

LICENSING PANEL

WEDNESDAY, 18 NOVEMBER 2015

PRESENT: Councillors Asghar Majeed (Chairman), John Collins, Jesse Grey, Charles Hollingsworth, Maureen Hunt, Sayonara Luxton, Wesley Richards, Derek Sharp and Derek Wilson.

Officers: Alan Barwise, Steve Johnson and Shilpa Manek

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Alexander, Bowden, Cox and Hilton.

DECLARATIONS OF INTEREST

Councillor Shelim declared an interest as he owns a restaurant in Windsor but he was attending the meeting with an open mind.

MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the meeting of the Panel held on 13 October 2015 be approved.

LICENSING POLICY STATEMENT

Steve Johnson, Enforcement Principal, reminded the Panel that the Licensing Policy Statement had been seen by the Panel at previous meetings. The Panel had requested that officers took a legal opinion on the document. The Licensing Policy Statement had been checked and a few minor suggestions had been made by counsel. These recommendations had been incorporated in the policy and were set out in the report. The Licensing Policy Statement was at Panel today to be agreed before going to Council in December 2015.

Councillor Hollingsworth asked officers if the Licensing Panel needed to see the Sub Committee Procedures. Legal explained that the procedures were largely in place by statute. If they were part of the policy and needed changing, a formal consultation would need to go ahead. Councillor Hollingsworth asked how could the Licensing Panel could agree the Sub Committee Procedures without seeing them. Steve Johnson advised that it was not integral to see the procedures.

Councillor Grey asked for point 2.9, default hours, to be clarified. Steve Johnson explained to the Panel that the hours were default hours and any premises could make an application to alter the default hours if there were no objections. All applications were considered on their own merit and would go to the Licensing Panel Sub Committee for Members to make a decision.

Councillor Luxton asked about 24 hour supermarkets, Alan Barwise explained that it was the same rule for supermarkets and they would have to apply and it would be up to the Licensing Panel Sub Committee to make a decision.

Councillor Hunt asked officer what was different about the process now as all applications were sent to all ward councillors and Parish Councillors who would then discuss. Councillor Hunt was advised that Members now have the extra ability to decide on each application.

Other points included:

- Any premises that serves food after 11pm needs a license.

- The new policy would apply to only new applications only.

Councillor Wilson asked officers if there was a fixed period for licenses or was the license permanent. Alan Barwise advised that it was a permanent license. Councillor Wilson asked if we do anything to control crowds in particular areas in the early hours of the morning. Also concerned about all establishments all closing at same times and police having difficulty in controlling lots of people all at once. Finally, Councillor Wilson also wanted to know if selling alcohol to underage children was still being monitored and enforced. Alan Barwise explained that the policy could be looked at all through the year and would be looked at again since there were too many clubs in Windsor. There may also be a possibility of not allowing any further clubs in Windsor, however, facts and figures would need to be considered first and the accumulative impact of any further premises. Steve Johnson explained that the selling of alcohol to underage children was previously being dealt with by trading standards and currently a new model is being worked on with Thames Valley Police.

Councillor Hunt asked if any records were kept of incidents in the borough. Alan Barwise explained that very specific reports were kept by the police. The figures have increased.

The Panel then discussed a point raised by Councillor Shelim about closing at 2am and what that actually meant. Would the 2am time indicate stopping serving or totally closing and leaving the premises. Alan Barwise explained that it was up to Members to decide if a winding down time was allowed. Other Members discussed that a winding down period would be a good idea and would allow gradual leaving of people. Councillor Shelim suggested having an alcohol license till 2am and then having a premises licence for later, allowing clear up. Councillor Shelim was very concerned about fights in the street and damage caused to things on the road. Members agreed that it was difficult to penalise clubs for peoples behaviour just because they had been drinking there. The Panel agreed that this was a general problem from having a nigh time economy.

Will Cottrell, legal advisor, reminded the Panel that a top legal expert had already reviewed the policy and had recommended a 2am finish.

RESOLVED UNANIMOUSLY: That the Licensing Policy Statement be approved.

DATES OF FUTURE MEETINGS

Members noted the next meeting of the Licensing Panel would be Tuesday 12 January 2016.

The meeting, which began at 6.00 pm, finished at 6.50 pm

CHAIRMAN.....

DATE.....