

**BRIDGEND COUNTY BOROUGH COUNCIL**

**REPORT TO LICENSING COMMITTEE**

**13 JANUARY 2012**

**REPORT OF THE ASSISTANT CHIEF EXECUTIVE LEGAL  
AND REGULATORY SERVICES**

**LICENSING ACT 2003**

**LAUNCH OF THE COUNTERACT SCHEME FOR LICENSED PREMISES**

**1. Purpose of Report**

- 1.1 To advise the Committee on the CounterAct Scheme which has recently been launched for the County Borough's licensed premises.

**2. Connection to Corporate Improvement Objectives/Other Corporate Priorities**

The launch of the CounterAct scheme links to the Corporate Improvement Objectives of:-

- Building safe and inclusive communities
- Creating vibrant and thriving towns, and
- Continuing to promote Bridgend as a place to visit

**3. Background**

- 3.1 There have been concerns for some time over the level of alcohol related crime and disorder in the county borough, most particularly, but not exclusively, in Bridgend Town Centre at night.

- 3.2 The Licensing Committee is already aware of the work of the Responsible Authorities Forum in developing a traffic light type scheme to monitor the performance of licensed premises in the County Borough and allow alcohol related problems to be identified and addressed at an early stage. The development phase involved consultation between the trade and regulators to achieve a fair and workable scoring framework.

- 3.3 For the purposes of the Licensing Act 2003, the following public bodies comprise the seven Responsible Authorities:-

- The Police
- The Fire Service
- The local authority Trading Standards Service
- The local authority Environmental Health Service (noise and other nuisance)
- The local authority Environmental Health Service (health and safety)
- The Planning Authority
- The local authority Social Care Service with responsibility for protecting children from harm

3.4 This report provides Members with an update on the operation of the CounterAct scheme, its recent launch and plans for future development.

#### **4. Current situation / proposal.**

4.1 The creation of the CounterAct scheme is the culmination of a partnership approach between Bridgend County Borough Council, South Wales Police, South Wales Fire & Rescue Service and the local trade. It aims to benefit all by:

- Supporting the reputable trade and recognising good practice;
- Working with premises encountering problems, to raise standards across the licensed trade; and
- More broadly, making Bridgend County Borough a safe and vibrant area in which alcohol-related crime is minimised and where a safe and sensible approach to alcohol is promoted.

4.2 CounterAct is simply a monitoring tool which brings together the findings of the above regulators under the four licensing objectives of

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

in such a way that problem areas can be identified and good practice recognised. By flagging up concerns about premises at an early stage the regulators can offer advice and support to premises to enable them to avoid subsequent problems and bring about lasting improvement.

4.3 Developed from the successful 'traffic light' scheme that has operated in Cardiff, CounterAct aims to avoid the need for enforcement action such as prosecution or licence review, however it will not replace enforcement where it is necessary.

4.4 Under the scheme, points are imposed on premises where a problem has been identified under one of the licensing objectives, be it on the premises or in its immediate vicinity or clearly linked to the premises. Similarly, when an outlet is found to be demonstrating good practice, certain points deductions may be made from the current score for that premises. The scoring framework is completely transparent and has been made available to licensed premises in the form of a handy guidance booklet.

4.5 Depending on their CounterAct points total at a given time, licensed premises of different sizes will find themselves in one of the three traffic light zones as follows:

	<b>Small premises</b> (≤ 200 persons)	<b>Medium premises</b> (201 – 599 persons)	<b>Large premises</b> (≥600 persons)
<b>Red</b>	<b>25+ points</b>	<b>30+ points</b>	<b>35+ points</b>
<b>Amber</b>	<b>14-24 points</b>	<b>17-29 points</b>	<b>20-34 points</b>
<b>Green</b>	<b>0-13 points</b>	<b>0-16 points</b>	<b>0-19 points</b>

- 4.6 The licence holder will be notified when the points total for their premises takes it from the green into the amber zone. There will be further notification if the premises then approaches the red zone. Should the premises subsequently enter into the red zone then an action plan is agreed to enable it to avoid further problems and points accruing with a view to bringing the premises back into the amber and then green zones.
- 4.7 Points imposed on premises will remain for a rolling six month period, meaning that any points added in January for example would be removed six months later. If it is shown that premises are under new ownership and management, e.g., there is a new premises licence holder and designated premises supervisor, then any points in place prior to the regime change will cease to have effect and the total reset to zero.
- 4.8 CounterAct was launched at Bryngarw House on 8<sup>th</sup> December with speakers from each of Bridgend County Borough Council, South Wales Police and South Wales Fire and Rescue Service. The launch was very well attended by the trade who welcomed the introduction of the scheme.
- 4.9 CounterAct is the first initiative of its kind to take a holistic approach and involve the work of all the relevant enforcement agencies. Launching initially within the ‘on-licensed’ sector of pubs, clubs and restaurants, the scheme will in turn be rolled out to the other elements of the licensed trade, i.e., the retail sector and late night takeaway establishments.
- 5. Effect upon Policy Framework& Procedure Rules**
- 5.1 None
- 6. Equality Impact Assessment**
- 6.1 There are no negative equality implications.
- 7. Financial Implications.**
- 7.1 There are no financial implications
- 8. Recommendation.**
- 8.1 The Committee is asked to note the above report.

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**Date 13 January 2012**

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### **Background documents**

Guidance booklet on the CounterAct scheme for licensed premises