

# **REPORT OF THE EXECUTIVE DIRECTOR OF CITY SERVICES**

## **LICENSING COMMITTEE – 27 JUNE 2011**

### **LICENSING ACT 2003 – ANNUAL REPORT 2010/11**

#### **1.0 PURPOSE OF REPORT**

- 1.1 To advise Members of the regulatory activity undertaken by the Council in 2010/2011 with regard to the Licensing Act 2003.

#### **2.0 DESCRIPTION OF DECISION**

- 2.1 Members are requested to note the contents of the report.

#### **3.0 INTRODUCTION/BACKGROUND**

- 3.1 Under the Licensing Act 2003, Sunderland City Council has responsibility for licensing alcohol, regulated entertainment and late night refreshment within its area. This encompasses the determination, grant, administration and enforcement of premises licences, club premises certificates, personal licences and temporary event notices.

#### **4.0 CURRENT POSITION**

##### **Premises Licences**

- 4.1 There are currently 864 premises licences in force in Sunderland. Of these, 294 premises are licensed for the sale of alcohol for consumption both on and off the premises and a further 88 premises are licensed for the sale of alcohol for consumption on the premises only. There are currently 274 premises licensed for the sale of alcohol for consumption off the premises. A further 208 premises are licensed for activities which do not include the sale of alcohol.
- 4.2 In 2010/11 the Licensing Section processed 42 applications for the grant of a new premises licence. Two of these applications were rejected by officers for failing to advertise the application correctly in accordance with the requirements of the Act. The section also processed 23 applications for a variation to a premises licence. Twenty four of these applications were granted after the applicant agreed to conditions being added to their licence following the receipt of representations from responsible authorities and mediation with officers from the Licensing Section.
- 4.3 The Licensing Section also processed 39 applications for minor variations to premises licences.
- 4.4 The Section referred 16 applications for consideration by the Council's Licensing Sub-Committee after officers were unable to mediate an agreement between the applicant and the objectors. Additionally, three applications for reviews of premises licences were referred to Licensing Sub-Committees.

- 4.5 As well as processing applications officers from the Licensing Section regularly met with applicants prior to applications being submitted. At these meetings officers gave advice on how to complete the relevant application forms and made suggestions as to which conditions the applicant should include in their operating schedule in order to satisfy the requirements of the responsible authorities.

### **Club Premises Certificates**

- 4.6 There are currently 81 premises in the City which hold a club premises certificate. Of these 25 are licensed for the supply of alcohol to members for consumption on the premises and a further 56 are licensed for the supply of alcohol to members for consumption both on and off the premises. No applications regarding club premises certificates were made in 2010/11.

### **Personal Licences**

- 4.7 There are currently 2031 holders of personal licences issued by the Council. In 2010/11 the Licensing Section received 159 applications for a personal licence. Of these 156 were granted and a further six applications did not proceed because either they were identified as invalid by the Licensing Section or the applicant withdrew their application after discussions with officers.

### **Temporary Event Notices**

- 4.8 During 2010/11 the Licensing Section received 286 temporary event notices. Of these, 17 notices did not proceed because either they were identified as invalid by the Licensing Section or the applicant withdrew the notice after discussions with officers. During the year Northumbria Police objected to one notice. This resulted in a referral to a Licensing Sub-Committee who then issued a counter notice which prohibited the event.

### **Responsible Authority Group**

- 4.9 Throughout the year the Licensing Section arranged meetings of the Council's Licensing Act Responsible Authority Group. The group met on a fortnightly basis and its membership consists of representatives from all of the responsible authorities. The remit of the group is to look at applications which are currently under consideration, consider temporary event notices received, discuss enforcement issues and exchange information between officers of the group.

### **Inspections**

- 4.10 In 2010/11 officers from the Licensing Section carried out 261 inspections of licensed premises either proactively to ensure that operators are complying with their licence conditions or subsequent to complaints received about the premises.
- 4.11 An example of how officers dealt with complaints involves a residents' association of a block of flats complaining about a public house in their vicinity. Their concerns related principally to the use of an outside drinking area; particularly when drinkers

spilled over onto a grassed area outside of the premises. Officers visited the chairman of the residents' association to ascertain the exact details of their concerns. Following this visit, officers approached the representative of the licensee and advised him of the residents' concerns. At this meeting it was agreed that, in order to improve the situation, the licensee would erect a temporary barrier to prevent drinkers from spilling onto the grassed area. Additionally, the licensee agreed to employ door supervisors when the outside area was in use in order to encourage order and prevent drinkers from taking open bottles or glasses off the premises.

### **Underage Sales**

- 4.12 In 2010/11 officers from the Trading Standards Section sent child volunteers to attempt test purchases of alcohol at 43 licensed premises. As a result of these visits a number of fixed penalty notices were issued and prosecution reports are currently under consideration in relation to nine instances of selling alcohol to persons under eighteen.

### **Best Bar None**

- 4.13 The second edition of Sunderland's Best Bar None competition was presented in 2010/11. The scheme is recognised by the Home Office as a method of improving standards in public houses and clubs. Officers from the Licensing Section have been trained as Best Bar None assessors and conducted assessments of the premises that entered the competition. The results of these assessments were placed before the judging panel who then decided the winners of the competition. In 2009 the competition was launched in Sunderland City Centre and thirteen premises entered the competition. In 2010 this number increased to nineteen as the scheme was expanded to cover the whole Council area.

### **Pubwatch**

- 4.14 There are several pubwatch schemes currently in operation within the Council's area. These meetings normally occur on a monthly basis and are attended by officers from the Licensing Section. At these meetings officers advise licensees of any legislative changes and also provide advice with regard to best practice.

### **Event Safety Group**

- 4.15 The Council operates an event safety group which meets on a monthly basis to consider the safety of events to be held on Council-owned land. The Licensing Section is represented on this group in order to ensure that organisers are advised of any licensing issues in connection with their event.

## **5.0 REASONS FOR THE DECISION**

- 5.1 To advise Members of the current position within the Council's area with regard to the Licensing Act 2003.

## **6.0 ALTERNATIVE OPTIONS**

6.1 None.

## **7.0 RELEVANT CONSIDERATIONS**

7.1 None.

## **8.0 GLOSSARY**

8.1 None.

## **9.0 LIST OF APPENDICIES**

9.1 None.

## **10.0 BACKGROUND PAPERS**

10.1 None.