

LICENSING AND GAMBLING ACTS COMMITTEE

Wednesday 17 October 2012

COUNCILLORS PRESENT: Councillors Clarkson (Chair), Armitage (Vice-Chair), Campbell, Cook, Goddard, Khan, Lygo, Seamons, Sinclair and Williams.

OFFICERS PRESENT: Julian Alison (Licensing Team Leader), Jill Cramer (Environmental Development), Lois Stock (Democratic and Electoral Services Officer) and Daniel Smith (Law and Governance)

11. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Coulter, Humberstone and Royce.

12. DECLARATIONS OF INTEREST

None

13. UPDATE ON LICENSING AUTHORITY ACTIVITY APRIL 2012 - AUGUST 2012

The Head of Environmental Development submitted a report (previously circulated, now appended) that provided an update on the progress made by the Licensing Authority under the Licensing Act 2003 and Gambling Act 2005 between April 2012 and August 2012. Julian Alison (Licensing Team Leader) presented the report to the Committee and expanded on the work completed to date. He informed the Committee that all Licensing Officers were now qualified licensing practitioners. He also explained further the proposed Late Night Levy and EMROs (early morning alcohol restriction orders).

The Committee discussed further the late night levy. It seems that 70% of any income raised by the levy would go to the Police. The Committee felt that, in that case, the Council would expect more “bang for its buck” – that is, extra Police on the street during peak periods for the night-time economy. A service level agreement with the Police would be helpful. Although Oxford City Council was more progressive than many other licensing authorities, it would still be useful to see what others (for example, Wycombe District Council) did about the levy. It was important to understand how much the levy might raise, taking into account discounts and other subtractions from the final total. It was also noted that some premises might reduce their operating hours in order to avoid falling foul of the late night levy. This too would affect the likely amount raised.

Julian Alison indicated that he would try to bring a report showing the possible income in more detail to the February meeting, but this depended on the progress of the regulations and guidance issued in the meantime.

Daniel Smith (Legal Advisor) pointed out that, although the Council was being pro-active, it was important to remember powers to raise this late night levy did

not yet exist, nor had official guidance been published, so it was important not to go too far too fast.

Resolved to:-

- (1) Consider a report on the late night levy at the next meeting;
- (2) Congratulate licensing officers upon becoming qualified licensing practitioners;
- (3) Thank Julian and his team for the helpful licensing course that they arranged in July.

14. EAST OXFORD SPECIAL SATURATION POLICY (SSP)

The Chair, Councillor Clarkson, explained that this item appeared on the agenda in response to some public concern that the Special Saturation Policy (SSP) was not always reflected in decisions made at licensing hearings.

Julian Allison introduced Alex Bloomfield (Licensing Officer, Thames Valley Police) and Sergeant Nathan Budd (Thames Valley Police) to the Committee. Julian Allison explained the meaning of the SSP – it did not mean that any licensing application within the SSP area would automatically refused, as many people believed. A case had to be made that an application would add to the cumulative impact before the presumption for refusal was engaged. If an application (for a new license or a variation to an existing license), would not add significantly to the cumulative impact, it was possible for it to be approved.

Sergeant Budd explained that the rate of assaults within the City between April and June 2012 showed a downwards trend compared with the same period in 2011. There was an overall decrease in crime. He felt that the SSP, Nightsafe, CCTV and other crime reduction bodies and initiatives had had a positive impact on crime in Oxford. The SSP in East Oxford was used effectively, and the Police would continue to raise concerns about applications that they believed would add to the cumulative impact.

The Committee expressed the view that the improved crime figures were encouraging, and that they deserved more publicity. The Police should be congratulated for their achievements. The success of the SSP should also receive greater publicity.

The Committee resolved that the SSP was effective and should be retained.

15. MINUTES

Resolved to confirm as a correct record the minutes of the meeting held on 28th May 2012, with the following observations:-

- (1) It was confirmed that Councillor Hollick is a member of this Committee, although his name had not appeared on the agenda. This has now been corrected.

- (2) Minute 5 – Powers and Duties of the Committee – Councillor Cook, as a Board Member, confirmed that City Executive Board (CEB) was happy for licensing policies to come before the Licensing and Gambling Acts (LGA) Committee to allow members of the Committee to comment before the policies were considered by CEB. The comments of the LGA Committee would be considered by CEB when making recommendations to Council.
- (3) Councillor Williams thanked Councillor Cook for standing in (at short notice) at a licensing hearing last week.

16. DATES OF FUTURE MEETINGS

Resolved to note that the date of the next meeting is Tuesday 19th February 2013.

The meeting started at 5.00 pm and ended at 5.50 pm