

## LICENSING (LICENSING ACT 2003) COMMITTEE

9 JANUARY 2012

Present: Councillor J Brown (Chair)  
Councillor K Hastrick (Vice-Chair)  
Councillors K Brodhurst, K Crout, G Derbyshire, J Dhindsa,  
P Jeffree, M Mills, A Mortimer, F Qureshi, D Scudder and  
L Scudder

Also present: Councillor Malcolm Meerabux

Officers: Licensing Manager  
Committee and Scrutiny Officer

### 5 APOLOGIES FOR ABSENCE/ COMMITTEE MEMBERSHIP

Apologies for absence were received from Councillor Connal.

Absent without apologies: Councillors Leslie and Walford.

### 6 DISCLOSURE OF INTERESTS (IF ANY)

There were no disclosures of interest.

### 7 MINUTES

The minutes of the meeting held on 15 June 2011 were submitted and signed.

### 8 LICENSING ACT 2003 ANNUAL REPORT FOR 2011

The Committee received a report of the Head of Environmental Services asking Members to note the Annual Report of the Licensing Act 2003. The Licensing Manager added that officers were considering future arrangements for premises' inspections. The suggestion was that a postal survey would be sent to low risk premises and following the result of the response, officers would consider whether it was necessary to visit the premises to carry out an inspection. He also referred to the late night levy but officers were awaiting the final details before making a final decision about whether or not to introduce the levy.

#### Policing Reform and Social Responsibility Act

A Member commented that the implications of the Policing Reform and Social Responsibility Act were very significant. This would be a fundamental revision of

the night time policy for Watford. Local authorities would receive significant powers to define the night time economy. One key matter was the late night levy. He had noted that although officers were not generally in favour of introducing it in Watford, the Police Authority might ask the Council to take up the option. It would be important to discuss this matter with the Police.

The Member added that the early morning restriction order would enable the Council to restrict the night time economy. This would be a very powerful tool if the Council wanted to change the role of Central Watford. He cautioned that it would also be necessary to take account of the impact on employment and the wider Watford economy.

The Chair responded that in connection with the late night levy, the Council might not want to raise funds to give to the Police to enable them to fund policing in other parts of the county.

A Member advised the Committee that as from November, any funds raised would not go the Police Authority as it would no longer exist. The Policing and Crime Commissioner would be elected in November and responsible for funding the Police.

Another Member said that he welcomed the new powers but suggested they were viewed with caution. It might be difficult during the current recession to ask for additional fees. He asked whether the 30% of the late night levy retained by the Council could be used towards the cost of cleaning the Town Centre.

The Licensing Manager confirmed that the Council's share of the levy could be used for that type of activity.

One Member said that he did not agree with the officer's comments in the report at paragraph 3.55 (d). If premises were open late outside the Town Centre and a problem arose the Police would have to attend the incident. He would expect the levy to be applied across the board. In the current economic climate, however, this would be more of a burden for the take-aways if they were caught by the charge.

The Member suggested that if the levy were introduced it could be used to provide additional funding for the taxi marshalling scheme.

The Licensing Manager advised that the 45% of the funding for the taxi-marshalling scheme came from the pubs and clubs in the Town Centre.

The Member said that the Council would be able to contribute if the levy was raised.

The Chair concluded that it was difficult to discuss something in too much detail whilst the Council did not have the full details of the late night levy.

## Crime and Disorder

A Member referred the Committee to statements from Police officers which had been presented to a Licensing Sub-Committee in response to the Police representation to a Temporary Event Notice. The officers had written impassioned statements about the crime and disorder in the Town Centre. The details were also reported in the Watford Observer. The data contained within the report did not reflect the officers' views. He drew Members' attention to the statements and asked how the issues would be addressed.

Another Member said that he had also attended that meeting. The data showed there had been a 'spike' in violent crime in the Town Centre. This had been the reason the Police had taken the action they had in respect of the various Temporary Event Notices applied for at that time. The spike in incidents had now gone.

The Member added that he had spoken to the officers at the end of the meeting. They had considered that the increase had possibly been due to two premises closing in nearby towns and people coming to Watford venues instead. Officers had informed him that the people involved in the violent crime had come from these two towns. The Police had taken action to deal with this issue. He was encouraged by the work the Police carried out in the Town Centre.

The Member then referred to the Local Alcohol Profiles for England (LAPE). He asked for clarification about the measures and whether it related to per head of population or levels. He noted that the report stated that Watford was the tenth worst authority out of the ten in Hertfordshire, whereas the LAPE data was different.

The Licensing Manager referred the Committee to the definitions contained in the report. The information in the LAPE statistics was produced from data obtained from the Office of National Statistics and had been verified. The information contained in the officer's report was based on local information and was not to the same statistical standards. The information had been produced from the Police's raw data and not been officially verified.

The Member said that it was a shame that Watford was branded as the worst area when that was not the case in the verified information.

One Member referred to paragraph 3.32 (c) and that Watford was the tenth worst in the country for alcohol-related crime. This had been the case for three years. Watford Borough Council collected the highest amount of Council Tax in the county and he felt that Watford residents did not get value for money. He was aware that the same levy from the Police was charged to all households in Hertfordshire. He noted that the problems in Vicarage Ward had slightly improved due to the controls added in that area.

Another Member noted that Cambridge was worse than Watford in all the statistics produced in the LAPE data.

The Member said that he and one other Councillor had visited the Town Centre on a Friday evening in December over a period of six hours. They were accompanied by Sgt. Smith who usually attended Licensing Sub-Committees on behalf of Hertfordshire Police. They had also visited Accident and Emergency at the hospital. They had found people to be friendly and had not witnessed any major problems. He was aware that there were not violent incidents every night. He had been encouraged by what he had seen that evening.

A Member enquired about the increase in crime in the Callowland Ward. The Licensing Manager advised that he was not aware of the reason but would find out the information and report back to Members.

A Callowland Ward Councillor said that he wondered whether the increase had been related to a particular premises in the ward which had caused quite a few problems.

Another Councillor questioned whether the problem was connected to the large number of fast food establishments in the area.

The Ward Councillor confirmed that there were quite a few take-aways in the ward. Callowland was a dense residential area and it was a main exit route from the Town Centre. It was possible to buy any type of food in the area. He agreed that there were too many of these types of premises and if it were possible to find a way of cutting the number of premises he would be happy.

The Chair reminded the Committee that it was not possible to cut premises' hours unless they were brought back to the Council following an application for a review.

A Member commented that take-away premises acted as flashpoints for violence and this had been the reason a recent Temporary Event Notice had been refused.

The Chair added that Members had learnt a great deal since the initial hearings in 2005. Originally it had been felt that it would be sensible for people to be able to purchase something to eat before they made their way home from the pubs and clubs. It had since been discovered that these premises acted as flashpoints for violence. At first Licensing Sub-Committees had been nervous about refusing applications. Since that time Members had undertaken more training and had received expert information from a Queen's Counsel. The Council could not make retrospective decisions but it would look at the new legislation once it had been introduced.

Following a Member's comment about the new legislation the Licensing Manager confirmed that appropriate training would be arranged once officers were aware when it was due to come into force.

## Pubwatch

Following a Member's question about the patchy attendance at Pubwatch, the Licensing Manager informed the Committee that this group was for the benefit of the Designated Premises Supervisors. He confirmed that between spring and early autumn attendance had not been very good. The Pubwatch Chairman had tried to encourage people to attend and the attendance was improving.

RESOLVED –

that the Licensing Act 2003 Annual Report for 2011 be noted.

Chair

The Meeting started at 7.45 pm  
and finished at 8.35 pm