had been taken to date.

In relation to paragraph 2.4 – House to House Collections, Members were informed that the Round Table Children’s Wish had informed the Licensing Team of their % return to the Charity following the publication of the Agenda. They were informed that the collection had raised some £387.00 of which only 20% was given to the Charity with the other 80% being used to off-set costs. Members requested that they be provided with a copy of the return so that they could scrutinise it further.

AGREED (unanimously) that:

- (a) the report be noted; and
- (b) a copy of the House to House Collection Return submitted by the Round Table Children’s Wish be forwarded to all Members of the General Purposes Committee.

The meeting closed at 6.13pm

Chairman

**UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS**

**1.0 Purpose of Report**

1.1 To inform the Committee of the activity and performance of the Licensing Team and to provide Members with details of current ongoing enforcement issues.

**2.0 Background**

2.1 A new applicant for a Hackney Carriage/Private Hire Drivers or Private Ambulance Drivers Licence have to undergo various checks. These include a: Disclosure and Barring check; DVLA check; two references are required; Group II medical; and knowledge & ability tests.

2.2 This report covers the period from 1 January to 31 March 2017 inclusive and sets out the range and number of licence applications during this period. It also highlights any activity required as a result of the applications.

<b>Application Type</b>	<b>New Applications Received</b>	<b>Renewal of Applications Received</b>	<b>Number Issued</b>	<b>Comments</b>
Hackney Carriage /Private Hire Driver	6	10	12	4 new still pending
Ambulance Drivers	8	26	34	
Hackney Carriage Vehicles	5	20	25	
Private Hire Vehicles	3	3	6	

**2.3 Street Collections**

The table below sets out the numbers of collections undertaken within the reporting period of 1 January to 31 March 2017 and the charities supported. The organisations undertaking the collections are required to complete a return that sets out the 80 % of the collection that is returned to the charity.

<b>Charity</b>	<b>Location</b>	<b>Date</b>	<b>Total amount collected</b>	<b>% returned to charity</b>
Marie Curie	Newark	25.02.17	£769.17	96
Marie Curie	Edwinstowe	11.03.17	Nil	0
Marie Curie	Southwell	11.03.17	Nil	0

**2.4 House to House Collections**

The table below sets out the numbers of collections undertaken within the reporting period of 1 January to 31 March 2017 and the charities supported. The organisations undertaking the collections are required to complete a return that sets out the 80 % of the collection that is returned to the charity.

<b>Charity</b>	<b>Location</b>	<b>Date</b>	<b>Total amount collected</b>	<b>% returned to charity</b>
Starlight	Whole area	March 16 – Jan 17	0	0
Child and Teenage Cancer and Lukemia	Whole area	Jan 17	£78	80
Coping with Cancer	Whole area	Jan 17	£152.40	83
Candlelighters	Whole area	Jan 17	£198.80	83
Tree of Hope	Whole area	Jan 17	£57.20	87
Forces Support	Whole area	Jan/Feb 17	£553	79
Child & Teenage Cancer & Leukaemia	Whole area	Feb 17	0	0
Candlelighters	Whole area	Feb 17	£145	82
Forces Support	Whole area	Feb 17	£646	80
Coping with Cancer	Whole area	Feb 17	125.92	81
Child & Teenage Cancer & Leukaemia	Whole area	March 17	£81	80
Candlelighters	Whole area	March 17	£159.14	80
Just Helping Children	Whole area	March 17	£180	100
NSPCC	Whole area	July 16- June 17	Annual return not due yet	
Macmillan	Whole area	Sept 16 -Sept 17	Annual return not due yet	
Arthritis Uk	Whole area	Oct 16-Oct 17	Annual return not due yet	
Sense	Whole area	Dec 16-Nov 17	Annual return not due yet	
Salvation Army	Whole area	Jan17 – Oct 17	Annual return not due yet	
Leukaemia & Myeloma Research	Whole area	Jan 17-Dec 17	Annual return not due yet	
Support of Families With Life Changing Treatments	Whole area	Jan 17- Dec 17	Annual return not due yet	
Against Breast Cancer	Whole area	Jan 17-Jan 16	Annual return not due yet	
Cancer Research Uk	Whole area	Feb 17 - Feb18	Annual return not due yet	
Woodlands Cancer Care	Whole area	Feb 17 – Feb 18	Annual return not due yet	
Tree of Hope	Whole area	Jan 17 – Jan 18	Annual return not due yet	
Army of Angels	Whole area	March 17 – Feb 18	Annual return not due yet	

2.5 Enforcement Issues

**Hackney Carriage/Private Hire Ongoing Enforcement Activity between 1 January and 31 March 2017**

<b>Location</b>	<b>Activity</b>	<b>Date Case Opened</b>	<b>Action Taken So Far</b>
Newark	Customer complaint that a driver had refused the fare as it was only a short journey.	11.01.17	Spoke to complainant who had no further details of the vehicle involved. Advised if this happens again, to take details.
Newark	Complaint from a customer who believes a taxi company is overcharging.	17.01.17	Spoke to taxi company who explained the circumstances. The fare was correct.
Newark	Routine taxi check	06.02.17	All in order
Newark	Routine taxi check	06.02.17	All in order
Newark	Routine taxi check	06.02.17	Advice given re: rear tyre.
Newark	Routine taxi check	06.02.17	Advice given re: rear tyres.
Newark	Routine taxi check	06.02.17	All in order
Newark	Routine taxi check	06.02.17	All in order
Newark	Routine taxi check	06.02.17	Advised re; missing 'no smoking signs'.
Newark	Taxi proprietor has 5 vehicles that have missed the routine 6 monthly inspections.	28.02.17	Vehicles taken off the road pending inspections. Proprietor interviewed at Kelham Hall. A new system has been put in place to prevent this happening again. Warning letter issued.
Newark	Vehicle has missed the routine 6 monthly inspection	08.03.17	Spoke to driver. Vehicle has now been inspected. Warning letter issued.
Newark	Vehicle has missed the routine 6 monthly inspection	08.03.17	Spoke to driver. Vehicle has now been inspected. Warning letter issued.
Newark	Vehicle has missed the routine 6 monthly inspection	08.03.17	Vehicle taken off the road pending inspections. Warning letter issued.
Newark	Vehicle has missed the routine 6 monthly inspection	09.03.17	Spoke to driver. Vehicle has now been inspected. Warning letter issued.
Newark	Vehicle has missed the routine 6 monthly inspection	13.03.17	Spoke to driver. Vehicle has now been inspected. Warning letter issued.



Edwinstowe	Company have 2 vehicles that have missed the 6 monthly inspections	16.03.17	Visited site. Vehicles have now been inspected. Checked records and viewed systems. Warning letter issued.
Southwell	Ambulance driver has not informed us about received penalty points	20.03.17	Spoke to driver, he had only just received the notification as was intending to let us know. Advice given.
Walesby	Applicant has a driving conviction for driving without insurance	27.03.17	Applicant interviewed. Advised she would be attending committee for a decision.

### **3.0 RECOMMENDATION**

**That the Committee consider the contents of the report and identifies any issues it wishes to examine further.**

For further information please contact Kerrie Vickers on extension 5236

Karen White  
Director – Safety

# **LICENSING COMMITTEE**

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the **LICENSING COMMITTEE** held on Thursday, 24 November 2016 in Room G21, Kelham Hall immediately following the meeting of the General Purposes Committee.

PRESENT: Councillor Mrs R. Crowe (Chairman)  
Councillor I. Walker (Vice - Chairman)

Councillors: Mrs K. Arnold, Mrs B.M. Brooks, D. Clarke, Mrs S.M. Michael, D.R. Payne, Mrs S.E. Saddington, Mrs. L.M.J. Tift, K. Walker and B. Wells.

18. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors: Mrs I. Brown, M. Buttery, M. Cope and Mrs S. Soar

19. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

NOTED: that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

20. DECLARATION OF INTENTION TO RECORD MEETING

NOTED: that there would be an audio recording of the meeting.

21. MINUTES OF MEETING HELD ON 24 NOVEMBER 2016

AGREED that the Minutes of the meeting held on 24 November 2016 be approved as a correct record and signed by the Chairman.

22. LOCAL ALCOHOL ACTION AREAS (LAAAs)

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing which sought to update Members of the second round of Local Alcohol Action Areas.

The report set out the purpose of the LAAAs Project and listed its 3 core aims as: preventing alcohol related crime and disorder; reducing alcohol related health harms; and generating economic growth by creating a vibrant and diverse night time economy. Paragraph 2.4 listed the 5 core challenges which were focussed on preventing crime and disorder in the night time economy. The Business Manager advised that challenges 2 to 5 would be of significance to the Council.

A Member of the Committee commented that the proposed challenges were a direct result of the 2003 Licensing Act and that people had warned of the consequences at the time the Act was introduced and how the new licensing regime would affect the most vulnerable in society.

The Business Manager advised that one of the biggest issue that was not included was that of serving alcohol to customers who were already inebriated. He noted that it was the License Holders responsibility but that in doing so they were turning away trade. He further advised that a scheme had been undertaken in Liverpool whereby people had gone into a licensed premise, pretending to be inebriated, and in 80% of cases they had still been served with alcohol. Local authorities throughout Nottinghamshire were looking to take action on this issue.

Whilst discussing the matter, the Chairman advised Members of the Licensing Committee that a date had been arranged for them to attend a night time economy visit with the Police and Licensing Officers in Newark. This was to take place on Friday, 21 April 2017 and would commence at 22:00 hours. The aim of the visit was to enable Members to further understand the issues that the Police and Door Staff experience in the town. Members were asked to advise Democratic Services as to whether they intended to take part in the visit.

AGREED (unanimously) that:

- (a) the Local Alcohol Action Area Round 2 Themes be notes;
- (b) the proposals and Action Plan for delivering each of themes within Nottinghamshire be supported.

23. COUNTY WIDE BEST BAR NONE SCHEME

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing which provided Members with a final year report on the second year of the County Wide Best Bar None Scheme.

The report set out the work which had been undertaken throughout the first year and the premises which had won awards. It also gave information as to how the second year had progressed and who had received awards at a local level and who had then been forwarded to the county awards. Paragraph 4 of the report provided Members with information as to the future of the Scheme.

AGREED (unanimously) that:

- (a) the progress of the Nottinghamshire County Best Bar None Scheme be noted: and
- (b) the Scheme be supported in Years Four and Five.

24. TEMPORARY EVENT NOTICES RECEIVED AND ACKNOWLEDGED BETWEEN 1 OCTOBER AND 31 DECEMBER 2016 INCLUSIVE

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to the notices received and acknowledged between the above-mentioned dates.

NOTED the Temporary Event Notices received and acknowledged between 1 October and 31 December 2016 inclusive.

25. UPDATE ON QUARTERLY PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to the activity and performance of the Licensing Team between 1 October and 31 December 2016 together with details of current ongoing enforcement issues.

Information contained within the report related to the number of applications for the grant or variation of licences received between the above dates with the a note of the enforcement activity between the same two dates being listed at paragraph 2.3.

AGREED that the Chairman's update be noted.

The meeting closed at 6.31pm

Chairman

**LICENSING ACT TRAINING FOR MEMBERS AND OFFICERS**

**1.0 Purpose of Report**

- 1.1 To inform Members of Licensing Act training being provided for both Officers and Members by the Nottinghamshire Authorities Licensing Group on Wednesday, 5 July 2017

**2.0 Background**

- 2.1 In recent years, the Nottinghamshire Authorities Licensing Group has provided a training course at the Hostess Restaurant in Mansfield for Officers and Members across the County.
- 2.2 In response to the success of the previous sessions and the positive feedback received following previous year's event it is intended to hold another event, which is again focussed on Licensing Members and is open to all members of Licensing Committee.
- 2.3 The course will be held on 5 July 2017 at the Hostess Restaurant near Mansfield and the price per delegate is around £40. The course will commence at 9:30am and finish at 4:00pm. Lunch will be served on the day along with tea, coffee and refreshments.
- 2.4 The morning session will give Members an overview of licensing legislation with Members being able to raise questions. The afternoon will concentrate on Hearings with a case study for open discussion and debate.
- 2.5 It is proposed to make a corporate bid to the Members training budget if the Licensing Committee consider the training appropriate and relevant.
- 2.6 Members are requested to bring with them to the Committee Meeting their diaries and to inform the Licensing Officer present whether they are able to attend the training, if considered appropriate.

**3.0 RECOMMENDATION**

**That Members consider the opportunity for training and indicate whether they would support and attend the training event.**

**Background Papers**

Nil

For further information please contact Alan Batty on 01636 6554675467

Karen White  
Director – Safety

**NIGHT TIME ECONOMY VISIT BY MEMBERS**

**1.0 Purpose of Report**

- 1.1 To inform Members of the Night Time Economy visit undertaken by members of Licensing Committee on Friday, 21 April 2017.

**2.0 Background**

- 2.1 In order for Members to gain a better understanding of the Night Time economy of Newark Members requested that a joint visit with the Police was organised.
- 2.2 It was agreed that either a Friday or Saturday evening would be the most suitable time for the visit as these are the two busiest times of the week. Following discussions with the police the visit was arranged for Friday, 21 April 2017.
- 2.3 The trend within the night time economy has changed over the past 10 years. It is common for patrons to drink at home as groups prior to visiting town centres. This has resulted in a squeezing of the custom that venues can expect into a shorter number of hours. It is now not unusual for many venues to have few customers before 11.00pm.
- 2.4 The visit by Members took place between the hours of 10.00pm and midnight. Eight Members of the Licensing Committee were in attendance. Uniformed Police Officers and staff from the police licensing team were also in attendance with staff from the Council's Licensing Team.
- 2.5 During the visit Members were able to enter a range of establishments, some food led and other alcohol led. Discussions with management of the venues, their staff and their customers were carried out to allow Members to gain an understanding of the pressures, constraints and issues facing the night time economy.
- 2.6 Feedback from Members has indicated that they felt the evening was a worthwhile exercise and should be repeated in the future

**3.0 RECOMMENDATION**

**Members are asked to consider the usefulness of the night time economy visit and indicate how frequently they feel this type of visit should take place.**

Background Papers - Nil

For further information please contact Alan Batty on 01636 655467

Karen White  
Director – Safety

**FINDINGS OF THE HOUSE OF LORDS SELECT COMMITTEE ON THE LICENSING ACT 2003**

**1.0 Purpose of Report**

1.1 To inform Members of the findings of the House of Lords Select Committee on the Licensing Act 2003.

**2.0 Background**

2.1 The Licensing Act 2003 revolutionised the law governing the sale of alcohol. It came into force in November 2005 and has therefore been in force for 11 years. In that time hardly a year has gone by without major amendments to the Act. In light of this it was agreed by the House of Lords that it should be subject to post legislative scrutiny.

2.2 The task of a post-legislative scrutiny Committee is not confined to the Act which is the subject of the scrutiny. Such a Committee invariably also considers related legislation (both primary and secondary), and the implementation of the legislation. In the case of the Licensing Act there is also a great deal of important guidance involved, both statutory and non-statutory.

2.3 The Liaison Committee suggested that policy aspects which this Committee could consider might include:

- To what extent has the Licensing Act met its objective of balancing rights and responsibilities?
- Are the four licensing objectives underpinning the Act the right ones?
- Has the Act proved sufficiently flexible to address changing circumstances?
- What lessons can policy makers draw from the changes made to the licensing regime since its implementation in 2005?

As will be clear from this report, the Select Committee did not only consider all these matters, but many more.

**3.0 The Select Committee Process**

3.1 The Select Committee issued a call for evidence on 30 June 2016 and in response received and accepted as evidence 175 submissions. They were published on the Committee's website. They heard oral evidence from 65 witnesses and from some of them received supplementary written evidence. The Committee commented that 'their evidence was invaluable and forms the basis of our work.'

3.2 In addition to the written and oral submissions the Committee also visited a number of local authorities to attend meetings of the Licensing Committees.

3.4 Expert evidence was provided to the panel by the barrister Sarah Clover who is well versed in licensing and planning matters.



3.5 The Committee set themselves the task of considering the following points:

- To what extent has the Licensing Act met its objective of balancing rights and responsibilities?
- Are the four licensing objectives underpinning the Act the right ones?
- Has the Act proved sufficiently flexible to address changing circumstances?
- What lessons can policy makers draw from the changes made to the licensing regime since its implementation in 2005?

#### 4.0 **Summary of Findings and Recommendations**

4.1 The summary of the report is attached as **Appendix 1**. However, set out below is the final paragraph from that summary along with a full list of the findings and recommendations.

*‘Previous committees of this House conducting scrutiny of statutes have found that the Act in question is basically satisfactory, but that its implementation is not. In the case of the Licensing Act our conclusion is that, while the implementation of the Act leaves a great deal to be desired, to a large extent this is caused by an inadequate statutory framework whose basic flaws have, if anything, been compounded by subsequent piecemeal amendments. A radical comprehensive overhaul is needed, and this is what our recommendations seek to achieve.’*

#### 4.2 **The Role of Licensing Committees and Administration of the Process**

*A merger of Licensing Committees with Planning Committees should be trialled (legislation to remain distinct)*

*There should be close coordination between licensing and planning systems with planning decisions taken into account by licensing and vice versus.*

*‘Agent of Change’ principal should be adopted in licensing and planning to protect residents and businesses from consequences of new development.*

*Planning Inspectors should hear Licensing Appeals*

*Licensing authorities should publish reasons where cases have been settled out of court.*

*Sub-Committee quorum should be set in Regulations to three.*

*S182 Guidance should place onus on Licensing Committee Chairs to enforce standards of conduct for sub-committee members and exclude them from sitting where appropriate.*

#### 4.3 **Training Requirements**

*There should be mandatory licensing training for councillors.*

*Minimum training requirements for councillors should be set out in the s182 Guidance.*

*There should be dedicated, trained police licensing staff (officers or civilian staff) with a dedicated police licensing training programme.*

#### 4.4 General Principals of the Act

*No new licensing objectives but statutory requirement for 'disabled access and facilities statement should form part of the application.*

*If Minimum unit pricing is introduced in Scotland, it should also be introduced in England and Wales once Scottish minister have published a statutory assessment of the working of MUP in Scotland. In the meantime, the Government should seek other means of controlling excessive alcohol consumption through taxation and pricing measures.*

*Scotland's provisions for the off-trade should be adopted in England and Wales as soon as possible with encouragement to adopt in the meantime via the Guidance:*

*Restrictions on multi-pack pricing*

*Ban on 'buy one get one free' or other offers including free alcohol*

*Restrictions on advertising drinks promotions, restricting them to specific designated alcohol display areas*

*Challenge 25 policies*

*Provision of a national database for personal licence holders linked to the Police National Database.*

#### 4.5 Applications and Hearings

*S182 Guidance should set out the structure and process of hearings, making clear that parties must be given sufficient time to make representations.*

*Licensing authorities should publish reasons where cases have been settled out of court.*

*Requirement for newspaper advertisements should be removed, but blue notice retained.*

*Gov.uk platform should be used for online applications and recording relevant information.*

*Discretion to impose immediate effect on decisions should be taken at the full review hearing.*

*Proposals to introduce CANs should be abandoned.*

*Clarification should be provided within the s182 Guidance in relation to s19 closures.*

*Support for champions of the night time economy*

*EMROs should be repealed and plans for Group Review Intervention Powers should be abandoned.*

*Late night levy amendments should be enacted for a period of 2 years and should then cease until the Government resolves to retain it following consultation.*

*Support for best practice initiatives as alternatives to late night levies.*

*Introduction of locally set fees should be progressed.*

*Act should apply in airports, ports and hover ports*

*Enforcement of s141 (sale of alcohol to a person who is drunk) should be taken more seriously in an effort to address issues with pre-loading and excessive drunkenness.*

#### 4.6 Temporary Event Notices

*Local authorities should be able to object to TENS*

*TENS made simultaneously for adjacent plots of land in order to enable a larger event should result in objection by police / EHOs – Guidance to make this clear.*

*There should be better record retention relating to TENS – Guidance to set out the requirements*

- 4.7 Many of the recommendations would on the face of it have far reaching impacts, however, the exact detail of any future amendment to the law would need to be examined in detail before any conclusions can be reached.

#### 5.0 The Next Steps

- 5.1 It is not clear at the moment how the recommendations will be progressed. The process is now for the House of Lords Liaison Committee to take this matter forward and to seek formal amendments to the Act from the Government. No timetable is set out in the report.

#### 6.0 RECOMMENDATION

**Members are asked to note the findings of the House of Lords Select Committee on the Licensing Act 2003**

#### Background Papers

Select Committee Report Licensing Act 2003  
House of Lords

For further information please contact Alan Batty on 655467.

Karen White  
Director – Safety

**UPDATE ON QUARTERLY PERFORMANCE AND ENFORCEMENT MATTERS**

**1.0 Purpose of Report**

1.1 To inform Committee of the activity and performance of the licensing team between 1 January 2017 and 31 March 2017 inclusive and to provide Members with details of current going enforcement issues.

**2.0 Background**

2.1 This report covers the period from 1 January 2017 and 31 March 2017 inclusive and sets out the range and number of licence applications during this period. It also highlights any activity required as a result of the applications.

**Activity Report for 1 January 2017 to 31 March 2017**

<b>Application Type</b>	<b>Number Received</b>	<b>Number Issued</b>	<b>Number Refused</b>	<b>Comments</b>
Personal Licence	19	19	0	
Vary the Designated Premise Supervisor	13	13	0	
Transfer of Premise Licence	2	2	0	
Minor Variation	3	3	0	
Variation to Premise Licence	1	1	0	
New Premise licence	6	5	1	
Change of Premise Name	0	0	0	
Notification of Interest	0	0	0	
Temporary Event Notices	42	42	0	

**2.2 Enforcement Activity**

**Ongoing Enforcement Activity 1 January 2017 to 31 March 2017**

<b>Location</b>	<b>Summary Of Complaint/Reason For Visit</b>	<b>Date Case Opened</b>	<b>Action Taken So Far</b>
49-50 Stodman Street	Hand deliver letter re; outstanding fee	16.01.17	Letter delivered and advise given re; payments
Belams, 3 Carter Gate	Noise complaint	16.01.17	Visited licence holder. Served with letter and noise abatement order.
Grove, Newark	Concerns over drinking and driving and smoking drugs	16.01.17	Reported complaint to Police who have agreed to do night time visits.

Sherwood Ave Bowls Club	Check signs for new premise licence application	17.01.17	All in order
Oxton Post Office	Check signs for new premise licence application	17.01.17	All in order
South Forest Leisure Centre Edwinstowe	Complaint that landlord is smoking in the bar	25.1.2017	Spoke to licence holder who insisted they were E cigarettes. Advice given.
3-5 Bar Gate Newark	Check signs for new premise licence application	30.01.17	All in order.
Old Ship Inn Lowdham	Complaint about operating outside of licensable hours and problem with measures and drugs.	01.02.17	Site visit. Liaised with Police who will do a late night visit.
Clipstone Park Farms	Check signs for new premise licence application	02.02.17	All in order.
Domino's Pizza, Newark	Hand deliver letter re; outstanding fee	09.02.17	Letter delivered and advise given re; payments
14A Quibells Lane, Newark	Check signs for new premise licence application	15.02.17	All in order
Flowerline, Blidworth	Check signs for new premise licence application	20.02.17	All in order.
NSK Sports & Social Club	Music noise complaint	20.02.17	Spoke to committee chairman who agreed to monitor the music and make adjustments accordingly.
Hearty Goodfellow, Southwell	Check signs for new premise licence application	23.02.17	All in order
Castle Station Wine Bar	Check signs for new premise licence application	23.02.17	All in order
Atrium, Newark	Check signs for new premise licence application	01.03.17	All in order
Inn on the Green, Coddington	Music noise complaint	09.03.17	Visited DPS 13.03.17. He admitted he had not fitted a noise limiter as per the new conditions. Has agreed this will be done after he returns from holiday in 10 days' time. No further music events are planned.
Mudfest, Newark	Check signs for new premise licence application	16.03.17	All in order

45 Kirk Gate, Newark	Check signs for new premise licence application	20.03.17	All in order
Royal Oak, Newark	Smoking on the premises	28.03.17	Spoke to licence holder who denied the allegation. Advice given.
Waters Edge, Newark	Music noise complaint	30.03.17	Visited site. Tried to discourage the use of the outside speakers and advised them re legislation, noise abatement and deregulation including the noise levels.

### 3.0 **RECOMMENDATION**

**That the Committee consider the contents of the report and identifies any issues it wishes to examine further.**

For further information please contact Kerrie Vickers on extension 5236

Karen White  
Director – Safety

**TEMPORARY EVENT NOTICES RECEIVED AND ACKNOWLEDGED BETWEEN 1 JANUARY AND 31 MARCH 2017 INCLUSIVE**

**1.0 Purpose of Report**

1.1 To inform Members of changes to Temporary Event Notices and notices that have been received and acknowledged between 1 January and 31 March 2017 inclusive.

**2.0 Background**

2.1 The Licensing Act 2003 introduced a light touch system for ad hoc, permitted temporary activities. A Temporary Event Notice (TEN) is given by an individual (a premise user) and authorises the premises user to conduct one or more licensable activities at premises.

2.2 There are two types of TEN;

- A standard TEN, to be given no later than 10 working days before the event to which it relates
- A late TEN, can be given 9 and not later than 5 working days before the event. Late TENs are intended to be used by premise user who is required for reasons outside their control to for example, change the venue at short notice.

2.3 Only the Police and Environmental Health can make representation against the TEN. Once the Police and Environmental Health receive a TEN, they have three working days to make any objections to it on the grounds of any of the four licensing objectives: prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm. If no objections are received the event will go ahead as planned. If an objection is received for a standard TEN the Council will have to organise a hearing to consider the objection and may impose conditions or decide that the event cannot go ahead. If an objection is received against a late TEN, no hearing is held and the application is refused.

**3.0 Attachments**

3.1 A list of Temporary Event Notices numbers by ward that have been received and acknowledged between 1 January 2017 and 31 March 2017 is attached at **Appendix A**.

3.2 A detailed list of Temporary Event Notices is attached at **Appendix B**.

**4.0 RECOMMENDATION**

**That the report be noted.**

**Background Papers**

Nil

For further information please contact Kerrie Vickers on extension 5236.

Karen White  
Director – Safety



**APPENDIX A**

Temporary Event Notices Acknowledged between 1 January and 31 March 2017 inclusive listed by wards. For further details please see Licensing Section.

<b>Ward</b>	<b>Number of TENS</b>	<b>TEN No's</b>
Balderton North and Coddington	2	17/00306/TEN, 17/00096/TENLAT
Beacon	1	17/00106/TEN
Bridge	1	17/00048/TEN
Castle	2	17/00418/TEN, 17/00302/TEN
Collingham	2	17/00349/TEN,17/00097/TEN
Dover Beck	7	17/00449/TEN, 17/00432/TEN, 17/00411/TEN, 17/00328/TEN, 17/00110/TEN, 17/00108/TEN, 17/00098/TEN
Edwinstowe & Clipstone	1	17/00100/TEN
Farndon & Fernwood	4	17/00447/TEN, 17/00354/TEN, 17/00155/TEN, 17/00119/TEN
Farnsfield	3	17/00286/TEN, 17/00184/TEN, 17/00279/TEN
Lowdham	2	17/00446/TEN, 17/00212/TEN
Muskham	1	17/00007/TEN
Ollerton	3	17/00448/TEN, 17/00217/TEN, 17/00125/TENLAT
Rainworth North & Rufford	2	17/00281/TEN, 17/00161/TEN
Rainworth South & Blidworth	1	17/00376/TENLAT
Southwell	7	17/00333/TEN, 17/00326/TEN, 17/00104/TEN, 17/00102/TENLAT, 17/00046/TEN, 17/00081/TEN, 17/000270/TEN,
Sutton on Trent	3	17/00350/TEN, 17/00163/TEN, 17/00047/TENLAT

**APPENDIX B**

TEMPORARY EVENT NOTICES ACKNOWLEDGED BETWEEN JANUARY 1 2017 AND 31 MARCH 2017 INCLUSIVE

KEY FOR LICENCED ACTIVIES

A – THE SALE BY RETAIL OF ALCOHOL

C – SUPPLY OF ALCOHOL BY OR ON BEHALF OF A CLUB TO, OR TO THE ORDER OF, A MEMBER OF THE CLUB

E - THE PROVISION OF REGULATED ENTERTAINMENT

R – THE PROVISION OF LATE NIGHT REFRESHMENT

REF	ACK'D	PREMISE	NATURE OF EVENT	DATE OF EVENT	TIME OF EVENT	LICENCED ACTIVITIES
17/00007/TEN	04.01.17	Cromwell Village Hall Cromwell.	Social Evening	18.02.17	19:00 – 24:00	A,E
17/00046/TEN	10.01.17	The Hopbarn Upton Southwell	Arts Venue	11.02.17	18:00 – 23:00	A
17/00047/TENLAT	10.01.17	Weston Village Hall Weston	Burns Supper	21.01.17	18:00 – 22:30	A,E
17/00048/TEN	11.01.17	7 <sup>th</sup> Newark Scout Hall Lovers Lane Newark	Fundraising Quiz	11.01.17	18:30 – 23:30	A
17/00081/TEN	18.01.17	Brack Bar Southwell Nottingham	Social Evening	06.02.17	02:00 – 08:00	A,E,R
17/00096/TENLAT	20.01.17	Grove Inn Balderton Newark	Super Bowl	06.02.17	00.00 – 06:00	A,E,R.
17/00097/TEN	20.01.17	Coronation Hall South Clifton	Family party	11.02.17	18:30 – 23:30	A,E,R.
17/00100/TEN	23.01.17	Hammer and Wedge Club Edwinstowe	Surprise Birthday Party	25,26.02.17	21:00 – 01:00	A,E,R.
17/00102/TENLAT	23.01.17	The Minster School, Southwell	School Concert	06.02.17	18:00 – 23:00	A, R.
17/00104/TEN	23.01.17	The Minster School, Southwell	School Concert	01.03.17 – 02.03.17	14:00 – 17:00 18:00 – 22:00	A,R.
17/00106/TEN	23.01.17	Newark Town and District Club	Craft Fair	12.02.17	10:00 – 16:00	A,E
17/00108/TEN	23.01.17	Thurgarton Village Hall, Thurgarton	Bingo Fundraiser	10.03.17	19:30 – 23:30	A
17/00119/TEN	26.01.17	Thorpe Lodge Thorpe Newark Notts.	South Notts Point to Point	17.04.17	10:00 – 18:00	A
17/00125/TENLAT	27.01.17	Lifespring centre	Valentines party	10.02.17	18:00 – 00:00	A,E
17/00161/TEN	08.02.17	Wellow House School Wellow	Wellow House Family Disco	04.03.17	18:00 – 22:00	A
17/00163/TEN	09.02.17	Weston Village Hall Weston	Community Event	24.03.17	18:00 – 23:00	A
17/00184/TEN	13.02.17	Farnsfield Village Centre	Fund raising	04.03.17	17:00 – 22:30	A
17/00212/TEN	15.02.17	Bulcote Farm Committee Rooms	Village Games Evening	10.03.17	18:30 - 23:00	A,R
17/00217/TEN	15.02.17	Newark Road Ollerton	Ollerton Georges Day Celebrations	23.04.7	11:00 – 17:00	A,E
17/00270/TEN	22.02.17	The Minster School Southwell	Pink Ladies Cancer Support	24.03.17	19:00 – 23:00	A
17/00279/TEN	23.02.17	The Grange Main Street Farnsfield	British Legion Annual BBQ	24.06.17	17:00 – 24:00	A
17/00281/TEN	24.02.17	Inkersall Grange Farm Bilsthorpe	Private Wedding Event	01.04.17 – 02.04.17	19:00 – 1:00	A
17/00286/TEN	24.02.17	Brambles Tea Rooms Farnsfield	Tea For Mothers' day	25.03.17 – 26.03.17	11:00 - 04:00	A

17/00302/TEN	28.02.17	The Old Post Office Newark	Extension of Trading Hours	26.03.17	02:00 – 03:00	A,R,E
17/00306/TEN	28.02.17	Chuter ede Primary School Balderton	PTA Bingo Night	23.03.17	17:30 – 20:00	A
17/00326/TEN	02.03.17	The Hopbarn Upton Southwell	Music Performance with Poet Support	22.04.17	18:00 – 23:00	A
17/00328/TEN	02.03.17	Thurgarton Village Hall - Thurgarton	Wedding Venue	15.04.17	13:00 – 23.59	A
17/00333/TEN	03.03.17	The Hopbarn	Music performance	08.04.17	19:00 – 23:00	A,E
17/00350/TEN	06.03.17	Clay Barn Maplebeck Newark	Wedding Reception	01.07.17 – 02.07.17	16:00 – 02:00	A,E,R
17/00349/TEN	06.03.17	Coronation Hall South Clifton Newark	Beer Festival	22.04.17	14:00 - 23:00	A,E
17/00354/TEN	06.03.17	St Peter`s Cross Keys C of E Academy Farndon	A Wine and Shopping Evening	29.03.17	18:00 – 20:30	A
17/00362/TEN	07.03.16	Village Hall Carlton Lane Norwell	Quiz Night	07.04.17	19:00 – 24:00	A
17/00369/TEN	09.03.17	Winthorpe Community Centre Winthorpe	Fund raising	21.04.17	19:00 -23:00	A,E
17/00376/TENLAT	10.03.17	The Joseph Whitaker School Rainworth	Fashion Show Event JWS	16.03.17	19:00 – 23:00	A
17/00377/TEN	10.03.17	Brownhills Motorhomes Ltd Newark	Showroom only for evening live entertainment	07.04.17 – 09.04.17	18:00 – 23:00	A, E.
17/00411/TEN	17.03.17	Manor Lodge Epperstone NG14 6RP	Bi-Annual Summer Festival	18.06.17	12:00 – 17:00	A
17/00418/TEN	21.03.17	Old Post Office Newark	Extension to trading hours for Easter celebrations	17.04.17	00:01 – 02:00	A,E,R
17/00432/TEN	24.03.17	Epperstone Village Hall Epperstone	Charity Quiz Night	29.04.17	19:00 – 00:00	A
17/00446/TEN	27.03.17	Lowdham C Of E School	Summer Gala	08.07.17	11:00 - 16:00	A,E
17/00447/TEN	28.03.17	Thorpe Lodge, Newark	Horse Racing meeting	17.04.17	12:00 - 18:00	A
17/00448/TEN	28.03.17	Thoresby Park Ollerton	Motorbike/car show	30.04.17 – 01.05.17	11:00 - 23:30	A
17/00449/TEN	29.03.17	Gunthorpe Village Hall	Music Night	19.05.17	19:30 – 23:00	A