

Wolverhampton City Council

OPEN DECISION ITEM

Committee / Panel	<u>LICENSING COMMITTEE</u>	Date	<u>22/05/13</u>
Originating Service Group(s)	<u>EDUCATION AND ENTERPRISE</u>		
Contact Officer(s)/	<u>COLIN PARR</u>		
Ext	<u>0105</u>		
Title/Subject Matter	<u>LICENSING COMMITTEE NIGHT TIME ECONOMY VISITS PROTOCOL</u>		

RECOMMENDATIONS

The Licensing Committee are recommended to:

- (i) Approve the protocol for Licensing Committee night time economy visits attached at Appendix A.

LICENSING COMMITTEE NIGHT TIME ECONOMY VISITS PROTOCOL

1.0 PURPOSE OF THE REPORT

1.1 To agree the Licensing Committee protocol for night time economy visits attached at Appendix A.

2.0 BACKGROUND

2.1 The Functions of the Licensing Committee are broad and varied. However a number of the Committee's core functions have a direct and significant impact on the city's night time economy. Specifically, the Licensing Committee execute functions relating to the following activities:

- Alcohol Licensing
- Late Night Refreshment
- Hackney Carriage and Private Hire Licensing
- Taxi Marshalling Service

2.2 It is therefore important that Councillors of the Licensing Committee are familiar with the multi-agency approach adopted by the Council and partners to managing the night time economy.

2.3 Additionally when determining policy for functions such as those above it is seen as important that Councillors are aware of the challenges faced by agencies and the impact that their decisions will have on businesses.

2.4 As such employees from Licensing Services co-ordinate an annual night time economy visit for Councillors of the Licensing Committee and the Vibrant, Safe and Sustainable Communities Scrutiny Panel.

2.5 To ensure that such visits are demonstrably for the purpose of assisting Councillors in their role of agreeing policies for the various functions for which the Licensing Committee is responsible and not as part of determining individual applications a protocol has been developed for Licensing Committee night time economy visits.

2.6 A copy of the protocol is attached at Appendix A to this report.

3.0 FINANCIAL IMPLICATIONS

3.1 There are no financial implications arising from this report. [TK/09052013/T]

4.0 LEGAL IMPLICATIONS

4.1 There are no direct legal implications arising from this report. [SH/09052013/U]

5.0 EQUALITIES IMPLICATIONS

5.1 This report has no equalities implications.

6.0 ENVIRONMENTAL IMPLICATIONS

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

LICENSING COMMITTEE NIGHT TIME ECONOMY VISITS

Councillor Protocol

1.0 Introduction

1.1 The Functions of the Licensing Committee are broad and varied. However a number of the Committee's core functions have a direct and significant impact on the city's night time economy. Specifically, the Licensing Committee execute functions relating to the following activities:

- Alcohol Licensing
- Late Night Refreshment
- Hackney Carriage and Private Hire Licensing
- Taxi Marshalling Service

1.2 It is therefore important that Councillors of the Licensing Committee are familiar with the multi-agency approach adopted by the Council and partners to managing and regulating the night time economy.

1.3 Additionally when determining policy for functions such as those above it is seen as important that Councillors are aware of the challenges faced by agencies and the impact that their decisions will have on businesses.

1.4 For these reasons employees from Licensing Services have co-ordinated an annual night time economy visits for Councillors of the Licensing Committee and the Vibrant, Safe and Sustainable Communities Scrutiny Panel.

2.0 Night Time Economy Visit

2.1 The night time economy visit is:-

- (i) A fact finding exercise;
- (ii) Not part of the formal consideration of any application;
- (iii) To enable employees and partner agencies to highlight how the night time economy is managed and challenges this presents holistically, without reference to any specific premises or licence holder;
- (iv) To enable questions to be asked for clarification.

2.2 At the night time economy visit Councillors shall be accompanied by the Licensing Manager and/or a Section Leader, plus other officers as appropriate to the visit.

- 2.3 Councillors may ask factual questions of employees regarding the management and regulation of the night time economy. However, discussions on the merits of any current applications or issues at specific premises will not take place.
- 2.4 Due to the unique challenges of managing a visit for potentially over twenty Councillors to the night time economy compared to say a planning site visit to a potential new development, the police will also be present and support any visit. As with employees the police will answer any factual questions regarding the management of the night time economy, but will not discuss current applications or issues at any specific premises.
- 2.5 Employees from Licensing Services will determine the agenda for any night time economy visit and will, where possible, ensure that premises which are currently subject to an application are not included as part of any visit.
- 2.6 Whilst it is noted that current applications should not be discussed, there may be occasions when Councillors may, by chance, witness incidents at premises that are subsequently brought before a Licensing Sub-Committee for consideration. In such circumstances Councillors may decide they do not wish to participate in any decision making however where they do any incidents/activities witnessed first hand as part of the night time economy visit will not be taken into account when arriving at their decision and instead consideration will only be given to the representations and submissions made at the Licensing Sub-Committee hearing.