



Licensing Committee

10 September 2014

Time 10.00 am **Public Meeting?** YES **Type of meeting** Regulatory
Venue Committee Room 2 - Civic Centre, St Peter's Square, Wolverhampton WV1 1SH

Membership

Chair Cllr Bishan Dass (Lab)
Vice-chair Cllr Alan Bolshaw (Lab)

Labour

Cllr Greg Brackenridge
Cllr Ian Claymore
Cllr Craig Collingswood
Cllr Susan Constable
Cllr Harman Banger
Cllr Milkinderpal Jaspal
Cllr Rita Potter

Conservative

Cllr Mark Evans
Cllr Patricia Patten
Cllr Paul Singh

Liberal Democrat

Quorum for this meeting is three Councillors.

Information for the Public

If you have any queries about this meeting, please contact the democratic support team:

Contact Linda Banbury, Democratic Support Officer
Tel/Email Email: linda.banbury@wolverhampton.gov.uk Tel: 01902 555040
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Wolverhampton WV1 1RL

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Email democratic.support@wolverhampton.gov.uk
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Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

Agenda

Part 1 – items open to the press and public

Item No. Title

BUSINESS ITEMS

- 1 **Apologies for absence**
- 2 **Declarations of interest**
- 3 **Minutes of previous meetings** (Pages 1 - 36)
 - (a) Licensing Committee – meetings, 18 June, 25 June and 9 July 2014 (for approval)
 - (b) Licensing Sub-Committee – meetings 2 July, 11 July and 6 August (for approval and adoption)
 - (c) Licensing Sub-Committee (Private Hire and Hackney Carriage) – meetings 18 June and 13 August 2014 (for approval and adoption)
- 4 **Matters arising**
- 5 **Schedule of outstanding minutes** (Pages 37 - 38)

DECISION ITEMS

- 6 **Update on Wolverhampton Alcohol Strategy - 2011-15** (Pages 39 - 64)
To consider and comment on the update
- 7 **Private Hire Vehicle Roof Signs** (Pages 65 - 70)
To consider the requirement to display signs and endorse the implementation of a formal consultation process.
- 8 **Exclusion of Press and Public**
To pass the following resolution:
That in accordance with section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business as it involves the disclosure of exempt information falling within paragraph 3 of Schedule 12A to the Act relating to the business affairs of particular persons.

PART II - PRESS AND PUBLIC EXCLUDED

- 9 **Summary of Officer Decisions - Municipal Year 2013-14** (Pages 71 - 104)
To consider the report

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Licensing Committee

Minutes - 18 June 2014

Attendance

Members of the Licensing Committee

Cllr Bishan Dass (Chair)
Cllr Alan Bolshaw (Vice-Chair)
Cllr Greg Brackenridge
Cllr Ian Claymore
Cllr Craig Collingswood
Cllr Harman Banger
Cllr Mark Evans
Cllr Milkinderpal Jaspal
Cllr Rita Potter
Cllr Paul Singh

Employees

Linda Banbury	Democratic Support Officer
Andy Jervis	Head of Regulatory Services
Colin Parr	Licensing Manager
Elaine Moreton	Section Leader - Licensing
Robert Marshall	Solicitor
Jacky Bramley	Legal Executive/Assistant

Part 1 – items open to the press and public

Item No. *Title*

- 1. Apologies for absence**
An apology for absence was submitted on behalf of Councillor Patricia Patten.
- 2. Declarations of interest**
There were no declarations of interest.
- 3. Minutes of previous meetings**
Resolved:
 - (a) That the minutes of the meeting held on 26 March 2014 be approved as a correct record.
 - (b) That the minutes of the meetings of the Licensing Sub-Committee held on 26 March, 2, 16 and 30 April be approved as a correct record and adopted.

4. **Matters arising**

Pursuant to minute 4 of the meeting of the Committee on 26 March 2014, Colin Parr referred to incidents in the city centre over the last year caused by tensions between hackney carriage drivers. These incidents had led to three revocations of licences and subsequent appeals to the magistrates' court. Two appeals had been deferred, one suspension appeal dismissed and a further appeal hearing was pending. The Licensing Sub-Committee had revoked and refused to renew a private hire vehicle operator's licence; the subsequent appeal had been dismissed in the Magistrates' Court and was due to be heard in the Crown Court. He further reported that issues of driver conduct had been discussed at the hackney carriage and private hire working groups.

Pursuant to minute 8 of the meeting of the Committee on 26 March 2014, Colin Parr advised that feedback from the police indicated that licensees in the City Centre had promoted responsible working practices during the relaxation of the of licensing hours agreed for the period of the FIFA World Cup 2014.

5. **Schedule of outstanding minutes**

A report was submitted, which detailed outstanding items for consideration by the Committee. Linda Banbury advised that item 5 (Scrap metal Dealers Act) should be withdrawn as the progress report had been considered at the previous meeting.

Resolved:

That the report be received.

6. **Review of decision making 2014/15**

Colin Parr presented a report, which sought endorsement and approval of a proposed decision making process and delegations in relation to category 2 and 3 decision making to the Strategic Director for Education and Enterprise. He referred to the decision tracking report, providing a summary of issues considered by the Licensing Committee during the 2012/13 municipal year which was presented in May 2013 and advised that a similar report would be produced for the 2013/14 municipal year.

Resolved:

(a) That the proposed decision making process and proposed delegations in relation to category 2 and 3 decision making powers to the Strategic Director for Education and Enterprise be endorsed and approved.

(b) That annual delegation update reports be presented at the beginning of each municipal year.

7. **Hackney Carriage and Private Hire vehicle testing at VOSA registered garages**

Elaine Moreton presented a report, which informed the Committee of the impact of the twelve month pilot scheme relating to the testing arrangements for hackney carriage and private hire vehicles at Council approved VOSA registered garages. The report sought approval to making the pilot scheme permanent and extension of the approval fee for existing garages until 31 March 2015. It was noted that VOSA's

compliance and enforcement division was responsible for carrying out any checks on the garages and would inform Licensing should the Green status of any of the establishments come into question.

Resolved:

(a) That the twelve month pilot scheme relating to testing arrangements for hackney carriage and private hire vehicles at VOSA registered garages, adopted by the Licensing Committee on 17 April 2013, be made permanent.

(b) That payment of an approval fee to the Council for the existing garages registered be extended until 31 March 2015 and included in the 2015/16 fees and charges report.

(c) That the list of Council approved MOT testing stations for hackney carriage and private hire vehicles be emailed to the Licensing Committee members.

8. **City centre street trading designation of licensed streets**

Colin Parr presented a report, which sought approval to commence the statutory process to designate the streets within the ring road of the city centre as licensed streets rather than consented streets for the purpose of street trading. A further report would be presented at the end of the 28 day consultation period requesting the Licensing Committee to recommend full Council to adopt the resolution for the new street trading process, subject to any variations of the draft proposals as a result of the consultation process. This proposal formed part of the bigger picture for the city centre strategy and consideration would be given in the future to extending these street trading proposals to other areas of Wolverhampton.

Resolved:

(a) That approval be given to the commencement of the process to re-designate the streets within the ring road of Wolverhampton city centre as licensed streets for the purpose of street trading.

(b) That approval be given to the commencement of the process to rescinding the existing designation relating to consent streets within Wolverhampton city centre ring road for the purpose of street trading.

(c) That a notice be published in a local newspaper containing the draft resolution on the proposed designations.

(d) That a further report be presented at the end of the consultation period.

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Licensing Committee

Minutes - 25 June 2014

Attendance

Members of the Licensing Committee

Cllr Bishan Dass (Chair)
Cllr Alan Bolshaw (Vice-Chair)
Cllr Greg Brackenridge
Cllr Ian Claymore
Cllr Craig Collingswood
Cllr Susan Constable
Cllr Harman Banger
Cllr Mark Evans
Cllr Milkinderpal Jaspal
Cllr Rita Potter

In attendance

Core Casino Evaluation Panel

Keith Ireland
Martin Fox
Ewen MacGregor
Andy Perry
Paul Sculpher
Angela Hoyle

WCC Strategic Director (Delivery)
WCC Interim Head of Finance
Legal expert
Regeneration expert
Gambling Industry expert
On behalf of Paul Doherty, WCC Head of Skill Development

Naomi Gilchrist

External legal adviser to the Licensing Committee

Employees

Linda Banbury
Keith Ireland
Colin Parr
Ruth Taylor

Democratic Support Officer
Strategic Director, Delivery
Licensing Manager
Development and Regeneration Surveyor/Officer

Part 1 – items open to the press and public

Item No. *Title*

BUSINESS ITEMS

- 1 **Apologies for absence**
Apologies for absence were submitted on behalf of Councillors Patricia Patten and Paul Singh.
- 2 **Declarations of interest**

There were no declarations of interest.

DECISION ITEM

3 **Gambling Act 2005 - Small Casino Premises Licence Stage 2 Award**

The Strategic Director, Delivery presented a report which advised the Committee on the work of the Casino Evaluation Panel at stage 2 of the small casino premises licence application process and recommended that Wolverhampton small casino premises licence be granted to Casino 36 Ltd. He advised that, as the Council's Corporate landlord, he had had no involvement in respect of the planning permissions or the sale of the property.

The members of the Casino Core Evaluation Panel which included experts in the gambling industry were introduced to the Committee and they briefly outlined their backgrounds and involvement to date.

Naomi Gilchrist advised the Committee that Casino 36 currently held an operating licence under the Gambling Act 1968. They were further advised that Casino 36 cannot operate under two licences and would either have to surrender or transfer the current licence to another premises, prior to the Licensing Authority issuing the small casino premises licence. It was confirmed that the Committee was recommended to 'grant' rather than 'award' the licence and that the legislation and guidance was contradictory in this respect.

Ewen Macgregor advised that it was the expectation of the Evaluation Panel that the premises would be completed in accordance with the plans submitted as part of the application, prior to the issue of the licence. Naomi Gilchrist advised that, should the Committee be minded to grant the Licence, they might wish to attach conditions to ensure that this expectation is realised; the Licensing Authority would then issue the licence as soon as reasonably practicable in accordance with section 164 of the Act.

Responding to questions Mr Ballard and his legal representative confirmed that:

- the additional 133 jobs were full time equivalents;
- alcohol would not be served 24 hours per day;
- all staff are trained in regard to social responsibility by a member of staff approved by the Gambling Commission;
- an undertaking had been given to the local church to provide training for their staff in recognising problem gamblers;
- consideration would be given to any request for an extension passed the agree three year period to sponsor local counselling programmes should this prove necessary, and
- Casino 36 is an existing building and it is planned that works will be carried out in various phases operating under the small casino premises licensing from the outset. It was not possible to move into the new area under the existing licence (the applicant indicated that he had not been made aware that conditions were being proposed until the previous evening).

Resolved:

- (a) That Wolverhampton's Gambling Act 2005 small casino premises licence be granted to Casino 36 Ltd.

(b) That a further meeting of the Licensing Committee be scheduled to take place at 10am on 9 July 2014 to consider condition/s to be added to the licence and that, in the meantime, officers meet with the applicant and his legal adviser to discuss the proposed condition/s

(c) That a further report be presented to the Cabinet (Resources) Panel in order to agree the proposed mechanisms to spend Casino 36 Ltd.'s financial contribution to the Licensing Authority as follows:

£9,000 to support 90 counselling programmes for problem gamblers and their families, and

£27,000 to be used for community initiative grants of up to £3,000 against a criteria to be determined.

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Licensing Committee

Minutes - 9 July 2014

Attendance

Members of the Licensing Committee

Cllr Bishan Dass (Chair)
Cllr Alan Bolshaw (Vice-Chair)
Cllr Greg Brackenridge
Cllr Ian Claymore
Cllr Craig Collingswood
Cllr Harman Banger
Cllr Mark Evans
Cllr Milkinderpal Jaspal
Cllr Patricia Patten
Cllr Rita Potter
Cllr Paul Singh

Employees

Linda Banbury	Democratic Support Officer
Jacky Bramley	Legal Executive/Assistant
Sarah Hardwick	Solicitor
Colin Parr	Licensing Manager
Ruth Taylor	Development and Regeneration Surveyor/Officer

Also in attendance

Naomi Gilchrist	Legal advisor to the Licensing Committee
Ewen MacGregor	Legal Advisor to the Casino Evaluation Panel

Part 1 – items open to the press and public

Item No. *Title*

- 1 Apologies for absence**
An apology for absence was submitted on behalf of Councillor Susan Constable.
- 2 Declarations of interest**
There were no declarations of interest.
- 3 Gambling Act 2005 - Small Casino Licence**
Naomi Gilchrist reminded the Committee that the last meeting had been adjourned in order to consider whether or not it was necessary to attach conditions to the Small Casino Licence for Casino 36, to ensure that the premises did not operate before being fully compliant with the plans submitted to the local authority. She further advised that meetings had been held with the applicant and it was the view of all

parties that this course of action was not necessary as the mandatory conditions would suffice.

It was noted that the Licence could not operate until the current 1968 Licence had been varied to remove it from the current premises. The legislation required the Licensing Committee to decide when the variation should take effect and, at that time, consideration would be given to whether any additional conditions should be attached to the Licence.

The Committee agreed to course of action as outlined above by the Legal Advisor.



Licensing Sub-Committee (Private Hire/Hackney Carriage)

Minutes - 18 June 2014

Attendance

Members of the Licensing Sub-Committee (Private Hire/Hackney Carriage)

Cllr Alan Bolshaw
Cllr Bishan Dass (Chair)
Cllr Mark Evans

Employees

Linda Banbury	Democratic Support Officer
Jacky Bramley	Legal Executive/Assistant
Robert Marshall	Solicitor
Elaine Moreton	Section Leader - Licensing

Part 1 – items open to the press and public

Item No. *Title*

BUSINESS ITEMS

- 1 Apologies for Absence**
There were no apologies for absence.
- 2 Declarations of Interest**
There were no declarations of interest.
- 3 Exclusion of Press and Public**
Resolved:
That in accordance with Section 100A94) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business as it involves the likely disclosure of exempt information falling within paragraph 3 of Schedule 12A to the Act relating to the business affairs of particular persons.

DECISION ITEMS

- 4 Review of a Private Hire Vehicle Driver's Licence**
Elaine Moreton advised the Sub-Committee that Mr S had the previous day voluntarily surrendered his licence. The Sub-Committee therefore did not consider this matter.
- 5 Application for a Hackney Carriage driver's licence and a Private Hire Vehicle driver's licence**

The chair welcomed everyone to the meeting, introductions were made and he outlined the procedure to be followed.

The Section Leader (Licensing) outlined the report which had been circulated to all parties in advance of the meeting.

Mr P was in attendance at the meeting in connection with his application for a private hire vehicle driver's licence/hackney carriage driver's licence and answered questions raised by councillors and employees as appropriate.

The Section Leader (Licensing) and Mr P withdrew from the meeting to enable the Sub-Committee to reach their decision. The Solicitor advised them of the options open to them in determining the application.

The Sub-Committee considered all the evidence before them both written and oral. However, they did not believe that Mr P was a fit and proper person to hold a licence and it was:

Resolved:

In accordance with sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976, the application by Mr P for a private hire vehicle driver's/hackney carriage driver's licence be not granted. This decision is also made in accordance with paragraph 5.1.12(a) of the guidelines relating to the relevance of convictions and breaches of licence conditions agreed by the Licensing Committee on 25 July 2012.

The applicant has a right of appeal against the decision of the Sub-Committee, to the Magistrates' Court within 21 days of written receipt of this decision.



Licensing Sub-Committee

Minutes - 2 July 2014

Attendance

Chair Cllr Alan Bolshaw (Lab)

Labour

Cllr Bishan Dass
Cllr Rita Potter

Conservative

Employees

Linda Banbury
Rob Edge
Sarah Hardwick

Democratic Support Officer
Section Leader - Licensing
Solicitor

Item No. Title

1 Apologies for absence

There were no apologies for absence.

2 Declarations of Interest

There were no declarations of interest.

3 Licensing Act 2003 - application for a premises licence in respect of African Village, 179 Stafford Street, Wolverhampton

In attendance

For the premises

Mr S Aguh - Applicant
Mrs S Aguh - Co-owner

Responsible Authorities

WPC Lisa Davies - West Midlands Police
Andrew Clarke - Environmental Health (Commercial)
Elaine Moreton - Licensing Authority

The chair introduced the parties and outlined the procedure to be followed at the meeting.

The Section Leader (Licensing) outlined the report submitted to the meeting and circulated to all parties in advance.

Mrs Aguh outlined the application for a premises licence, advising the Sub-Committee of similar premises in Birmingham and Coventry. She advised that they were not familiar with the concept of a Cumulative Impact Zone and had used a number of Temporary Event Notices to judge whether a venue promoting African culture and food would work in Wolverhampton.

Responding to questions, Mrs Aguh indicated that there had been ten temporary events over a period of twelve months and that the only problems related to noise due to the bass level of the music which had now been rectified. There had only been one incident involving the police, when the call had been made by the premises when they had problems with one individual they did not wish to gain entry.

At this juncture the responsible authorities outlined their representations. WPC Davies advised that suggested amendments to the operating schedule had been agreed, in principle, with the applicant on 4 June and would be content for the licence to be granted subject to these conditions. She indicated that there had been no incidents involving the Police in regard to the premises in Birmingham and Coventry. During the period of questioning, Mrs Aguh indicated that she had been consulting with companies supplying door supervision staff, and was concerned that she might not always be able to employ a female member of staff. The Section Leader (Licensing) suggested that the licence could include a condition that the Police

Licensing Unit be advised in the event that a female supervisor could not be employed. WPC Davies indicated her acceptance of this suggestion, indicating that it should be possible to meet the requirement in the majority of cases.

Andrew Clarke advised that the representations of Environmental Health (Commercial) had been made due to the lack of information on the initial application. He indicated that four noise complaints had been received, officers had attended but none could be substantiated. He would be content for the licence to be granted subject to the inclusion of the proposed conditions in regard to the prevention of public nuisance licensing objective.

Elaine Moreton advised that the Licensing Authority had suggested that the applicant submit a new premises licence application because of the material changes to the licence. She indicated that she had consulted with the applicant regarding the capacity which should be restricted to 60.

The Section Leader (Licensing) advised that the applicant would be recommended to surrender the current licence should the new application be granted.

All parties were afforded the opportunity to make a final statement.

4 Exclusion of press and public

Resolved:-

That in accordance with section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting at his point as it involves the likely disclosure of exempt information falling within paragraph 3 of Schedule 12A to the Act relating to the business affairs of a particular person.

5 Deliberations and decision

The Sub-Committee discussed the issues which had been raised during consideration of the application for a premises licence and the Solicitor advised them of the options to them in determining the application.

6 Re-admission of press and public

The parties returned to the meeting and the Solicitor outlined the decision of the Sub-Committee as follows.

7 Announcement of decision

The Sub-Committee have taken note of all the written concerns raised in respect of African Village, 179 Stafford Street, Wolverhampton. They have listened to the arguments of those who have spoken at this hearing, both for and against the application.

The Sub-Committee are satisfied that the Cumulative Impact Policy applies to these premises. They are further satisfied that sufficient evidence has been provided by

the applicant to illustrate that the premises will not add to the cumulative impact already experienced and that the presumption of non-grant has been rebutted.

Having considered the views of all concerned, the Sub-Committee have decided that the premises licence should be granted, subject to the following conditions agreed between the applicant, West Midlands Police, Environmental Health Commercial and Licensing Authority, for inclusion in the operating schedule:

Prevention of Crime and Disorder

- A CCTV system with recording equipment shall be installed and maintained at the premises.
- CCTV should cover entry and exit points of the premises and all areas where alcohol/money is served/taken and all areas to where public have access and the immediate vicinity outside the premises.
- Images and recordings to be downloaded in a suitable format and provided to any member of a responsible authority upon request and without undue delay.
- Images and recordings must be of evidential quality, must indicate the correct time and date and be kept for at least 31 days.
- All staff to be trained to use the CCTV system and at least one member of staff to be on duty who is trained to download the systems images should any member of a responsible authority make a request.

An incident log must be maintained at the premises and a written record of any incident that occurs at the premises must be appropriately recorded. Where it is deemed appropriate the incident must be reported to the West Midlands Police. The incident log book shall be produced to a member of a responsible authority upon request.

All staff shall receive training and refresher training every 6 months on their responsibilities with regard to licensing legislation. This training shall be documented and shown to a member of a responsible authority upon request.

To ensure compliance with 'Challenge 25', a refusals book will be maintained where any sale of alcohol is refused to persons who present themselves to be underage.

No person who is drunk or disorderly shall be allowed access or to be allowed to remain in the premises.

Documentation shall be maintained of refusals of sales of alcohol to persons presenting as being intoxicated.

There shall be no new admissions to the premises after 0200 hours.

A radio link system shall be employed at the premises and used for contact with other premises in Wolverhampton and the main Wolverhampton camera facility. This system shall be kept in good working order and monitored by a responsible member of staff.

Any door supervisor employed at the premises shall wear high-visibility attire (tabards/jackets, that have a highly reflective colour that is easily discernible from

any background) and should use an electronic wand/glove or other electronic searching device in their searching process.

Prevention of Public Nuisance

After 2200 hours on Friday and Saturday evenings, SIA registered door supervisors, one of which will be female, shall be employed at the minimum of 1:30 customers (or part thereof) at the premises.

A register shall be maintained of all persons engaged as door supervisors to include the name and SIA number of the staff and the time and date duties commenced and finished.

Noise and/or vibration shall not be allowed to emanate from the premises so as to cause a nuisance to nearby properties or residents.

All doors and windows should remain closed at the premises during regulated entertainment, except for access to and egress from the premises.

Protection of Children from Harm

All staff shall be trained in 'Challenge 25' and all appropriate ID checks shall be undertaken by all staff to ensure no sale of alcohol is made to underage persons.

In addition, the applicant has agreed to the following:

1. With regard to the provision of female SIA registered door supervisors – on occasions when a female door supervisor cannot be secured, the premises licence holder should inform the West Midlands Police Licensing Department.
2. Maximum capacity at the premises shall be 60.
3. The premises licence holder shall attend the Pub Watch scheme.

It is considered by the Sub-Committee that the above conditions should be attached in support of the prevention of crime and disorder and prevention of public nuisance licensing objectives.

Finally such conditions as are specified on/or are consistent with the operating schedule will be attached to the licence, together with any mandatory conditions required by the Act.

All parties have a right of appeal to the Magistrates' Court within 21 days of receipt of this decision.

8 Licensing Act 2003 - application for a premises licence in respect of Cute Coffee Lounge, 72 School Road, Wolverhampton

In Attendance

Premises

Mr R Leo - Applicant

Responsible Authorities

WPC Lisa Davies - West Midlands Police
Charlotte Rose - Environmental Health (Commercial)
Elaine Moreton - Licensing Authority
Mr G Litton,
Ms P Bell,
Mr J Lloyd and
Mr M Bellamy - Interested Parties

The chair introduced the parties and outlined the procedure to be followed at the meeting.

The Section Leader (Licensing) outlined the report submitted to the meeting and circulated to all parties in advance.

Mr Leo outlined his application indicating that the original application had covered more hours than would actually be required and it was unlikely that the premises would be open beyond 2000 hours.

The Sub-Committee were advised that the applicant had met with the West Midlands Police, Environmental Health (Commercial) and the Licensing Authority, and he had signed up to proposed conditions. Copies were circulated to the Sub-Committee members at the meeting.

Responding to questions, Mr Leo indicated that he leased only part of the former public house building and this included a hairdressing salon. He indicated that alcohol sales would be for on the premises only. However, it was clarified that a condition would be required to allow customers to take home a re-sealed and partly drunk bottle of wine if necessary. It was noted that, should the applicant require to extend the hours of the licence on any occasion he would apply for a Temporary Event Notice, adding that music would be for background purposes only.

The responsible authority representatives were content that the proposed conditions would be sufficient to promote the licensing objectives and agreed to withdraw their objections. The interested party representatives, having now been advised of the details of the amended application had no objections to the licence.

All parties were afforded the opportunity to make closing statements.

9 **Exclusion of press and public**

Resolved:-

That in accordance with section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting at his point as it involves the likely disclosure of exempt information falling within paragraph 3 of Schedule 12A to the Act relating to the business affairs of a particular person.

10 **Deliberations and decision**

The Sub-Committee discussed the issues which had been raised during consideration of the application for a premises licence and the Solicitor advised them of the options to them in determining the application.

11 **Re-admission of press and public**

The parties returned to the meeting and outlined the decision of the Sub-Committee as follows

12 **Announcement of decision**

The Sub-Committee have taken note of all the written concerns raised in respect Cute Coffee Lounge, 72 School Road, Wolverhampton. They have listened to the arguments of those who have spoken at this hearing, both for and against the application.

Having considered the views of all concerned, the Sub-Committee have decided that the premises licence should be granted as applied for, subject to the modifications/conditions agreed between the responsible authorities and the applicant as follows:

Conditions agreed between the Licensing Authority and the applicant on 9 June 2014

- The hours for sale/supply of alcohol on the premises to be:

Sunday to Thursday	1000 to 2230 hours
Friday and Saturday	1000 to 2300 hours

- The hours for sale/supply of alcohol off the premises to be:

Sunday to Thursday	1000 to 2230 hours
Friday and Saturday	1000 to 2300 hours

- Only patrons ordering table meals, seated refreshments and/or services shall be permitted to purchase alcohol for supply off the premises.

- The hours for recorded music to be:

Monday to Sunday	1000 to 2230 hours for indoors only
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- The hours applied for live music and late night refreshment to be removed from the operating schedule entirely.

- Opening hours to be:

Sunday to Thursday	0800 to 2300 hours
Friday and Saturday	0800 to 0000 hours

Conditions agreed between the West Midlands Police and the applicant on 5 June 2014

Prevention of Crime and Disorder

To ensure compliance with 'Challenge 25', a refusals book will be maintained where any sale of alcohol is refused to persons who present themselves to be underage.

An incident log must be maintained at the premises and a written record of any incident that occurs at the premises must be appropriately recorded. Where it is deemed appropriate the incident must be reported to the West Midlands Police. The incident log book shall be produced to a member of a responsible authority upon request.

Protection of Children from Harm

All staff shall be trained in 'Challenge 25' and all appropriate ID checks shall be undertaken by all staff to ensure no sale of alcohol is made to underage persons.

For clarification, reference to children being allowed to attend the premises after 2300 hours at section N of the application is deleted from the licence.

It is considered by the Sub-Committee that the above conditions should be attached in support of the prevention of crime and disorder and prevention of public nuisance licensing objectives.

Finally such conditions as are specified on/or are consistent with the operating schedule will be attached to the licence, together with any mandatory conditions required by the Act.

All parties have a right of appeal to the Magistrates' Court within 21 days of receipt of this decision.



Licensing Sub-Committee

Minutes - 11 July 2014

Attendance

Chair Cllr Alan Bolshaw (Lab)

Labour

Cllr Ian Claymore
Cllr Rita Potter

Conservative

Employees

Linda Banbury
Rob Edge
Sarah Hardwick

Democratic Support Officer
Section Leader - Licensing
Solicitor

Item No. *Title*

1 Apologies for Absence

There were no apologies for absence.

2 Declarations of Interest

There were no declarations of interest.

3 Licensing Act 2003 - Review of a premises licence in respect of Cameron Convenience Store, 575 Parkfield Road, Wolverhampton

In attendance

For the premises

Mr A Salvo – Premises Licence Holder

Responsible Authority

Dianne Slack – Environmental Health (Commercial)

The chair introduced the parties and outlined the procedure to be followed at the meeting.

The Section Leader (Licensing) outlined the report submitted to the meeting and circulated to all parties in advance.

Dianne Slack outlined the review application which was attached at Appendix 3 to the Licensing Officer's report.

Responding to questions, she indicated that advice had been given to the premises licence holder to ensure that he understood the legislation. She stated that he had taken responsibility for the underage sales, had learned lessons from the incidents and had implemented the requested till prompt, refusals log and signage. She believed that the proposed due diligence conditions would assist the premises licence holder in promoting the licensing objectives.

At this juncture Mr Salvo present his case and, in so doing, advised that he had now relinquished his full-time employment in order to concentrate on the convenience store and was only away from the premises when he needed to go to the cash and carry.

Responding to questions, he advised that either his father or girlfriend were on the premises in his absence adding that he could access the CCTV via his phone and that all staff were now aware of the requirement to ask for identification. He confirmed that the premises would not close after 9pm.

Both parties were afforded the opportunity to make closing statements.

4 Exclusion of Press and Public

Resolved:

That in accordance with section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting at this point as it involves the likely disclosure of exempt information falling within paragraph 3 of Schedule 12A to the Act relating to the business affairs of a particular person.

5 Deliberations and decision

The Sub-Committee discussed the issues which had been raised during consideration of the review of the premises licence and the Solicitor advised them of the options open to them in determining the matter.

6 Re-admission of press and public

The parties returned to the meeting and were advised of the Sub-Committee's decision as follows:

7 Announcement of decision

An application has been made by Trading Standards for a review of the Premises Licence in respect of Cameron Convenience Store, 575 Parkfield Road, Parkfields, Wolverhampton.

At this hearing to review the Premises Licence, the Licensing Sub-Committee has listened carefully to the submissions made Trading Standards and the Premises Licence Holder.

Based upon the above and having regard to the application and representations made, the Sub-Committee have decided to modify the conditions of the Licence permanently. The following due diligence conditions will be attached to the licence:

1. All persons selling alcohol must be trained before they are allowed to sell alcohol to the public. Refresher training must be undertaken at regular intervals. Records must be kept of training by the Designated Premises Supervisor (DPS). Persons selling alcohol must be authorised in writing by the DPS. The records of training and persons authorised to sell alcohol must be kept on the premises during opening hours and must be available on request to an officer of a Responsible Authority.
2. A 'Challenge 25' and 'No ID No Sale' policy, which is supported with signage at all entrances where alcohol is displayed and at the till, must be implemented; this is the responsibility of the DPS.
3. An electronic or written till prompt or a notice must be secured to the till at eye level to remind staff that they must ask for ID if a customer looks under 25.
4. Only documents which include a photograph of the purchaser and their date of birth should be accepted to prove that person's age, e.g. Validate Card or Citizen's Card.

5. A refusals log must be maintained, which documents the date and time a refusal is made, the reason for the refusal and the member of staff refusing the sale. The DPS must monitor the log on a regular basis and sign it to show it has been done. The log must be kept on the premises during opening hours and must be made available on request to an officer of a Responsible Authority.
6. Evidential quality CCTV should be installed and maintained to a high standard, with images/recordings to be kept for 31 days and to be made available upon request to an officer from a Responsible Authority. At any time there should be at least one member of staff available to download CCTV. CCTV should cover entry and exit points of the premises, areas where alcohol is served and money is taken and all areas to which the public have access.
7. The DPS must have responsibility for the day to management of the sale of alcohol.

The Sub-Committee urged the Premises Licence Holder to ensure that he operates the premises in accordance with the law and more specifically, in accordance with the conditions of the Premises Licence. They advised that it is extremely likely that, should the licence be further reviewed for similar reasons, it would be revoked. The Sub-Committee further noted that the Premises Licence Holder had expressed remorse for the under-age sales, wished to put the matter behind him and improve the business.

The above actions are considered necessary and proportionate for the promotion of the protection of children from harm licensing objective.

An appeal may be made to the Magistrates' Court against the decision by the applicant, the holder of the Premises Licence or any other person who made a relevant representation within 21 days from the date of receipt of written notice of this decision.



Licensing Sub-Committee

Minutes - 6 August 2014

Attendance

Chair Cllr Alan Bolshaw (Lab)

Labour

Cllr Rita Potter

Conservative

Cllr Patricia Patten

Employees

Linda Banbury

Rob Edge

Sarah Hardwick

Joanne Till

Democratic Support Officer

Section Leader - Licensing

Solicitor

Item No. *Title*

1 Apologies for Absence

There were no apologies for absence.

2 Declarations of Interest

There were no declarations of interest.

3 Exclusion of press and public

Resolved:

That in accordance with section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business as it involves the likely disclosure of exempt information falling within paragraph 3 of schedule 12A to the Act relating to the business affairs of particular persons.

4 Application for a private hire vehicle driver's licence

The Licensing Officer outlined the report which had been circulated to all parties in advance of the meeting.

Mr Singh was in attendance at the meeting in connection with his application for a private hire vehicle driver's licence and answered questions from the Sub-Committee

and employees as appropriate. In so doing, he provided a character reference from his sister.

Mr Singh and the Licensing Officer withdrew from meeting to enable the Sub-Committee to reach their decision. The Solicitor advised them of the options open to them in determining the application.

Resolved:

A private hire vehicle driver's licence be granted to Mr Sandeep Singh for a period of twelve months, subject to a satisfactory medical report and his passing the driving ability and knowledge tests.

5 Re-admission of press and public

The press and public were admitted to the meeting.

6 Licensing Act 2003 - Application for a premises licence in respect of Sweet as Ya Like, 46c Queen Street, Wolverhampton

The application for a premises licence had been withdrawn which negated the need for the Sub-Committee to consider this matter.

7 Application for a premises licence, The Grand Post House, 62-70 Lichfield Street, Wolverhampton

In attendance

For the premises

Gerald Bailey and Rav Rayget (GPH Wolverhampton Limited)

Shaun Gill (Architect)

Responsible Authorities

WPC Lisa Davies and WPC Clare Fox (West Midlands Police)

Elaine Moreton (Licensing Authority)

Sarah Stiles (Environmental health Commercial)

The chair introduced the parties and outlined the procedure to be followed at the meeting.

The Section Leader (Licensing) outlined the report circulated to all parties in advance.

Gerald Bailey, Rav Rayget and Shaun Gill presented their application by way of a PowerPoint presentation and answered questions raised by the Sub-Committee, employees and responsible authorities in regard to the proposals. Hard copies of the presentation were circulated for information.

At this juncture the responsible authorities presented their representations. It was noted that, following extensive consultation and close co-operation between the parties, conditions had been agreed between the applicant and the responsible authorities. Signed copies of the conditions agreed between the applicant and the Licensing Authority on 4 August, the West Midlands Police on 4 August and Environmental Health (Commercial) on 4 August were circulated at the meeting. The

responsible authority representatives indicated that, should the Sub-Committee be minded to grant the licence subject to the addition of these conditions, they would be content to withdraw their representations.

The applicant and responsible authority were afforded the opportunity to make a closing statement.

8 **Exclusion of press and public**

Resolved:

That in accordance with section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business as it involves the likely disclosure of exempt information falling within paragraph 3 of schedule 12A to the Act relating to the business affairs of particular persons.

9 **Deliberations and decision**

The Sub-Committee discussed the issues which had been raised during consideration of the application for a premises licence and the Solicitor advised them of the options open to them in determining the application.

10 **Announcement of decision**

The Sub-Committee have taken note of all the written concerns raised in respect of The Grand Post House, 62-70 Lichfield Street, Wolverhampton. They have also listened to the arguments of those who have spoken at the hearing.

Having considered the views of all concerned, the Sub-Committee are satisfied that the Cumulative Impact Policy applied to these premises. They are further satisfied that sufficient evidence has been provided by the applicant to illustrate that the premises will not add to the cumulative impact already experienced and that the presumption of non-grant has been rebutted.

The application for a premises licence is therefore granted as applied for, but subject to conditions agreed between the applicant and responsible authorities as follows:

Conditions agreed with the Licensing Authority on 4 August 2014

- **Opening hours:**

Monday to Wednesday	0700 to 0400 hours
Thursday and Friday	0700 to 0600 hours
Saturday	0800 to 0600 hours
Sunday	0800 to 0400 hours

Non- standard hours:

Sunday prior to a Bank Holiday Monday, Christmas Eve, Boxing Day and New Year's Eve	0800 to 0600 hours
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- **Sale/supply of alcohol on the premises:**

Sunday to Wednesday	1000 to 0330 hours
Thursday to Saturday	1000 to 0530 hours

Non-standard hours:

Sunday prior to a Bank Holiday Monday, Christmas Eve, Boxing Day
and New Year's Eve 1000 to 0530 hours

- **Late night refreshment on the premises:**

Sunday to Wednesday 2300 to 0230 hours

Thursday to Saturday 2300 to 0430 hours

Non-standard hours:

Sunday prior to a Bank Holiday Monday, Christmas Eve, Boxing Day
and New Year's Eve 2300 to 0430 hours

- **Films, boxing or wrestling on the premises:**

Monday to Wednesday 1000 to 0330 hours

Thursday and Friday 1000 to 0530 hours

Saturday 1000 to 0530 hours

Sunday 1000 to 0330 hours

Non-standard hours:

Sunday prior to a Bank Holiday Monday, Christmas Eve, Boxing Day
and New Year's Eve 1000 to 0530 hours

- **Regulated entertainment, live music, performance of dance and anything of a similar description falling within live music, recorded music and performance of dance:**

Monday to Wednesday 0700 to 0330 hours

Thursday and Friday 0700 to 0530 hours

Saturday 0800 to 0530 hours

Sunday 0800 to 0330 hours

Non-standard hours:

Sunday prior to a Bank Holiday Monday, Christmas Eve, Boxing Day
and New Year's Eve 0800 to 0530 hours

- **Entertainment facilities, making music, dancing and anything of a similar description falling within these categories:**

Monday to Wednesday 0700 to 0330 hours

Thursday and Friday 0700 to 0530 hours

Saturday 0800 to 0530 hours

Sunday 0800 to 0330 hours

Non-standard hours:

Sunday prior to a Bank Holiday Monday, Christmas Eve, Boxing Day
and New Year's Eve 0800 to 0530 hours

Conditions agreed with the West Midlands Police on 4 August 2014

- A CCTV system with recording equipment shall be installed and maintained at the premises.
- CCTV shall cover entry and exit points of the premises and all areas where alcohol/money is served/taken and all areas to where public have access and the immediate vicinity outside the premises.
- Images/recordings to be downloaded in a suitable format and provided to any member of a responsible authority upon request and without any undue delay.
- Images and recording must be of evidential quality, must indicate the correct date and time and be kept for at least 31 days.

- All staff to be trained to use the CCTV system and at least one member of staff to be on duty who is trained to download the system images should any member of a responsible authority make a request.
- Lapel cams shall be in use from 2100 hours whenever licensable activities are taking place inside the premises. They shall be maintained and images/recordings to be downloaded in a suitable format and submitted to any member of a responsible authority upon request and without any undue delay. All footage to be kept for 31 days.
- An incident log must be maintained at the premises and a written record of any incident that occurs at the premises must be appropriately recorded. Where it is deemed appropriate, the incident must be reported to the West Midlands Police. The incident log book to be produced to a member of a responsible authority upon request.
- Relevant incidents of crime and disorder shall be reported to the Police.
- All staff to receive training and refresher training every 6 months on their responsibilities with regard to licensing legislation. This training to be documented and shown to a member of a responsible authority upon request.
- To ensure compliance with 'Challenge 25', a refusals log book to be maintained where any sale of alcohol is refused to persons who present themselves to be underage.
- No person who is drunk or disorderly shall be allowed access or be allowed to remain on the premises.
- Documentation to be maintained of refusals of sales to persons presenting as being intoxicated.
- There shall be no new admissions to the premises after 0200 hours on a Monday, Tuesday, Wednesday and Sunday and no new admissions after 0300 hours on a Thursday, Friday Saturday and Sunday preceding a Bank Holiday Monday.
- Whenever licensable activities are taking place on the premises, SIA registered door staff, authorised for front line duties shall be on duty from 2100 hours. The only exceptions will be agreed events to which the Police Licensing Department has received the appropriate event risk assessment notification and has agreed no necessity is required.

The following will apply to each licensed area:

The restaurant/ bar area shall have SIA registered door staff on duty from 2100 hours at the minimum ratio of 1:75 customers (or part thereof) at the premises, 20% of which shall be female.

The basement event space/music room shall have SIA registered door staff on duty from 2100 hours at the minimum ratio of 1:50 customers (or part thereof) at the premises, 20% of which shall be female.

The coffee shop shall have SIA registered door staff from 2100 hours at the minimum ratio of 1:50 customers (or part thereof) at the premises, 20% of which shall be female.

A register will be maintained of all persons engaged as door supervisors to include the name and SIA number of the staff and proof of identity (such as photocopy of passport or drivers licence), proof of address (utility bill dated within the last 6 months) and the time and date duties commenced and finished.

- A radio link system to be employed at the premises and used for contact with other premises in Wolverhampton and the main Wolverhampton camera facility; this is to be kept in good working order and monitored by a responsible member of staff.
- An ID scanner and biometric fingerprint device shall be installed in the event spaces and in use whenever licensable activities are taking place on the premises at all times. The only exceptions will be agreed events to which the Police Licensing Department has received the appropriate event risk assessment notification and has agreed no necessity is required. The data shall be made available to the Police on request.
- Hand held clickers will be in operation in the event spaces to keep a count of the number of persons inside the premises to ensure they do not exceed capacity. A separate clicker will be required for each of the event spaces on the ground floor and basement. The counting device will be in operation at whichever entrance is being used on any given evening.
- Any door supervisor employed at the premises shall wear high visibility attire (Tabards/jackets that have a reflective colour that is easily discernible from any background) and should use an electronic wand/glove or other electronic device in their searching process.
- A search policy will apply when any licensable activity is taking place in any of the event spaces. The only exceptions will be agreed events to which the Police Licensing Department has received the appropriate event risk assessment notification and has agreed that no necessity is required.
- West Midlands Police Licensing Department will be given 14 days' notice for any proposed event that will run to 0100 hours and 28 days' notice for any event running past 0100 hours. This will include full details of the event, together with a full risk assessment and the names and dates of birth of any DJ's playing at the event.
- Police and emergency services to be informed of any boxing event to take place on the premises. A full risk assessment shall be completed and handed into the Police Licensing Department at Wolverhampton Central Police Station at least 28 days prior to the event.

There shall be the minimum of one ambulance, one paramedic and an anaesthetist present during any boxing match.

- The venue will be part of the local Pub Watch scheme and the Designated Premises Supervisor, or a representative, shall attend the monthly meetings and ensure that a representative from the door security team attend the SIA forum.
- The premises shall operate a drugs policy and have drugs safe in operation. All drugs seizures are to be placed in a sealed bag provided by the West Midlands Police and recorded in a register. There shall be a weekly phone call to the Licensing Department to arrange the collection of any items seized. A lost property/found property policy is also to be in place.
- There shall be at least two personal licence holders employed in each of the separate areas where licensable activities are taking place.
- No persons shall be allowed to leave the premises with any bottle or glass.
- The venue must ensure adequate numbers of staff are on duty to ensure the safe collection of glasses, bottles and any other empty drinking vessel within the venue.
- No person under the age of 18 shall be present in the venue after 2200 hours, except those attending a pre-booked wedding reception who are accompanied by a parent or guardian, in which case all persons under the age of 18 shall vacate the premises by 2330 hours.
- 50% of the floor space in the restaurant/bar shall house fixed seating.
- At least one member of staff who is a qualified first aider to be on duty at all times the premises is open for licensable activities.
- All staff shall be trained in 'Challenge 25' and all appropriate ID checks shall be undertaken by all staff to ensure no sale of alcohol is made to underage persons.

Conditions agreed with Environmental Health (Commercial) on 4 August 2014

- All external smoking areas for use by persons on the premises shall be located within the building's own perimeter. Such areas will be compliant with the Health Act 2006.
- Noise and/or vibration shall not be allowed to emanate from the premises so as to cause a nuisance to nearby noise sensitive properties. This may include noise from music, voices and/or other sources, whether amplified or not.
- When regulated entertainment is taking place in the event spaces, the Premises Licence Holder, Designated Premises Supervisor, event organiser or another competent person shall carry out observations in the immediate

vicinity of the premises to assess the level of noise. Should such observations confirm that noise is likely to disturb local residents or occupiers of premises in the area, steps should be taken to control the noise levels to prevent disturbance.

- During regulated entertainment all doors and windows at the premises shall remain closed, except for normal access to and egress from the premises.
- Clear notices shall be displayed at all points where customers leave the premises, requesting them to respect the needs of local residents and leave the premises and area quietly.
- Daily checks should take place to ensure that external areas are maintained in a clean and litter free condition.

It is considered by the Sub-Committee that the above conditions should be attached in support of the prevention of public nuisance and prevention of crime and disorder licensing objectives.

Plans originally submitted by the applicant have been amended. Amended plans were presented to the Licensing Sub-Committee on 6 August 2014 and these amended plans will form part of the Licence.

Finally, such conditions as are specified on/or are consistent with the operating schedule will be attached to the licence, together with any mandatory conditions required by the Act.

All parties have a right of appeal to the Magistrates' Court within 21 days of receipt of this decision.

11 **Re-admission of press and public**

The parties re-entered the meeting.



Licensing Sub-Committee (Private Hire/Hackney Carriage)

Minutes - 13 August 2014

Attendance

Members of the Licensing Sub-Committee (Private Hire/Hackney Carriage)

Cllr Alan Bolshaw
Cllr Bishan Dass (Chair)
Cllr Mark Evans

Employees

Linda Banbury	Democratic Support Officer
Elaine Moreton	Section Leader - Licensing
Kevin O'Keefe	Chief Legal Officer

Part 1 – items open to the press and public

Item No. *Title*

- 1 **Apologies for Absence**
There were no apologies for absence.

- 2 **Declarations of Interest**
There were no declarations of interest.

- 3 **Exclusion of Press and Public**
Resolved:
That in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information falling within paragraph 3 of Schedule 12A to the Act relating to the business affairs of particular persons.

- 4 **Review of a private hire vehicle driver's licence**
Mr M was present at the meeting, accompanied by Mr S (legal representative) and Mr L.

The Chair made introductions and outlined the procedure to be followed during the meeting. The Section Leader (Licensing) outlined the report which had been circulated to all parties in advance.

Mr S expressed concern that the witnesses were not present at the meeting and he therefore had no opportunity to test their written statements. He advised that Mr M

refuted the written statements. The Chief Legal Officer confirmed that the test was whether Mr M remained a fit and proper person, that a range of powers were available to the Sub-Committee and consideration would be given to the weight to be attributed to the written documentation in order for a reasonable and proportionate decision to be made.

Mr M, supported by his legal representative, believed that nothing improper took place on 14 April 2014 and that MS had advised him to ring her to arrange for the re-inspection of his vehicle. He had requested not to be seen by another member of staff who made him feel uncomfortable. He had rung MS following his appointment on 14 April as he mistakenly thought he had left his driving licence behind. He stated that the comments about pizzas during the phone call some two weeks later were directed to the person sitting next to him and not the Council employee and therefore just a misunderstanding.

With regard to the incident on 2 May 2014, Mr M indicated that the passenger had approached his vehicle and he confirmed that his taxi was her booked vehicle. She had used his phone as she had thought she had left hers in the shop; in the event it had fallen down the side of the seat in the private hire vehicle. He stated the passenger had initiated the general conversation which led to her advising him of her personal, domestic problems. She had asked him if it would be ok for her to text him, but not him text her as her mother would object. He carried her shopping to the front door, adding that he gave such assistance to all his passengers. Whilst he was still stationary she returned to the car and asked if she could book him direct in future, but was advised that all bookings should be made via the operator. He indicated that he had felt sorry for her and had therefore sent the text (exhibit JA/01), to which he had never received a reply and had not followed it up. He did not know where the subsequent complaint had come from.

Responding to questions Mr M, supported by his legal representative, expanded on the convictions between 2002 and 2011. The legal representative pointed out that Mr M had been a private hire vehicle driver for some thirteen years, he had made mistakes and the licensing authority had taken action and his fitness had been reviewed on at least an annual basis. Mr M realised he had made a mistake by texting the passenger, but had felt sorry for her, he was a family man and it was in his nature to want to help people. He stated that the centre cars manager had telephoned to offer an apology following the complaint, which was accepted and an agreement that no further action would be taken.

Mr M was afforded the opportunity to make a closing statement. His legal representative suggested that the incidents should be weighed against the totality of Mr M's record with the Council. The text message in itself was innocuous but could be misinterpreted; it had been sent in isolation and the driver had acted appropriately once the complaint had been made.

The Chief Legal Officer advised the Sub-Committee of the options open to them in determining the matter.

Mr M and his representatives withdrew from the meeting at this point, together with the Section leader (Licensing), to enable the Sub-Committee to determine the matter.

The parties were invited back into the meeting and were advised of the decision. They were advised that the Sub-Committee had considered all the evidence before them, both written and oral, and attached appropriate weight to the written statements. The only test which applies in this case is whether Mr M remains a fit and proper person to hold a Private Hire Vehicle Driver's Licence. The Sub-Committee have noted Mr M's acceptance that the text message to his passenger on 2 May 2014 was inappropriate and further noted the written warning issued to him in relation to breaches of his Licence conditions. In the circumstances the Sub-Committee do not believe that Mr M is a fit and proper person and:

Resolved:

That, in accordance with Section 61(1) (b) of the Local Government (Miscellaneous Provisions) Act 1976 and paragraph 5.1.25(a) of the guidelines relating to the relevance of convictions and breaches of licence conditions approved by the Licence Committee on 25 July 2012, Mr M's Private Hire Vehicle Driver's Licence be suspended for a period of four months as a necessary and proportionate sanction.

Mr M has a right of appeal to the Magistrates' Court within 21 days of receipt of this decision. If no appeal is made the suspension will take effect from 9 September 2014.

5 **Application for a private hire vehicle operator's licence**

Miss K was present at the meeting, accompanied by her sister-in-law Mrs H.

The Chair made introductions and outlined the procedure to be followed during the meeting. The Section Leader (Licensing) outlined the report which had been circulated to all parties in advance. She advised that the Sub-Committee were required to consider whether Miss K was a fit and proper person to hold a Private Hire Vehicle Operator's Licence. She further advised, that since completion of the report, the current business had ceased to exist and that Mr Hussain had indicated that he would withdraw his appeal against revocation if today's application was approved. The appeal had, however, been dismissed in the Wolverhampton Crown Court on 25 July 2014.

Responding to the concerns of the Licensing Authority regarding her knowledge gap, Miss K advised that she was willing to read up on all the necessary legislation, but had knowledge of how to operate the business. Miss H had worked until recently for Wolverhampton City Council for a period of 11 years and would be responsible for the administrative work involved.

Responding to questions, Miss K stated that she anticipated having 30 drivers by the end of the year, adding that the business would operate under the name 'Delta' with a new telephone number. She produced, for the Sub-Committee's information, her degree qualification certificates, and indicated that she wished to undertake a change of career having previously been a prison teacher. She advised that she intended to invest heavily in technology and that the previous proprietors would not be involved as they were employed elsewhere. The lease for the premises was now in her name. Miss K indicated that she would be there full-time but would employ a manager for

the day to day running of the base and her sister-in-law would carry out the administrative tasks. She added that she wished to employ more women in the trade, particularly from the ethnic minority groups. She also wished to work alongside the Job Centre to assist in reducing unemployment in the City.

The Chief Legal Officer advised that the Sub-Committee had to satisfy themselves whether Miss K was a fit and proper person to hold a Licence. Miss K and Mrs Hussain withdrew from the meeting, together with the Section Leader (Licensing) to enable the Sub-Committee to determine the application.

The parties returned to the meeting and the Chair advised the parties of the decision to refuse the application, which would be supplied to the applicant in writing as follows:

Section 55 of the Local Government (Miscellaneous Provisions) Act 1976 provides that the Council shall not grant a licence unless they are satisfied that the applicant is a fit and proper person to hold an operator's licence. This matter was referred to the Sub-Committee in accordance with the Council's guidelines relating to the relevance of convictions and breaches of licence conditions approved by the Licensing Committee on 25 July 2012.

Resolved:

That, having considered all the evidence before them, both written and oral, the Sub-Committee conclude that Miss K currently has a lack of knowledge and understanding in regard to the running of a business and of the taxi trade and therefore refuse to grant a Private Hire Vehicle Operator's Licence.

The applicant has a right of appeal to the Magistrates' Court within 21 days of written receipt of this decision.



Licensing Committee

10 September 2014

Report Title

Schedule of Outstanding Minutes

Originating service

Delivery/Democratic Support

Accountable employee

Linda Banbury

Democratic Support Officer

Tel

01902 55(5040)

Email

linda.banbury@wolverhampton.gov.uk

Recommendation for noting:

The Committee is asked to note the report

	Subject	Date of Meeting and Minute No.	Decision	Comments
1.	Future of Hackney Carriage Services	13.02.13 38(c)	Further review of Hackney Carriage provision to take place in 2016	Report to July 2016 meeting
2.	City Centre Pubwatch Scheme	22.05.13 2	Update to be presented on outcome of customer research	Report to future meeting
3.	Wolverhampton Alcohol Strategy 2011-2015	18.12.13 6	Further update to be presented	Report to this meeting



Licensing Committee

10 September 2014

Report title	Update on Wolverhampton Alcohol Strategy 2011-2015	
Wards affected	All	
Accountable director	Sarah Norman, Community	
Originating service	Public Health	
Accountable employee(s)	Ros Jervis Tel Email	Director of Public Health 01902 55(1372) ros.jervis@wolverhampton.gov.uk
Report to be/has been considered by	Wolverhampton Alcohol Strategy Strategic Leads meeting (consideration of content and focus of the report)	1 July 2014

Recommendation(s) for action or decision:

The Committee is recommended to:

1. Consider and make comment on the issues identified through the focus on Goal 1
2. Comment on the new reporting dashboard which is still in development. The principle of a dashboard was agreed at the Health and Wellbeing Board and reported to the Licensing Committee at its meeting in December 2013.
3. Make comment on any other issues identified in the report.

Recommendations for noting:

The Committee is asked to note:

1. Note the update report in relation to the implementation of all the goals in the Wolverhampton Alcohol Strategy 2011-2015, which includes trend analysis of alcohol mortality broken down by key population characteristics.
2. Note the response to the minimum pricing loophole concerning super strength cider.

3. Note that the Alcohol Strategy Strategic Leads will be undertaking a review and refresh of the strategy as it nears the end of its term.

1.0 Purpose

- 1.1 The purpose of this report is to provide members of the Licensing Committee with an update in relation to the implementation of the Wolverhampton Alcohol Strategy 2011-2015, with a special emphasis on Goal 1 – Supporting a whole community approach to changing alcohol habits in Wolverhampton. In addition, the paper is to keep the Committee aware of local and national initiatives in relation to the alcohol agenda.

2.0 Background

- 2.1 The Licensing Committee endorsed the Wolverhampton Alcohol Strategy 2011 – 2015 on 27 June 2012 and agreed to receive periodic reports. At previous meetings the Committee has received overall reviews of performance against the strategy action plan with a specific focus on one of the four goals. The last remaining goal is Goal 1 which is the focus of this update paper.

2.2 Reporting dashboard

In the last update paper, in December 2013, the Committee was informed of a new reporting dashboard which would focus on fewer and more meaningful indicators which had been approved by the Health and Wellbeing Board at its meeting In November 2013. Having one common dashboard will streamline and unify the reporting arrangements between the Wolverhampton Alcohol Strategy and the Joint Health and Wellbeing Board priority on alcohol and drugs. The dashboard is attached as Appendix 1 and still under development. This is the first time that this new dashboard has been presented to the Licensing Committee and comments on its format are welcomed. .

3.0 Progress Update on Alcohol Strategy Strategic Goals

A Brief update on progress against Goals 2, 3 and 4 are given below, with a greater emphasis given to Goal 1.

- 3.1 Focus on Goal 1: A Whole Community Approach to Changing Alcohol Habits in Wolverhampton

The focus for this goal has been on providing education. This includes children, young people and their families have access to accurate and consistent information in relation to the harms of alcohol. KPIs relate to the number of schools in Wolverhampton delivering the Wolverhampton Drug Education Programme (WDEP) or their own drug education programme as part of their planned delivery of non-statutory Personal, Social, Health & Economic (PSHE) education. Healthy Schools deliver and report on this outcome.

The Wolverhampton Drug Education Programme (WDEP) is accessible via the www.trustdecca.com website. The programme provides lesson plans and resources from Year 1 to Year 11 inclusive. The programme is primarily designed for use within mainstream school settings and is presented in a 'spiral' format – revisiting substance related topics with age appropriate activities. It is recommended that the programme be delivered as part of a planned PSHEe curriculum. PSHEe is non-statutory – schools should aim to meet the needs of their pupils, but it is left to the individual school's discretion as to which elements of PSHEe (including drug education) they include in their curriculum.

The education also includes improving knowledge within the workforce. This is to ensure the earliest possible identification of risk and risky behaviour affecting the well-being of children & young people and enable them to receive the support they need as quickly as possible to reduce that risk. The work included Regular DUST and Substance Misuse training s offered to schools and Children's workforce.

The early identification work also involved providing opportunities for children and young people to discuss alcohol related issues. The CHAT (confidential, health advice for teenagers) was developed in a six secondary schools. The service was managed by Youth Service, School Nursing and Connexions. Monitoring forms were developed to capture issues highlighted. The monitoring reports showed did not highlight alcohol.

Part of Goal was reporting on the number of CAF's from the substance misuse service. However, this service has recently been tendered, resulting in data being unavailable.

Further detailed reporting on Goal 1 indicators are given in Appendix 2.

3.2 Other Alcohol Strategy Strategic Goals

3.2.1 Goal 2 Developing a Well Managed Night Time Economy

Strategic Objective i) A prosperous and diverse, high quality, night time economy

- The Statement of Licensing Policy is currently under review and will be presented to the Licensing Committee on 12 November 2014 to commence a formal public consultation, this will include revisions to the Cumulative Impact Policy:

West Midlands Police have advised that they have witnessed a reduction of violent crime and anti-social behaviour (ASB) in the current CIP area. Following discussion at the Responsible Authorities Forum the draft Statement of Licensing Policy propose introducing CIP in four additional areas within Wolverhampton and extending the City Centre area to additional surrounding streets.

The policy has allowed greater control to ensure that licensing objectives have been met and have promoted the prevention of public nuisance, crime and disorder.

- The Responsible Authority Forum and multi-agency task force are on-going to ensure proportionate enforcement. Effective intervention management is also on-going with reviews and interventions being regularly used to ensure compliance with licensing requirements.
- The National Food Hygiene Rating scheme has been adopted and went live 20 September 2013 and has shown the positive impact of the revised food hygiene service which has resulted in a 100 fold increase in four and five star premises.

Strategic Objective ii) A safe and well regulated night time economy

- To reduce the sale of alcohol to intoxicated persons, all off licenses in the city are regularly visited by West Midlands Police and any issues are communicated through the Responsible Authorities Forum.
- To prevent the underage sales of alcohol, advice packs have been provided by us directly or on our behalf by West Midlands Police to new licensed premises, those who have complaints against them and those subject to review. A 'high risk list' is used to manage actions in relation to the underage sales of alcohol with 33 complaints of which 28 are for off licenses and five for on licenses received this year alone. They have all been sent advice letters.
- Test purchases have been carried out at 25 different premises with two underage sales witnessed at one premises. A prosecution was undertaken and a conviction was secured against the seller resulting in fine. Stringent conditions were also added to the premises licence including having CCTV and robust staff training to reduce the likelihood of further underage sales.

Strategic Objective iii) A night time economy that is supported by responsible businesses

- WCC premises adopt best practice in relation to the sales and promotion of alcoholic drinks to meet to aims of promotion a well-managed responsible business.

3.2.2 Goal 3: Combating Alcohol Related Crime and Disorder and Increase Community Safety

Operation Stay Safe is the deployment strategy that contains tactics for effectively policing the night time economy. This strategy is regularly updated to meet the dynamic demands created from this area of business.

The use of preventative methods is still a mainstay of the overall Alcohol Strategy. All seizures made under the powers conferred by the DPPO are now collated on the Police Corvus intelligence system. This provides a single point of collation for all Officers; there has been an average of one entry per day (over the last 50 days) on the system detailing seizures, some entries relate to multiple alcohol seizures. Section 27 Dispersal

(the power to disperse people involved in ASB where alcohol is a factor) is a power that is also available to officers, there have been 27 notices issued so far this calendar year.

Officers on Wolverhampton Local Policing Unit (LPU) are now regularly wearing Lapel Cam's. Their effectiveness is monitored as part of an academic study the results of which can be reported on at a later date.

NACRO staff have been deployed as part of Operation Stay Safe (to offer educational advice), significantly during the Football World Cup. This is not a tactic that will be regularly used, however it will be considered as a tactical option for specific times of the year.

Operation Sentinel is a West Midlands Police (WMP) approach to highlight vulnerability. Alcohol is a factor in domestic violence incidents, and medium and high risk victims/offenders are referred to Wolverhampton substance misuse service, and there is an outstanding task to now include standard risk subjects.

The alcohol dashboard contains the relevant alcohol related statistics for Wolverhampton LPU.

3.2.3 Goal 4: Improving Health and Alcohol Treatment Services in Wolverhampton

Alcohol misuse poses a threat to health and wellbeing in Wolverhampton. Excessive alcohol consumption does not just cause liver disease; it causes a range of health harms, including injury due to alcohol related assaults and increases the risk of developing conditions such as hypertension, stroke and coronary heart disease and cancers. The Licensing Committee requested that the alcohol mortality figures be broken down and tracked over time. Appendix 3 shows these trends for males and females; the deprivation profile of Wolverhampton and also an age breakdown. Indicators chosen to track progress in the dashboard also include other measures such as numbers receiving alcohol related interventions via National Health Service (NHS) health checks; alcohol specific admissions to hospital and service users receiving treatment.

Alcohol related mortality rates

Latest (currently provisional) annual reporting for 2011-2013 shows a three year average mortality rate of 15.6 per 100,000 all ages population. This continues a steady downward trend from a peak in 2006-08 as shown in Appendix 3, Figure 1. This figure shows how Wolverhampton's position on alcohol mortality is increasingly moving towards its comparator group, Centres with Industry, which is the Alcohol Strategy five year target (originally a standardised rate of 15.5 per 100,000 populations which we have provisionally almost reached). This seemingly sustained fall in mortality rates is welcomed and work must continue to sustain this as we are still some way from the age standardised national average of ten deaths per 100,000 population. Appendix 2, Figures 2 and 3 show that the rate of improvement is more rapid in females where the Wolverhampton rate is below the comparator group, although rates for females are much lower than for males. For males, the reduction in mortality has shown a slight increase after a sustained fall and remains higher than our comparator group.

There is a link between deprivation and alcohol related mortality and also age as alcohol is killing people at a younger age. Appendix 3, Figure 4 shows that the main group where alcohol mortality is high is amongst our most deprived population in Wolverhampton and that a gap in mortality experience across the city remains.

In terms of age distribution, Appendix 3 Figure 5 shows mortality over a five year period from 2009 to 2013 and the ages where mortality is highest are from 40 to 69. This is why alcohol is a big killer in relation to premature mortality in Wolverhampton.

Therefore future focus on reducing mortality should continue to target males from the most deprived areas

However, whilst mortality is decreasing, alcohol related admissions are increasing. This may mean that alcohol related illness is being treated earlier and more effectively, and so the relationship between admissions and mortality may be complex and need further examination.

Alcohol treatment services

This section 3.3 reports on alcohol treatment services as part of the three year substance misuse contract for drug and alcohol services.

Wolverhampton City Council commenced an initial three-year contract with substance misuse and crime reduction charity NACRO to deliver a new, consolidated drug and alcohol treatment service for young people and adults on 1 April 2013. The contract is delivered by NACRO in partnership with Birmingham and Solihull Mental Health NHS Foundation Trust and Aquarius. A payment by results element is attached to outcomes achieved over the period of the contract.

The first year of delivery (2013/14) has seen performance in successful outcomes in Wolverhampton decline significantly. The scale of the change, workforce restructure, new IT and case management systems and implementation of the operating model have contributed to this. A number of performance and quality work streams have been established to address this in addition to the quarterly contract monitoring meetings. Financial penalties will be applied to any future performance under national and cluster benchmarks.

In addition to the concerns around performance of the service, Public Health's quality review undertaken in June 2014 identified the following concerns and gaps:

- A significant reduction in capacity of the drug and alcohol workforce particularly nursing staff; the perception is that this is affecting the resource around clinical and risk assessments.
- Reduced staffing capacity in the criminal justice sector.
- Gaps in workforce skill set i.e. mental health awareness.
- Varied service user experience of the 'treatment offer'.
- Inconsistencies in frequency of contact and the level of support offered by key workers.

- A lack of service visibility, information to the public and wider stakeholders about what the service offers

An improvement plan will be submitted by the service in August 2014.

3.3. *Other issues to report to the Committee*

Alcohol Strategy 2011 – 2015 review

As the Wolverhampton Alcohol Strategy nears the end of its five year term, the Alcohol Strategy Strategic Leads meeting has decided, at its next meeting, to undertake a review of the strategic objectives that underpin each of the goals. Currently the meeting feels that these four strategic goals are still the key areas to concentrate on, but a refresh is needed, given the changing circumstances and changing needs of the city and its residents. The results of this review will be reported for approval of the Board at the next scheduled update of this priority area.

'Minimum Pricing' guidance on the sale of super strength cider

In response to concerns about alcohol fuelled violence and the public health problems associated with excessive drinking, the Government's Alcohol strategy of March 2012 included a commitment to introduce a minimum unit price for alcohol. However, in July the Government announced that it would not be proceeding with minimum unit pricing after all. Instead there would instead be a ban on the sale of alcohol below cost price (the level of alcohol duty plus VAT).

However there has been some confusion over the duty category of some products, especially relating to the classification of super strength ciders as 'still' rather than 'sparkling' which has the effect of reducing a two litre bottle of super strength cider from £6.20 to £1.60 Super strength lagers and ciders can cause serious damage to health, premature deaths and social devastation to individuals and families and are amongst the cheapest to buy.

Wolverhampton Alcohol Strategy Strategic Leads Group has produced a briefing at the request of the Portfolio Holder for Health and Wellbeing. The call to action, from the Portfolio Holder for Health & Wellbeing is for government to take a sensible approach and immediately clarify the duty issue on sparking ciders to include those that are causing the most harm to individuals, families and communities and that a letter should be sent to express our concerns.

The Licensing Committee is asked to note the above action.

Report on 'Get Home Safe' Christmas Campaign

Wolverhampton City Council has been running a successful Christmas Campaign for several years called 'Get Home Safe', aimed at women aged 18 – 25 who are travelling home after a night out in the city centre. In 2013 the campaign was run at lower cost

and achieved better value. In 2012, the total spend for the campaign was £8,000. This year the budget totalled around £3,000 and saw an increase of 94% in users. Mobile phone users provided the key communication channel as well as Facebook reaching many more people to promote the campaign. The 2014 campaign will start around September and will be even more cost effective - for example by using Twitter.

4.0 Financial implications

- 4.1 There are no direct financial implications arising from this report.
- 4.2 Any actions arising from the Wolverhampton Alcohol Strategy will be delivered within the existing approved budgets held under Public Health, and other mainstream budgets held by services and external agencies that are responsible for delivery of specific actions.
- 4.3 Funding from Public Health is provided to the Council by the Department of Health in the form of a ring-fenced grant. Total funding settlement for Public Health for 2014/15 is £19.3 million.

[AS/01092014/L]

5.0 Legal implications

- 5.1 There are no direct legal implications arising from this report.

6.0 Equalities implications

- 6.1 The broad aims and objectives of the Wolverhampton Alcohol Strategy are intended to reduce the harmful impact of alcohol on health & wellbeing and reduce health inequalities.

7.0 Environmental implications

- 7.1 There are direct environmental implications arising from this report as several actions contained within the Alcohol Strategy and action plan seek to improve environmental conditions, particularly within the City Centre.

8.0 Schedule of background papers

- 8.1 Papers to Health and Wellbeing Board
REPORT TO THE SHADOW HEALTH AND WELLBEING BOARD – Wolverhampton Alcohol Strategy 2011 – 2015. 5 September 2012

REPORT TO THE HEALTH AND WELLBEING BOARD – Joint Health and Wellbeing Strategy Update. 1 May 2013

REPORT TO THE HEALTH AND WELLBEING BOARD – Alcohol Strategy – Progress Update. 3 July 2013

REPORT TO THE HEALTH AND WELLBEING BOARD - Wolverhampton Joint Health and Wellbeing Strategy 2013 – 2018 and JSNA. 4 September 2013

REPORT TO THE HEALTH AND WELLBEING BOARD - Progress Update on Joint Health and Wellbeing Strategy Priority: Alcohol and Drugs. 6 November 2013

8.2 Papers to Licensing Committee

REPORT TO LICENSING COMMITTEE – Wolverhampton Alcohol Strategy 2011 – 2015. 27 June 2012

REPORT TO LICENSING COMMITTEE - Wolverhampton Alcohol Strategy 2011 – 2015. 27 June 2012- Update Report. 13 February 2013

REPORT TO LICENSING COMMITTEE – Alcohol Strategy: Progress Update. 22 May 2013

REPORT TO LICENSING COMMITTEE – Update on Wolverhampton Alcohol Strategy 2011 – 2015 18 December 2013

8.3 Papers to Cabinet

REPORT TO THE CABINET (RESOURCES) PANEL – Substance Misuse Procurement Programme. Tuesday 21 February 2012

REPORT TO CABINET – Section 75 Agreement With Wolverhampton City PCT. Wednesday 11 April 2012

REPORT TO THE CABINET (RESOURCES) PANEL – Substance Misuse Procurement Programme. Tuesday 27 November 2012

8.4 Papers to Health Scrutiny Panel

REPORT TO HEALTH SCRUTINY PANEL – Wolverhampton Substance Misuse Services Consultation Findings. Thursday 12 April 2012

REPORT TO HEALTH SCRUTINY PANEL – Wolverhampton Substance Misuse Service Contract Award and Mobilisation. Thursday 7 February 2013

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**Appendix 1: Wolverhampton Alcohol Strategy
2011/2015
Alcohol Strategy Leads Performance Report**

Goal	Target	Benchmark	2011/12	2012/13	2013/14				2013/14 final	Commentary
					Q1	Q2	Q3	Q4		
Page 49 Goal A Whole Community Approach to Changing Alcohol Habits in Wolverhampton	Target relates to 13/14 % schools			30/09/13					31/07/14	
	59			48					58	
	76			76					76	
	85			50					33	
	100			50					100	
	65			52					61	
Goal 2: Developing a Well Managed Night Time Economy	36	43	39	39.00	39	39	39	39	39	
	30	27	27	28.00	28	28	30	31	31	
	-	-	-	-	-	2	5	7	7	
	Y	N	N	N	Completed				Y	
	70	28	36	59.00	-	70	107	127	127	
	10pa	18	6	5.00	-	6	10	11	11	



Page 50 Goal 3: Combating Alcohol Related Crime & Disorder and Increase Community Safety Due to Alcohol Misuse		9pa		13	6	0.00	-	2	2	2	2	
		18		27	23	3.00	-	-	20	26	26	
		All above		All	All	1.00	-	-	13	20	20	
							447	483	475	417		Performance in the last quarter of 2013-14 showed a reduction towards the lower control limit, with February in particular recording low levels.
							199	184	193	152		Levels followed a decreasing trend throughout the financial year, with levels remaining below the long term average during Q4
							69	56	86	68		Performance showed more control in the City Centre than the LPU as a whole during Q4, with levels remaining controlled
							44	36	64	54		Performance mirrored that of VWI across the LPU. Of note, the proportion of City Centre VWI that was NTE related increased during Q4

Page 51												to 79%
						62	47	55	60			Levels were more controlled in the City Centre compared to the whole LPU, however an increase was seen in March
						32	25	37	42			As seen with VWI, the proportion of Alcohol related ASB committed during the NTE period has increased consistently, with 70% occurring during the NTE in Q4
						58	70	58	50			
Goal 4: Improving Health and Alcohol Treatment Services in Wolverhampton		6000	No benchmark available	no data	no data	56	299	813	626	1794		New community locations + businesses added. Improved data collection
		1500	No benchmark available	no data	no data	22	42	29	25	118		As above there will be a need to review benchmark/targets they are a long way from being achievable
		15.5 (07/09)		19.4 (08/10)	19.06 (09/11)	16.08 2010-12			15.6* (11/13)			*provisional figure
		3% reduction		No benchmark available	727	716	787			787		no longer presented as a rate but as actual number of admissions annually

Appendix 2



Wolverhampton

Wolverhampton Alcohol Strategy Action Plan: 2013/2014 Healthy Schools contribution to Alcohol Strategy: April 2013 – July 2014

Goal 1: Whole Community Approach to Changing Alcohol Habits in Wolverhampton

Strategic Objective i) – To support the better understanding of harms caused by alcohol and meet whole family needs in delivering services

Outcome i A:- Children, young people and their families have access to accurate and consistent information in relation to the harms of alcohol.

KPIs relate to the number of schools in Wolverhampton delivering the Wolverhampton Drug Education Programme (WDEP) or their own drug education programme as part of their planned delivery of non-statutory Personal, Social, Health & Economic (PSHE) education.

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KPIs:

- Primary Schools 13/14 - target 43 schools-59%
- Secondary Schools 13/14 -target 13 schools-76%
- Special Schools 13/14 - target 5 schools- 85%
- PRU's 13/14 - target 4 PRU's-100%
- Total of 65% of all schools

As of 30th September 2013:

Primary Schools – 48%
Secondary Schools- 76%
Special Schools – 50%
PRU's – 50%
Total of all schools – 52%

As of 31st July 2014:

Primary Schools – 58%
Secondary Schools- 76%
Special Schools – 33%
PRU's – 100%
Total of all schools – 61%

The Wolverhampton Drug Education Programme (WDEP) is accessible via the www.trustecca.com website. The programme provides lesson plans and resources from Year 1 to Year 11 inclusive. The programme is primarily designed for use within mainstream school settings and is presented in a 'spiral' format – revisiting substance related topics with age appropriate activities. It is recommended that the programme be delivered as part of a planned PSHEe curriculum. PSHEe is non-statutory – schools should aim to meet the needs of their pupils, but it is left to the individual school's discretion as to which elements of PSHEe (including drug education) they include in their curriculum.

The table below summarises the uptake and use of WDEP by schools and educational settings in Wolverhampton from April 2013 to July 2014. It also indicates where schools have stated they use their own drug education programme instead of WDEP. Healthy Schools support on drug education is still offered to these schools and these programmes include input on alcohol education. Information has been gathered from a variety of sources, including the 2014 Drug Education Audit, Healthy Schools' training records and records of contacts with individual schools.

Use of Wolverhampton Drug Education Programme (WDEP) April 1st 2013 – July 31st 2014

Page 54	Total No. of Schools	Target: % Running WDEP or own drug programme as part of PSHE (number of schools in brackets)	Number of schools stated they are running WDEP	Running Drug Education as part of PSHE (school's own programme)	Stated not running WDEP or similar drug ed. programme	Unknown	Achieved: % Running WDEP or own drug education programme as part of PSHE % of Total Schools (number of schools in brackets)
Primary schools (Y1-Y6) (Inc. Infants & Juniors)	73	59% (43)	48% (35)	10% (7)	10% (8)	32% (23)	58% (42)
Secondary schools (Y7-Y10)	17	76% (13)	59% (10)	17% (3)	0% (0)	24% (4)	76% (13)
Special Schools	6	85% (5)	33% (2)	0% (0)	17% (1)	50% (3)	33% (2)

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PRUs	4	100% (4)	75% (3)	25% (1)	0% (0)	0% (0)	100% (4)
TOTAL	100	65 (65%)	50 (50%)	11 (11%)	9 (9%)	30 (30%)	61 (61%)

Actions: i: Prevention: To support schools in their delivery of the Local Drug & Alcohol Education Programme, to ensure provision of a consistent education package around alcohol.

Tasks	Progress / Risks as of July 2014
<p>Page 55</p> <p>Access to Wolverhampton Drug Education Programme to all schools in Wolverhampton via Trustdecca website.</p>	<ul style="list-style-type: none"> Achieved and ongoing: All schools in Wolverhampton have access to the resources and lesson plans of the Wolverhampton Drug Education Programme (WDEP), which should form part of the school's PSHEe curriculum. PSHEe is non-statutory. Access to the materials is via the www.ourguideto.co.uk/ website (the new website name for Trustdecca). The Healthy Schools Drug Education Advisor is able to provide support to all schools in Wolverhampton to help them access, use and adapt these resources to the needs of their pupils.
<ul style="list-style-type: none"> Review / update of Programme materials supported by annual audit questionnaire sent to schools. 	<ul style="list-style-type: none"> Achieved and ongoing: WDEP materials were updated in August 2013, based upon feedback from the annual Wolverhampton Drug Education Audit and other emerging data, resources and priorities. For example, Year 8 now includes a lesson plan on smoking, based upon the resources developed for the ECLIPS project. The materials will be reviewed and updated again in August 2014. New drug education materials developed by Trustdecca in Sandwell were also piloted during this period. It is currently planned that these materials will complement and enhance, rather than replace the Wolverhampton programme.
<ul style="list-style-type: none"> Promotion of Programme via Healthy Schools Award schemes, newsletter, 	<ul style="list-style-type: none"> Achieved and ongoing: WDEP has been promoted via:

<p>network groups and related events.</p>	<ul style="list-style-type: none"> ○ PSHE Network Group meeting which convenes once per term ○ Healthy Schools Health & Wellbeing Award in Substance Awareness – discussed at support visits to schools. The Award criteria will be reviewed in August 2014 to ensure they comply with the national ‘Quality Standards for Effective Alcohol and Drug Education’ launched by Mentor-Adepis in March 2014 ○ Regular updates on WDEP and drug education / policy are provided in the termly Healthy Schools Newsletter sent to all schools in Wolverhampton ○ Parents evening information stands on WDEP at various schools ○ Promoting WDEP resources through Healthy Schools’ involvement in other substance related educational projects including: <ul style="list-style-type: none"> ▪ Whitmore Reans LNP ‘Say No To Drugs’ art and poetry competition involving Whitmore Reans primary schools (April-July 2013) ▪ ‘Do the Write Thing’ Year 6 cannabis awareness / literacy development project, funded by MAST 2 for Bilston primary schools – Healthy Schools developed age appropriate cannabis lessons for Year 6 – these resources are now available as optional / additional to WDEP (September – December 2013),.
<ul style="list-style-type: none"> ● Support to teaching staff via opportunities to access central / INSET / twilight training; consultancy; team teaching / observation. 	<ul style="list-style-type: none"> ● Achieved and ongoing: Staff from a total of 63 Wolverhampton schools have received information / support / training on substances (including alcohol) and /or drug education during the period April 2013 - July 2014. This support has been delivered in a variety of ways, including: <ul style="list-style-type: none"> ○ Consultancy visits to schools to discuss WDEP resources within the context of PSHEe ○ Review of schools’ drugs policy – relating to drug education and managing drug related incidents ○ Twilight training in schools on WDEP and assessment in drug education ○ Drug Education element of PSHE CPD course

	<ul style="list-style-type: none"> ○ Central training events on <ul style="list-style-type: none"> ▪ Introduction to WDEP ▪ Basic Substance Awareness ▪ DUST ▪ Managing Drug Related Incidents in schools ▪ Talking to Young People About Substances
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Strategic Objective ii) –To ensure the earliest possible identification of risk and risky behaviour affecting the well-being of children & young people and enable them to receive the support they need as quickly as possible to reduce that risk.

Outcome ii :- Early identification for those at risk.

Actions: i: Regular DUST and Substance Misuse training is offered to schools and Children’s workforce.

Tasks	Progress / Risks as of July 2014
<p>Page 57</p> <p>Organisation, delivery and review of Basic Substance Misuse and DUST training – offered across the Children’s workforce.</p>	<ul style="list-style-type: none"> ● Ongoing. The following training events have been organised and delivered by the Healthy Schools team during the period April 2013 – July 2014. These training events have been offered across the Children’s Workforce in Wolverhampton: <ul style="list-style-type: none"> ○ Basic Substance Awareness: 4 events with a total of 51 attendees. ○ DUST: 4 events with a total of 39 attendees. ○ Alcohol & Young People: Making Every Contact Count (with Training Tree): 4 events with a total of 41 attendees.

Delivered by the Healthy Schools Team April 2013- July 2014:

	Number of Training Events	Total Number of Attendees	Attendees: School staff	Attendees: Children's Centres staff	Attendees: Supported Housing staff	Attendees: Voluntary Sector staff (eg Haven / YMCA)	Attendees: Social Care / Fostering	Attendees: MAST workers / Youth Services	Attendees: Police
Basic Substance Awareness	4	51	19	12	0	8	5	4	3
Drug Use Screening Tool (DUST)	4	39	7	10	4	13	3	2	0
MECC: Alcohol & Young People (with Training Tree)	4	41	6	3	2	9	2	17	2

Delegate feedback from BSA, DUST and MECC training sessions:

Basic Substance Awareness training feedback

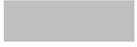
	Yes, very much so...	Yes	No	Not at all
Do you feel more confident in your drug knowledge?	44%	56%	0%	0%
Do you feel better skilled at dealing with drug related issues?	27%	69%	4%	0%
Did you enjoy the session?	79%	21%	0%	0%

DUST training feedback

	Yes, very much so...	Yes	No	Not at all
Do you feel more confident in your knowledge of DUST?	38%	59%	3%	0%
Do you feel better skilled to use the DUST and support young people?	54%	41%	5%	0%
Did you enjoy the session?	48%	49%	3%	0%
	Before Session average score		After session average score	
On a scale of 1 to 5 (1 being lowest rating, 5 the highest), please honestly indicate how you rated your own knowledge and awareness of DUST both before <u>and</u> after completing today's session	1.7		4.6	

Alcohol & Young People MECC training feedback (with Training Tree)				
	Yes, very much so...	Yes	No	Not at all
Do you feel more confident in your knowledge of the principles of 'make every contact count' and brief advice?	15%	85%	0%	0%
Do you feel better skilled to talk with young people about alcohol?	21%	77%	2%	0%
Did you enjoy the session?	26%	71%	3%	0%

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Appendix 3 Alcohol Mortality Trends

Figure 1: Alcohol related mortality, persons, all ages

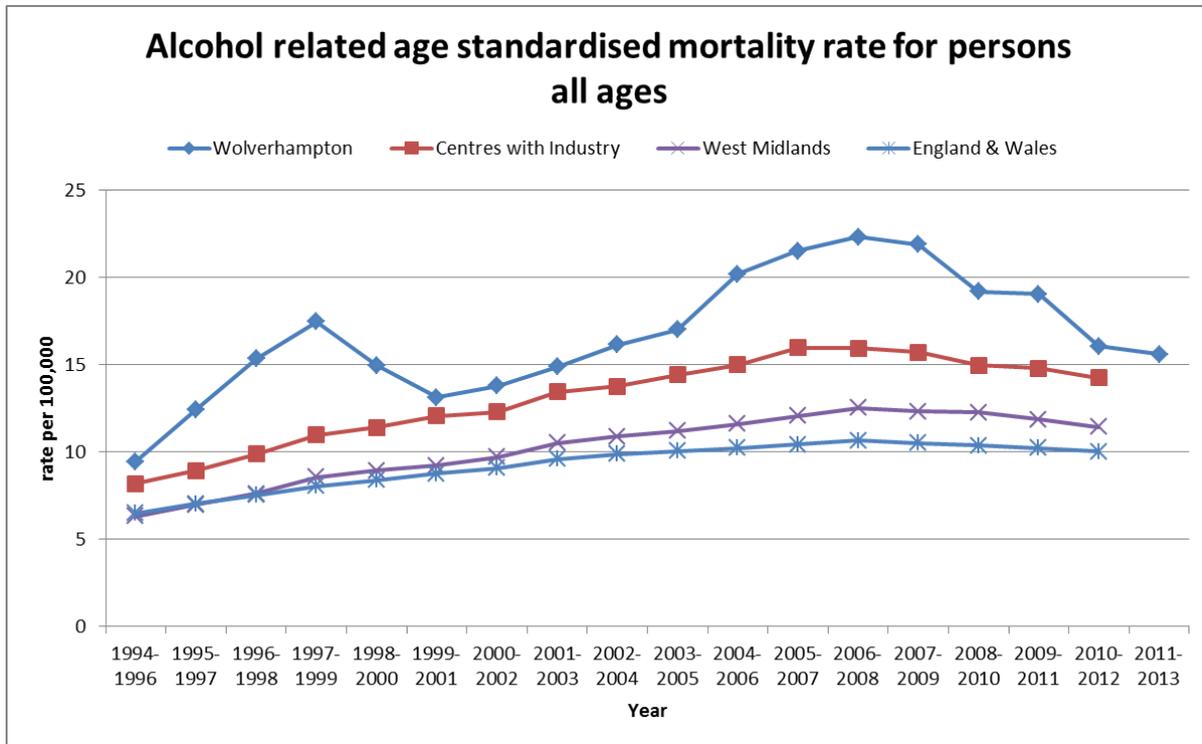


Figure 2: Alcohol related mortality, females, all ages

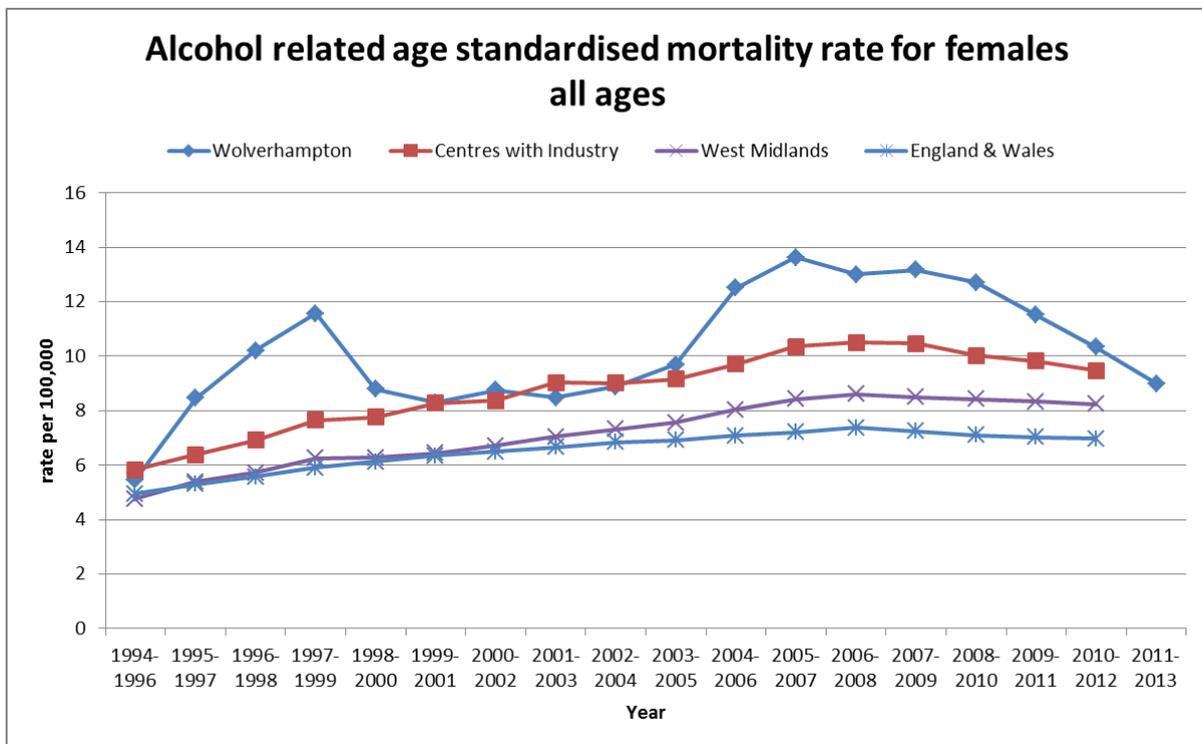


Figure 3: Alcohol related mortality, males, all ages

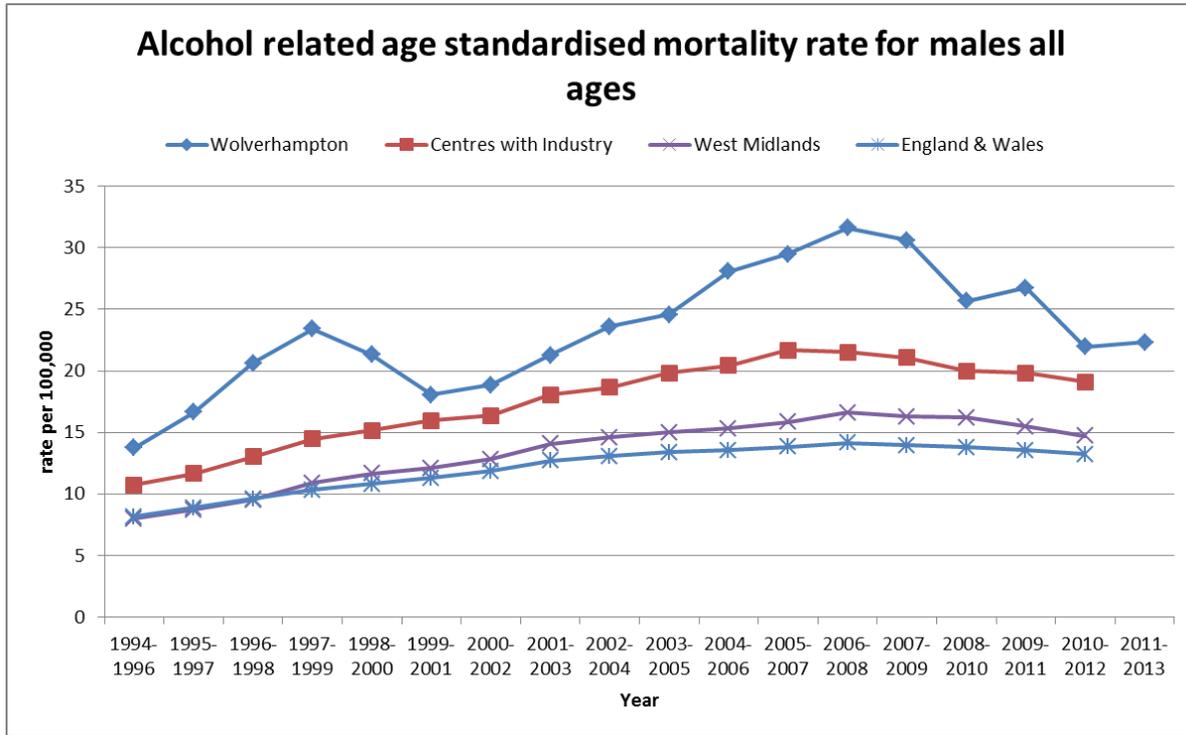


Figure 4: Mortality by deprivation quintile (0-19 = most deprived; 80 – 100 = least deprived)

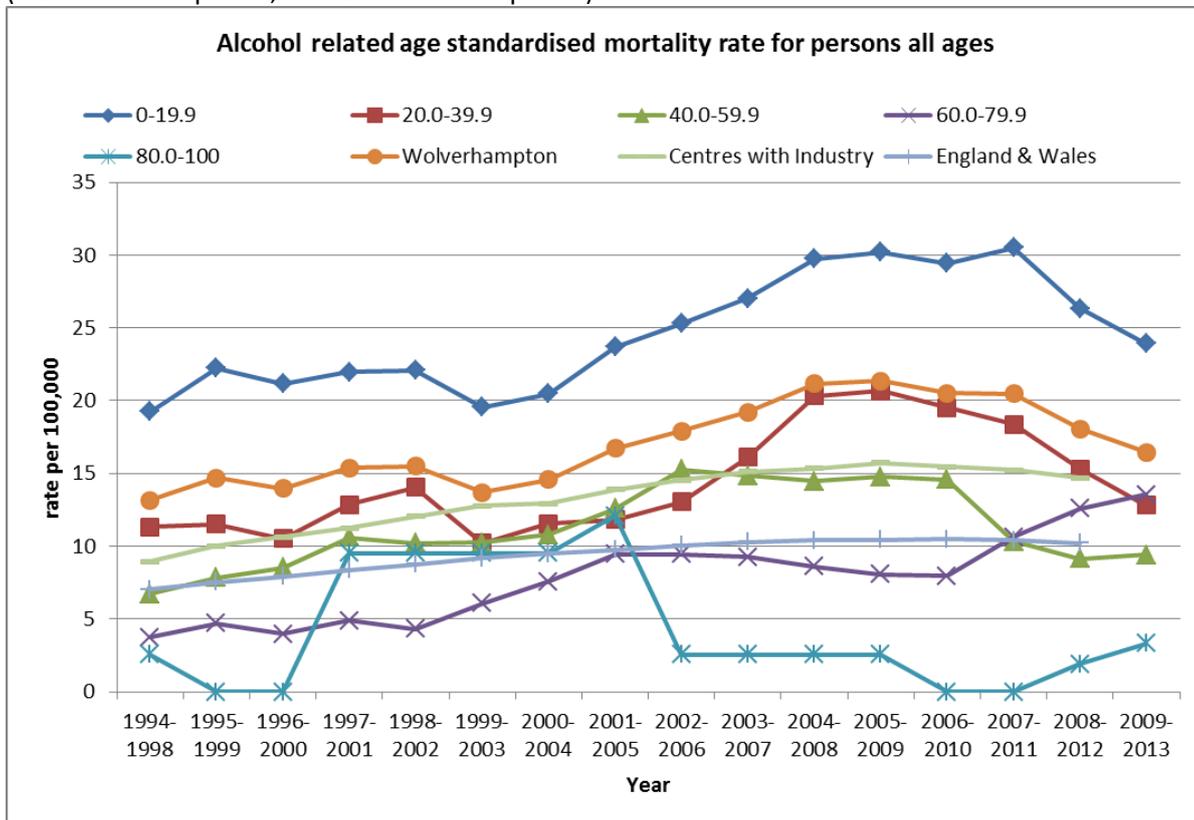
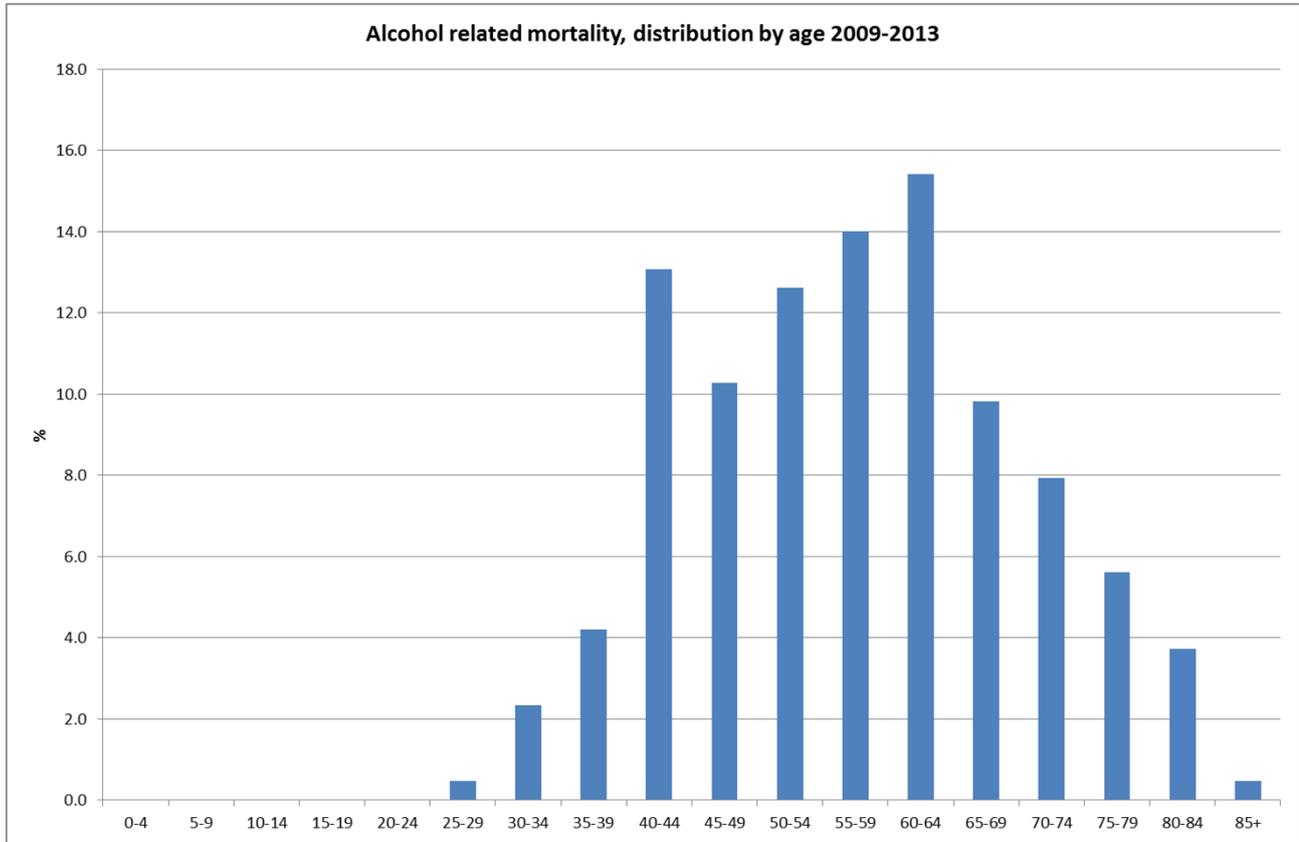


Figure 5: Alcohol related mortality by age





Licensing Committee

10 September 2014

Report Title

Private Hire Vehicle Roof Signs

Accountable Strategic Director

Tim Johnson
Education and Enterprise

Originating service

Licensing Services

Accountable employee

Name	Elaine Moreton
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Recommendation(s) for action or decision:

The Licensing Committee is recommended to:-

- (i) Consider whether the requirement for private hire vehicles to display a type approved roof sign is removed as a private hire vehicle licence condition.
- (ii) Endorse the implementation of a formal public consultation regarding the display of roof signs to private hire vehicles.
- (iii) Receive a further report following conclusion of the consultation process.

1.0 Purpose

- 1.1 To consider whether it should still be a private hire vehicle licence condition that private hire vehicles should display a type approved illuminated magnetic roof sign.
- 1.2 The Licensing Committee is requested to endorse the implementation of a public consultation relating to the display of roof signs on private hire vehicles.
- 1.3 Councillors are requested to receive a further report following the conclusion of the consultation period.

2.0 Background

- 2.1 Hackney carriage and private hire licensing is a non-executive function and it is therefore the responsibility of Licensing Committee to determine the policy and procedures in respect of this matter.
- 2.2 Roof signs were first approved in Wolverhampton by the Public Works and Highways (Hackney Carriage) Sub-Committee in January 1980. They provide a means for the public to identify a vehicle which has been pre-booked via a private hire operator.
- 2.3 In 1992 the Sub-Committee approved a standard of roof signs for all private hire vehicles. The signs were known as “banana” signs.
- 2.4 In September 2001 the Licensing and Environmental Protection Panel considered a report on whether there was still a need for roof signs on private hire vehicles. In deciding that there was a need for roof signs, Members agreed to replace the existing style with a magnetic type which is the style that currently exists.
- 2.5 The private hire trade have for some time raised concerns about the quality and durability of the new roof signs. There were claims that they were easily broken and that they were being stolen to be used by unlicensed drivers elsewhere. At the meeting of the Licensing and Environmental Protection Panel with the private hire and hackney carriage trade on 25 March 2003 a trade representation advised that an incident had occurred where a sign had broken and landed in front of an oncoming lorry.
- 2.6 Officers undertook an investigation into these concerns. The findings of the investigation did not substantiate that there was a particular problem with roof signs coming off vehicles when in use. Nevertheless reservations about roof signs have continued to be raised at regular meetings with the trade over the years.
- 2.7 At the Private Hire Working Group meeting held on 29 July 2013 a number of requests were highlighted by trade representatives, these related to age requirements and vehicle livery which included the request that the display of roof signs is removed.
- 2.8 Following a formal consultation with the private hire trade the Licensing Committee on 20 November 2013 approved the implementation of a revised criteria for private hire vehicles.

2.9 However, this consultation identified no definitive consensus from the trade regarding roof signs and as such it was recommended that a further consultation should take place regarding the request that the display of roof signs be removed.

3.0 Proposals

3.1 Subject to Councillors approval it is proposed to ask the trade to respond by indicating their preference for one of the four options:-

Option 1 - Remove the requirement for private hire vehicles to display a roof sign as required by Private Hire Vehicle Licence Conditions.

Option 2 - Retain the current requirement that private hire vehicles should display a type approved yellow magnetic illuminated roof sign bearing the Council's logo and the words "office bookings only", the operators' name and telephone number.

Option 3 - Leave the option to have a roof sign or not to the proprietor of the private hire vehicle.

Option 4 - If roof signs remain should the type, size and suppliers of the sign be optional to proprietors and operators.

4.0 Consultation

4.1 Councillors are requested that the proposals outlined in Section 3 of the report be subject to a formal consultation process for 12 weeks.

4.2 The Council will consult with various agencies and trade bodies including (not an exhaustive list):

- Members of the Hackney Carriage Working Group
- Members of the Taxi Owners Association (TOA)
- Members of Wolverhampton Hackney Carriage Drivers Association (WHCDA)
- All existing Private Hire Operators
- The Chief Officer of Police
- Members of the Private Hire Working Group
- Wolverhampton Private Hire Owners Association
- WCC Environmental Health (Commercial)
- WCC Highways
- WCC Safeguarding
- Safer Wolverhampton Partnership
- RoSPA
- Suzy Lamplugh Trust
- Equality Groups

4.3 The consultation document will also be available on the Council's website and engagement database <http://engagement.wton-partnership.org.uk/>

4.4 Following the conclusion of the consultation a further report will be presented to Licensing Committee to consider the responses received.

5.0 Financial implications

5.1 There are no direct financial implications from this report for the Council. However, the current cost of a roof sign is £85. Should Councillors decide to eliminate the use of roof signs this would result in a saving to operators and private hire proprietors [TK/29082014/0].

6.0 Legal implications

6.1 The Local Government (Miscellaneous Provisions) Act 1976 allows the local authority to condition licences for hackney carriage and private hire vehicles.

6.2 Section 48(2) provides a district council may attach to the grant of a private hire vehicle licence such conditions as they may consider reasonably necessary.

6.3 Section 64 of the Transport Act 1980 deals with the issue of displaying roof signs on private hire vehicles and prohibits their use if they include the words 'taxi', 'cab' or 'hire' or any other mark or feature which would suggest the vehicle is a taxi. A 'taxi' is defined as a hackney carriage [KR/29082014/0].

7.0 Equalities Implications

7.1 The Public Sector Equality Duty of the Equality Act places a responsibility on the Council to pay due regards to any policies, procedures and decisions it makes. Due to this and other equality issues related to the subject of this report, an equality analysis will be undertaken and the outcome of this and feedback from the consultation will be presented in the further report to this Committee.

8.0 Schedule of background papers

- (i) Public Works and Highways (Hackney Carriages) Sub-Committee - 22 January 1980.
- (ii) Highways and Transportation Sub-Committee - 27 April 1993 and 4 May 1993.
- (iii) Hackney Carriage and Private Hire Vehicle Sub-Committee - 20 January 1994.
- (iv) Licensing and Environmental Protection Panel Meeting - 17 May 2001 and 12 September 2001.
- (v) Licensing and Environmental Protection Panel Meeting - 27 February 2002.

- (vi) Licensing and Environmental Protection Panel Meeting - 25 February 2004.
- (vii) Licensing and Environmental Protection Panel Meeting - 26 April 2004.
- (viii) Licensing Committee - 15 October 2008.
- (ix) Licensing Committee - 20 November 2013.

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