

MINUTES OF A MEETING OF THE LICENSING COMMITTEE HELD IN COMMITTEE ROOM 1, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON FRIDAY, 13 JANUARY 2012 AT 10.00AM

Present:

Councillor D K Edwards

Councillors

R D L Burns
E M Dodd
C E Hughes

Councillors

R D Jenkins
G Thomas

Councillors

D A Unwin
R Williams

Officers:

L Jones - Group Manager - Public Protection
Y Witchell - Licensing and Registration Officer
K Watson - Legal Officer
J Monks - Democratic Services Officer - Committees

92 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor D Buttle and Councillor M C Wilkins.

93 DECLARATIONS OF INTEREST

None.

94 MINUTES OF THE PREVIOUS MEETING

RESOLVED: That the minutes of the meeting of the Licensing Committee dated 4 October 2011 be approved as a true and accurate record.

95 TAXI LICENSING
STATEMENT OF POLICY REGARDING THE RELEVANCE OF CONVICTIONS
AND LICENSING OF EX-OFFENDERS

The Licensing and Registration Officer presented a report, the purpose of which was to propose amendments to the current policy in respect of the licensing of ex-offenders.

Members had requested clarification on the informal disciplinary procedure set out at Paragraph 7 of the Policy. This relates to written warnings issued to taxi drivers which currently remain relevant for a period of five years, dependent upon the circumstances, and can be reported in subsequent renewal applications. Members had also requested that timescales be applied to these warnings. The Committee were asked to consider other amendments to the Policy to accommodate circumstances which had come to light during cases over the past year.

The proposed amendments are outlined under Paragraph 4 of the report.

She explained that a written warning or other disciplinary action will generally remain relevant for a period of 18 months for a first written warning, two years for a second written warning and three years for a final written warning. However, these periods are guidelines only and the Licensing Sub-Committee has the discretion to amend the timescales, depending on any extenuating or mitigating circumstances.

Members were requested to approve the amendments to paragraph 7.2 of the Policy in order to clarify the type of circumstances which could lead to disciplinary action being taken by the Authority. The Committee was further requested to approve an amendment to paragraph 2.3 of the Policy which relates to motor offences, such as speeding, using a mobile telephone or defective tyres, by removing the word 'minor' from that section of the Policy. It was believed this amendment was necessary to emphasise to taxi drivers the seriousness and impact that these types of offences have on public safety, particularly if the offences are repeated.

Discussions took place and in response to a question from Members the Licensing and Registration Officer confirmed that no provision had been made within the Policy for a verbal warning. It was explained that the sub-committee could continue to issue verbal warnings if they felt it was appropriate but these did not form part of a driver's formal disciplinary record. Written warnings when issued would be placed on the driver's file. One Member asked if this information would be passed to the Chair of the Taxi Committee.

The Licensing and Registration Officer advised that at the moment there was no formal taxi association in the area. However, the information would be published on the BCBC website.

RESOLVED: That the Committee approved the amendments to paragraphs 2.3, 7.0, 7.1 and 7.2 of the Policy.

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LICENSING ACT 2003
LAUNCH OF THE COUNTERACT SCHEME FOR LICENSED PREMISES

The Group Manager - Public Protection presented a report to advise the Committee on the CounterAct Scheme, which had recently been launched to assist the Borough's licensed premises.

The CounterAct Handbook, which is issued as guidance to all licensed premises in Bridgend, was tabled to Members and he explained the background behind it. There had been concerns for some time over the level of alcohol related crime and disorder in the Borough, particularly in Bridgend town centre, according to Police statistics. However, much of the crime in the town was being addressed, and trends were changing, due significantly to the Licensing Committee's commitment to reducing alcohol related crime in the Borough. He advised that the Handbook was the result of partnership working through the respective Responsible Authorities who met on a regular basis. The partnership comprised the following organisations:

- The Police
- The Fire Service
- The Authority's Trading Standards Service
- The Authority's Environmental Health Service (noise and other nuisance)

- The Authority's Environmental Health Service (health and safety)
- The Planning Authority
- The Authority's Social Care Service with responsibility for protecting children from harm

The CounterAct Scheme reflects the Licensing objectives of:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance
- Public Safety
- The Protection of Children from Harm

Developed from the successful "traffic lights" scheme operated in Cardiff, CounterAct aims to avoid the need for enforcement action, by imposing points on premises where a problem has been identified under one of the licensing objectives. Alternatively, when a licensed premises is demonstrating good practice, points may be deducted from the current scoring of that premises. This scoring system is being managed by South Wales Police. The Scheme had been well received by all partners and Pub Watch had also come on board.

The Group Manager - Public Protection advised that it was hoped to extend the scheme to retail outlets and late night takeaways in Bridgend, eventually extending it throughout the whole of the Borough. He informed Members that it was hoped to set up annual 'Good Practice' Awards, to encourage the licensed trade and added that they now had to ensure that the scheme was maintained, monitored and will continue to develop.

Members referred to paragraph 4.7 of the report and asked why points imposed on premises only applied for a period of six months and not longer.

The Group Manager - Public Protection explained that this was due, in part, to reflect the constant turnover of staff in the licensed trade and as a result it was felt that this time period would encourage interaction from the trade. It was explained that there was no statutory requirement to comply with the scheme. The Licensing and Registration Officer advised that it was important for the future development of the scheme, for Members who were aware of such problems at any of the licensed premises in the Borough, to feed this information back so that it can be taken up with the Responsible Authorities at their monthly meetings.

Members congratulated the Group Manager - Public Protection on the CounterAct Scheme and the amount of work carried out by all the partners over the last three to four years to reduce crime in the Borough.

One Member pointed out that there had been a serious problem in Bridgend during 2007-2008 which was well documented, when the town centre was out of control. At that time, he explained that Bridgend town centre was known throughout South Wales as an all night drinking place, with between 2,000 to 3,000 people arriving in the town on Saturday nights. He suggested that the town in 2012 was now a lot different and the number of people frequenting Bridgend on weekend nights had reduced considerably to just 500. He believed this was the result of reducing the number of pubs and clubs since 2007, as well as restricting the opening hours of some of the clubs. He therefore urged caution regarding Wyndham Street being flouted as the worst place in South Wales and asked if

there was any current data available to see where the town currently stood on the crisis table.

The Group Manager - Public Protection explained that Wyndham Street had been used merely to illustrate the fact that it had improved, and he gave credit to the Licensing Department and the Police Licensing team, particularly Police Constable Sarah Rowlatt, for their commitment towards reducing crime in the area, and to Helen Picton, Service Manager for Trading Standards, who had really driven this forward. The Chairperson stated that the Committee had worked hard to achieve the improvement in the town, through the night time economy and engaging with the local Police. One Member reported that the taxi drivers in Bridgend had commented that the town centre was now much quieter and they felt much safer.

One Member referred to the Town Centre Forum and informed the Committee that the group was attempting to relax the pedestrianisation aspect in the town centre in the night, so that people could have easier access to enjoy the many restaurants the town had to offer. He suggested collaboration with the Regeneration and Planning Departments to make sure this happened.

One Member queried the CounterAct points system, as it appeared that large premises seemed to be given more leeway than smaller premises.

The Group Manager - Public Protection explained that the majority of smaller premises were easier to control, mainly due to the low volume of people at those premises, whereas the large premises were tied by legal requirements, making it harder to reduce their points. Also large premises were more difficult to control and had a frequent turnover of staff.

He added that the CounterAct system was not a legal requirement, but had been put in place to improve standards in licensed premises, and did not prevent the Authority from reviewing a premises. It was hoped this system would aid Licensees in developing their own 'Best Practice' and should not be regarded as something that would come before the Committee, but is an action plan to identify problems before reviewing a licence.

RESOLVED: That the Committee noted the report.

The meeting closed at 10.50pm