

LICENSING AND GAMBLING ACTS COMMITTEE

Tuesday 17th July 2007

COUNCILLORS PRESENT: The Chair (Councillor Sareva), The Vice-Chair (Councillor Turner), Councillors Armitage, Brundin, Campbell, Cook, Goddard and Keen.

OFFICERS PRESENT: Tony Payne and Kevin Keating (Environmental Protection), Selina Steel (Licensing) Lois Stock and Daniel Smith (Legal and Democratic Services).

ALSO IN ATTENDANCE:- Inspector Richard Brown (Thames Valley Police),

12. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Royce, Rundle, Williams and Young.

13. DECLARATIONS OF INTEREST

Councillor Sareva declared a personal interest in the work of the Committee as the holder of a Security Industry Authority licence.

14. MINUTES

Resolved to confirm as a correct record the minutes of the Licensing and Gambling Acts Committee held on 10th May 2007.

15. STATEMENT OF LICENSING POLICY - CONSULTATION DRAFT

The Environmental Health Business Manager submitted a report (previously circulated, now appended) concerning the review of the Statement of Licensing Policy. Tony Payne presented this report to the Committee. He advised that the Licensing Act 2003 required the Council to determine its policy every 3 years, and that this report was part of that process. He also drew attention to a resolution passed by Council on 30th April 2007 concerning the need for a Special Saturation Policy (SSP) to cover Cowley Road. Thus far, the Crime and Disorder Reduction Partnership (CDRP) had not responded to the Council's enquiries, and he asked the Committee to agree the wording of a letter to go from the Committee Chair on this subject.

The following additional information was then given in answer to questions:-

- (1) As suggested, consideration could be given to the policy on lap dancing adopted by the London Borough of Southwark. Something similar could be adapted for the Oxford policy if appropriate, and this could be done in consultation with the Chair.
- (2) The policy could strongly encourage people to join Nightsafe, and could promote it, but it could not make membership mandatory.
- (3) Guidance for interested parties was on the Council website, but this could be added as an appendix to the main policy.
- (4) Officers could look again at the question of opening hours for premises in residential areas, focussing more on the potential for nuisance, but it had to be remembered that every application for a new licence or licence variation had to be considered individually and on its merits. There was no power available to restrict opening hours applied for unless a relevant representation was received.
- (5) The existence of a Special Saturation Policy (SSP) did not provide grounds to revoke a licence, but if there were problems associated with particular premises, the licence could be reviewed. The SSP was designed to deal with the increase or expansion of premises within its area, a review was meant to deal with problems arising from premises.
- (6) Polycarbonate glasses were the preferred option for safer drinking vessels, and some places already had to provide them as a condition of their licence. It was pointed out that consideration could be given to promoting plastic bottles, or the pouring of drinks into polycarbonate vessels at the bar, to avoid the use of glass bottles as a weapon.
- (7) National ID cards could be added to the list of approved ID for use should they be introduced nationally.
- (8) Nightsafe supported the idea of a SSP for Cowley Road. The Police had figures to show that assaults happened more frequently on Friday and Saturday nights, and although overall crime levels were down in Oxford, violent crime had increased, particularly in east and central Oxford. A SSP could be introduced in response to concern expressed about crime and disorder in a given area. Whilst crime statistics for the Cowley Road area showed some improvement, they were still a cause of concern. Noise too was an issue for people living in Cowley Road and the side roads nearby. It should be noted too that at least 2 major venues were closed for refurbishment and it was believed that this factor had an effect on the crime figures. It was observed that the SSP in central Oxford had helped prevent the establishment of 2 “vertical drinking” establishments.

- (9) Further consultation was needed with various organisations and stakeholders, but if the Committee was satisfied that the evidence supplied indicated a problem of crime and disorder associated with licensed premises in the Cowley road, it might be possible for it to express broad support for the idea of a Cowley Road SSP at an early stage (subject to taking into account any comments /issues raised during the statutory consultation).
- (10) The resolution passed by Council on 30th April could be incorporated in the letter to CDRP if desired.
- (11) Fly posting was a difficult issue for a licensing policy to deal with, since there was planning legislation in place to deal with this issue; and the licensing policy could not duplicate other legislation. However, it was possible to look at this issue again, although it might present some difficulties if it came to implementing it.
- (12) The Police indicated that examination on CCTV footage, following an incident in order to identify from where the perpetrators had originated, was very labour intensive, added to which people had either been in numerous places, or were vague about where they had been. However, premises had to keep a diary of any incidents, and the "Radiolink" scheme was used extensively.
- (13) It should be remembered that an SSP was a tool to deal with the cumulative impact of licensed premises in any given area. Should new evidence emerge, policies could be reviewed at any time.

Resolved to:-

- (1) Note all points made and information given, taking action on the following:-
 - (a) Investigation of the London Borough of Southwark's lap dancing policy;
 - (b) Add guidance on making representations and licence hearings for interested parties and local councillors as an appendix to the Statement of Licensing Policy;
 - (c) Add National ID cards to the list of approved ID;
 - (d) Incorporate the resolution passed by Council on 30th April in the letter to the CDRP;
 - (e) Ask Licensing and Legal officers to review the wording of the section concerning fly posting.

- (2) Authorise the Environmental Health and Legal and Democratic Services Business Managers to carry out textual alterations to the consultation draft to accord with the revised guidance issued by the Department Culture Media and Sport (28th June 2007);
- (3) Authorise the Environmental Health and Legal and Democratic Services Business Managers, in consultation with the Chair of the Committee, to finalise the consultation draft;
- (4) Endorse the consultation programme as laid out in the report; and in particular to consult on (i) the Draft Revised Statement of Licensing Policy, (ii) a Special Saturation Policy for the Cowley Road area and (iii) whether to retain the existing Special Saturation Policy for the City Centre;
- (5) Ask the Crime and Disorder Reduction Partnership (Oxford Safer Communities Partnership) for their views on whether there is sufficient supporting evidence for (i) a Special Saturation Policy for the Cowley Road area and (ii) to retain the existing Special Saturation Policy for the City Centre.
- (6) Note that the Licensing and Gambling Acts Committee was minded to support the introduction of a SSP for Cowley Road, subject to consideration of comments made during the consultation period.

16. MATTERS EXEMPT FROM PUBLICATION

None

17. DATES OF FUTURE MEETINGS

Resolved to note the following dates:-

12TH September 2007 (if sufficient business to warrant holding a meeting)
24th October 2007 (result of consultation on the Statement of Licensing Policy)
16th January 2008
8th May 2008

The meeting started at 9.30am and ended at 10.35am.