

Wolverhampton City Council

OPEN INFORMATION ITEM

Committee / Panel **LICENSING COMMITTEE** Date **17/10/2012**

Originating Service Group(s) **EDUCATION AND ENTERPRISE**

Contact Officer(s)/ **COLIN PARR**

Telephone Number(s) **0105**

Title/Subject Matter **RESPONSIBLE AUTHORITIES FORUM**

RECOMMENDATIONS

Councillors to note:

- (i) the newly established Responsible Authorities Forum; following a number of issues reported by Councillors at Licensing Sub-Committees,
- (ii) the introduction of the Licensing Authority and Public Health as Responsible Authorities following implementation of the Police Reform and Social Responsibility Act 2011.

RESPONSIBLE AUTHORITIES FORUM

1. PURPOSE

1.1 The purpose of this report for Councillors to note:

- (i) the newly established Responsible Authorities Forum; following a number of issues reported by Councillors at Licensing Sub-Committees,
- (ii) the introduction of the Licensing Authority and Public Health as Responsible Authorities following implementation of the Police Reform and Social Responsibility Act 2011.

2. BACKGROUND

2.1 On 25 April 2012 a number of reforms to the Licensing Act 2003 were introduced following the implementation of the Police Reform and Social Responsibility Act 2011.

2.2 Among the reforms was the addition of the Licensing Authority and Public Health as Responsible Authorities under the Licensing Act 2003. Since this revision both services have made representations on several applications.

2.3 In addition to their new role as a Responsible Authority, Public Health are also the city's lead service for the implementation of the Alcohol Strategy, which was presented to the Licensing Committee by the Director of Public Health on 27 June 2012. Discussed at this meeting was closer partnership working between agencies, better sharing and use of intelligence and the development of a code of conduct for alcohol retailers.

2.4 Outside the Police Reform and Social Responsibility Act 2011 and the city's Alcohol Strategy; Councillors have recently fed back a number of issues from Licensing Sub-Committee meetings, these have included;

- inconsistency of representations from individual Responsible Authorities,
- the non-participation of some Responsible Authorities,
- attendance at hearings, and,
- variance in conditions requested by different Responsible Authorities.

3. ESTABLISHMENT OF THE RESPONSIBLE AUTHORITIES FORUM

3.1 In response to the above issues it has been agreed to establish a Responsible Authorities Forum. The Forum has been established to provide a collective approach to executing the various roles agencies have in their capacity as Responsible Authorities. It is envisaged the group will seek to achieve the following;

- share intelligence and data on licensed premises to identify high risk premises and co-ordinate representations and requests for review,
- engage other agencies to provide additional intelligence,
- seek to agree a collective view on policy issues,

3.2 The Forum held its first meeting on 19 September 2012, the minutes from this meeting are attached at Appendix A to this report.

4. FINANCIAL IMPLICATIONS

4.1 There are no direct financial implications arising from this report (JJ/05102012/X).

5. LEGAL IMPLICATIONS

5.1 There are no direct legal implications arising from this report (SH/04102012/H).

6. EQUAL OPPORTUNITIES IMPLICATIONS

6.1 There are no direct equal opportunities implications arising from this report.

7. ENVIRONMENTAL IMPLICATIONS

7.1 There are no direct environmental implications arising from this report.

8. SCHEDULE OF BACKGROUND PAPERS

- Licensing Committee Report - *“Rebalancing the Licensing Act”*, 20 October 2010
- Licensing Committee Report - *“Police Reform and Social Responsibility Bill”*, 23 March 2011
- Licensing Committee Report - *“Police Reform and Social Responsibility Act 2011”*, 1 February 2012
- Licensing Committee Report - *“Wolverhampton Alcohol Strategy”*, 27 June 2012

Responsible Authority Forum

19th September 2012

Conference Room 2, 2nd Floor, Civic Centre
2.00 – 3.00 pm

MINUTES

Attendees:

Chair: Colin Parr, Licensing Manager

Jo Till – Licensing Authority	Natalie Holt – West Midlands Police	Adrian Reeves – West Midlands Police
Stuart Williams – West Midlands Police	Neil Aston-Baugh – West Midlands Fire Service	Jayne Freeman-Evans – Environmental Health
Michelle Smith – Public Health	William Humphries – Trading Standards	

ITEM	ACTION	DEADLINE
<p>1.0 <u>Introductions</u></p> <p>All in attendance introduced themselves. Social Services and Planning have been invited to attend and will continue to be engaged in the future.</p> <p>Apologies from Elaine Moreton, Licensing</p>		
<p>2.0 <u>Police, Reform and Social Responsibility Act 2011 – Licensing Act 2003 changes</u></p> <p>CP explained the rationale for establishing this forum. Following the introduction of the Police Reform and Social Responsibility Act 2011; Public Health and Licensing Authority have been introduced as responsible authorities. Also the Act introduced a number of changes to the Licensing Act, including the ‘Late Night Levy’ & ‘Early Morning Restriction Orders’ which will require discussion at a later date to establish a collective view.</p> <p>A discussion then took place about the views of the agencies in relation to the ‘Late Night Levy’ and ‘Early Morning Restriction Order’. The role of the Police and Crime Commission was discussed and it was suggested to invite the PCC to this forum once elected.</p>		
<p>3.0 <u>Frequency, Administration, representations and chairing of meetings</u></p> <p>All agreed that the meetings will take place on a monthly basis. JT will administer the meeting and the chair will be in place on a 6 months basis.</p>		

<p>CP will chair the initial 6 months as the group becomes established. JFE volunteered to take over the next period, CP advised JT to ensure that establishing the next chair should be the first item of business at each hand over of the chairing of the meeting.</p> <p>ACTION: JT to set next chair on agenda at every change of chair.</p>		
<p>4.0 <u>Draft 'Terms of Reference'</u></p> <p>CP will draft a terms of reference and distribute prior to the next meeting to establish a collective agreement. Once the TOR is agreed by responsible authorities then a formal consultation will take place with various stakeholders including Licensing Forum and Licensing Committee.</p> <p>ACTION: CP to draft TOR and circulate</p>	CP	15/10/2012
<p>5.0 <u>Data Sharing</u></p> <p>In order for this group to work together effectively it is essential that any information that each RA becomes aware of is shared. This will include information not only from RA but from other areas of the authority.</p> <p>ACTION: JT to speak to ASBU regarding data they hold that may support the work of the RA Forum.</p>	JT	23/10/12
<p>6.0 <u>Model conditions</u></p> <p>A discussion took place on "Model conditions" that could be developed. The Council's 'Statement of Licensing Policy' outlines a number of model conditions, however these were seldom referred to and need updating.</p> <p>MS also mentioned the 'code of conduct' the Licensing Committee has requested. It was agreed that this would be incorporated into the development of the model conditions when the Statement of Licensing Policy was reviewed.</p>		
<p>7.0 <u>Multi-agency enforcement task force</u></p> <p>The MAETF is already an established group, however there will be work from the RA forum that is fed into the task forces and regular updates were requested and will be a standing agenda item.</p> <p>ACTION: JT to add Multi-Agency enforcement task force to RA Forum agenda.</p>		
<p>8.0 <u>Reviews and representations</u></p> <p>The RA forum will be used to look at the information received through the data sharing agreement to establish if there is a requirement to make</p>		

<p>representations to an application or to review an existing premises licence.</p> <p>ACTION: RA's to provide premises for discussion</p>		
<p>9.0 <u>Any Other Business</u></p> <p>WH has requested that should there be any information that RA become aware of that involves children, please ensure that Trading Standards are made aware.</p> <p>It may be helpful if a document is developed that outlines this groups thoughts on Irresponsible Drinks Promotions.</p> <p>ACTION: JT to look at other councils for examples of best practice</p> <p>MS advised that there appears to be a trend with young people moving from Alcohol to drugs, commonly cannabis. TSD will develop test purchases to cover tobacco products.</p>		
<p><u>Date & time of next meeting</u></p> <p>23rd October 2012 Committee Room 3, 3rd Floor, 2pm – 4pm</p>		