

NORTHAMPTON BOROUGH COUNCIL

Licensing Committee

Your attendance is requested at a meeting to be held at the The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE. on Tuesday, 27 September 2011 at 6:00 pm.

D Kennedy
Chief Executive

AGENDA

1. Apologies
2. Minutes
3. Deputations / Public Addresses
4. Declarations of Interest
5. Matters of Urgency which by reason of special circumstances the chair is of the opinion should be considered
6. Application for a change in the Sex Establishment Licence Conditions.
7. Hackney and Private Hire Vehicles. Introduction of age policy.
8. Licensing Act 2003. Redressing the Balance. Recommendations following consultation.
9. Exclusion of Public and Press

The Chair to Move:

“that the public and press be excluded from the remainder of the meeting on the grounds that there is likely to be disclosure to them of such categories of exempt information as defined by section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12a to such act.”

Public Participation

Members of the public may address the Committee on any non-procedural matter listed on this agenda. Addresses shall not last longer than three minutes. Committee members may then ask questions of the speaker. No prior notice is required prior to the commencement of the meeting of a request to address the Committee.

SUPPLEMENTARY AGENDA

Exempted Under Schedule, 12A of L.Govt Act 1972, Para No: -

<TRAILER_SECTION>
A6831

Public Participation

Members of the public may address the Committee on any non-procedural matter listed on this agenda. Addresses shall not last longer than three minutes. Committee members may then ask questions of the speaker. No prior notice is required prior to the commencement of the meeting of a request to address the Committee.

LICENSING COMMITTEE

Tuesday, 28 June 2011

PRESENT: Councillor Caswell (Chair); Councillor (Deputy Chair); Councillors

APOLOGIES:

2. MINUTES

The Minutes of the meeting on 1 March 2011 were confirmed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

There were none.

4. DECLARATIONS OF INTEREST

Councillor Ifty Choudary declared a Personal and Prejudicial interest in all items as his wife holds an operators licence.

Councillor Roger Conroy declared a personal interest in Item 7, as the owner of a Children's Centre who uses taxi's to collect vulnerable children.

5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

There were none.

6. MULTI AGENCY CHECKS OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS AND VEHICLES

To receive a report from Phil Bayliss, Licensing Manager, on Multi Agency Checks of Hackney Carriage and Private Hire Drivers and Vehicles.

Members thanked the Licensing Manager for the report but due to the seriousness of the issues and offences committed by taxi drivers, they felt that this was not a report for noting but something that needed to be followed by this Committee and that the Committee should be kept updated on the progress and results of future Multi Agency Checks.

Discussion took place around the serious issues that some of the taxi drivers had been given immediate prohibition for, such as defective tyres. It was noted that these issues could cause serious harm to passengers or members of the public.

The Licensing Manager explained why some of the vehicles were dealt with via an immediate prohibition and why others were delayed. This was due to the seriousness of the offence and whether the offence led the vehicle or driver to be unsafe or was a technical issue such as not carrying the correct documentation. The Vehicle and Operator Services Agency (VOSA) regulated these decisions and it was confirmed that immediate and delayed prohibition led to the requirement of an immediate MOT. This was confirmed as a rigorous tool to ensure technical issues were fixed and checked by the relevant inspectors. The Licensing Manager explained that the Committee did not deal with the drivers as the Police had the powers during the Multi Agency Checks to administer immediate fines and penalty points, in line with relevant regulation. It was hoped that more Multi Agency Checks would happen in the near future.

It was therefore RESOLVED:

1. That the Licensing Authority actively step up enforcement in the next few months and results of enforcement is monitored by the Committee; and
 2. That the report be noted.
- 7. REVIEW OF CRIMINAL RECORD BUREAU CHECKS FOR HACKNEY/PRIVATE HIRE DRIVERS**

To receive a report from Phil Bayliss, Licensing Manager, on a Review of Criminal Record Bureau checks for Hackney/Private Hire Drivers.

Members strongly emphasised that they would prefer to keep the Enhanced Criminal Record Bureau (CRB) Disclosure as standard. They confirmed that due to the number of young and vulnerable people who regularly use taxis in the Borough, the enhanced disclosure was suitable and necessary.

Members enquired as to why there needed to be a change and what predicament that not obeying to regulation, would put the Licensing Manager and the Licensing Authority in. It was confirmed that the Licensing Manager was only able to share information from a Standard CRB Disclosure, as this was all that was recommended by the Department for Transport and Criminal Records Bureau. He noted that any information that was viewed by him on the Enhanced Disclosure was to be kept confidential which may put him in a situation where he is aware of issues that may deem a Licence Applicant not 'fit and proper' but is unable he would be unable to disclose this information to the Committee.

As an interim measure the Licensing Manager advised that the County Council could request that any taxi drivers that tender or have a contract to transport vulnerable persons, have an Advanced CRB Disclosure.

The Licensing Manager was confident that common sense would soon prevail with the regulations / recommendations from the Department for Transport and Criminal Records Bureau and that this authority could again request that all Hackney / Private Hire Taxi Drivers have an Enhanced CRB Disclosure. It was confirmed that until that time we would need to use the information that was available to us in the Standard CRB Disclosure.

It was therefore RESOLVED:

1. That the Chairman of the Committee sign a letter requesting that Northamptonshire County Council request Taxi Driver under contract or tender for vulnerable persons undergo an Enhanced Criminal Records Bureau Check; and
2. That Criminal Record Bureau checks should be carried out as recommended by the Department for Transport and Criminal Records Bureau and become a Condition of being granted a Hackney/Private Hire licence.

9. EXCLUSION OF PUBLIC AND PRESS

The Chair moved that the Public and Press be excluded from the remainder of the meeting on the grounds that there was likely to be disclosure to them of such categories of exempt information as defined by Section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12A to such Act.

The Motion was Carried.

10. REVIEW OF A PRIVATE HIRE DRIVERS LICENCE

The driver confirmed that he had received the relevant paperwork and the Licensing Officer outlined the circumstances as set out in the report.

The Committee heard the representations made and reached a decision with regard to any further action to be taken based on the evidence presented.

RESOLVED

That the driver on a balance of probability was not a fit and proper person to hold a Private Hires Driver's Licence but the Committee would take no further action at this time.

11. REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE

The driver confirmed that he had received the relevant paperwork and the Licensing Officer outlined the circumstances as set out in the report.

The Committee heard the representations made and reached a decision with regard to any further action to be taken based on the evidence presented.

RESOLVED

1. That the driver on a balance of probability was not a fit and proper person to hold a Private Hires Driver's Licence.
2. That the Driver's Private Hire Licence be suspended for a period of two weeks following a period of 21 days after his receipt of notification from the Licensing Authority during which time he had the right to appeal to the Magistrates.

12. REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE

The Licensing Officer informed the Committee that driver had failed to appear at the meeting and no apology had been submitted.

The Committee, being satisfied that the Private Hire Driver, had received adequate notification of the Meeting, agreed to hear the matter in his absence.

The Licensing Officer then outlined the circumstances as set out in the report.

The Committee, using evidence contained within the report, made and reached a decision with regard to any further action to be taken.

RESOLVED

1. That the driver on a balance of probability was not a fit and proper person to hold a Private Hires Driver's Licence.
2. That the Driver's Private Hire Licence be suspended for a period of one months following a period of 21 days after his receipt of notification from the Licensing Authority during which time he had the right to appeal to the Magistrates.

13. REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE

The Licensing Officer informed the Committee that driver had failed to appear at the meeting and no apology had been submitted.

The Committee, being satisfied that the Private Hire Driver, had received adequate

notification of the Meeting, agreed to hear the matter in his absence.

The Licensing Officer then outlined the circumstances as set out in the report.

The Committee, using evidence contained within the report, made and reached a decision with regard to any further action to be taken.

RESOLVED

1. That the driver on a balance of probability was not a fit and proper person to hold a Private Hires Driver's Licence.
2. That the Driver's Private Hire Licence be suspended for a period of one months following a period of 21 days after his receipt of notification from the Licensing Authority during which time he had the right to appeal to the Magistrates.

14. REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE

The Licensing Officer informed the Committee that driver had failed to appear at the meeting and no apology had been submitted.

The Committee, being satisfied that the Private Hire Driver, had received adequate notification of the Meeting, agreed to hear the matter in his absence.

The Licensing Officer then outlined the circumstances as set out in the report.

The Committee, using evidence contained within the report, made and reached a decision with regard to any further action to be taken.

RESOLVED

1. That the driver on a balance of probability was not a fit and proper person to hold a Private Hires Driver's Licence; and
2. That the Driver's Private Hire Licence be suspended for a period of one months following a period of 21 days after his receipt of notification from the Licensing Authority during which time he had the right to appeal to the Magistrates.

15. REVIEW OF A HACKNEY CARRIAGE LICENCE

The driver confirmed that he had received the relevant paperwork and the Licensing Officer outlined the circumstances as set out in the report.

The Committee heard the representations made and reached a decision with regard to any further action to be taken based on the evidence presented.

RESOLVED

That the driver, on a balance of probability, was a fit and proper person to hold a Hackney Carriage Licence.

<TRAILER_SECTION>

The meeting concluded at 7:55 pm

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Appendices
3



NORTHAMPTON
BOROUGH COUNCIL

Item No.
6

Ward:

Name of Group:	LICENSING
Meeting Date:	27th September 2011
Directorate:	Public Protection
Head of Service:	Steve Elsey
Corporate Director	Julie Seddon

Report Title	Application for a change in the Sex Establishment Licence Conditions.
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1. Recommendations

That the application be considered and determined.
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2. Summary

<p>The Application</p> <p>A request has been made by Ms Lisa Moss of Simply Pleasure Ltd. for an amendment to the Council's Sex Establishment Licence conditions, to allow an 'Open Window Display' at their premises 86 Wellingborough Road Northampton.</p>
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3. Background

<p>On 28th May 1998 the current Sex Shop Conditions were introduced and have remained in force unchanged to date. Simply Pleasure Ltd have asked that they be granted the facility to have an 'Open Window Display'. Images of such displays are attached to the report and have been agreed by other relevant authorities..</p> <p>They have confirmed that the inside of the premises will not be visible from the outside and displays will not include anything of an explicit or erotic nature. They are of the opinion that such a display will improve the appearance of the shop.</p> <p>The decision to be made is whether granting permission for such a display will comply with Conditions 1,2, 3 and 5 of the Northampton Borough Council Sex Shop Conditions.</p>
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1. The Law

Where a district Council has adopted Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, (which Northampton Borough Council has), then any person wishing to use premises as a “sex establishment”, requires a licence to do so.

The Act specifies the form of any application and that notice of the application for a grant, renewal or transfer must be given in the local press and publicly displayed for 21 days. Any person may object to the application in writing to the local authority within 28 days of the application. The local authority is required to inform the applicant in general terms of the grounds of the objections.

The local authority is also required to have regard to the observations of the police.

The Act provides that an applicant shall be given the opportunity of presenting his application before the committee when the matter is determined. If objectors attend, and wish to speak, whether they are allowed to do so is entirely in the Committee’s discretion. Members must bear in mind however, that if any objectors raise any matters not disclosed by their objection, the applicant may be entitled to have the hearing adjourned to consider the points raised.

It must be emphasised that the local authority’s duty is to carefully consider an application on its merits.

There are various grounds on which an application must be refused. To précis;

(a) That the applicant is unsuitable to hold a licence by reason of having been convicted of an offence or for any other reason.

(b) That if the licence were granted the business would be managed by or carried on for the benefit of a person other than the applicant, who would be refused the grant if he himself applied.

(c) That the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate.

(d) That the grant of the licence would be inappropriate having regard to the character of the relevant locality, the use to which any premises in the vicinity are put or to the layout character or condition of the premises.

If the Committee is not reasonably satisfied that one or more of the above criteria are relevant to the application, its duty is to grant the licence. The legal requirement is that Members should, as far as possible, take into account only information available to them which is relevant in deciding whether or not the above criteria apply to each particular application and ignore any religious, moral or social viewpoints they may hold about sex shops generally.

2. Suitability of Applicant and Location of Premises

The Local Government (Miscellaneous Provisions) Act 1982 enables the Council to control the suitability of an individual applicant, the location of the premises and the number of premises in a defined locality, the appearance of the shop and the shop front, the level of fee and the hours of opening.

A licensing authority can adopt reasonable policy guidelines to help it determine applications for sex shop licences, in particular that it would be inappropriate to site sex shops in certain specified historically important streets or near schools, shopping complexes or in residential areas.

Councillors can to some extent use their own subjective local knowledge in deciding which factors are relevant in the character of the locality.

3. Planning Implications

In planning terms the definition of a shop is an establishment for sales or services to visiting members of the public. With the exception of motor vehicles, types of goods for sale are not a planning consideration.

As with all shops the display of their advertisements can only be controlled if they are above a particular size or height or are illuminated.

Shop window displays are not normally controlled and no provision exists to control the goods for sale on these premises. Generally speaking, an advertisement requiring consent would be viewed in terms of its style and design, giving regard to the building and the street scene rather than its particular wording or content.

4. The Council's Present Policy on the Number of Licensed Sex Establishments in the Borough of Northampton.

On 25 May 2010 The Council amended the existing 'Sex Establishment' Policy, agreed by the Licensing Committee at its meeting on 28th May 1998 and 17th December 1998: include the words:

"That the appropriate number of Sex Establishments and Sex Entertainment Venues in the Borough of Northampton be restricted to the following localities:

- a) The area bounded by and including the Wellingborough Road, Kettering Road and Abington Avenue be limited to three.
- b) The area of Regent Square be restricted to a single "Sex Establishment".

This area was deemed to be a suitable location for such establishments.

Sex Shop Conditions remained unchanged.

The Act was designed to allow local authorities to have a certain degree of control over such premises whilst at the same time allowing the general public scope to comment.

There have been no complaints at any time received during the last twelve months.

Conditions relevant to this application include:

1. To ensure that at all times, the premises, and every part thereof, comply with the Indecent Displays Act, 1981.
2. To ensure that the premises comply at all times with the provisions of the Town and Country Planning (Control of Advertisements) Regulations, 1992.
3. The external appearance of the licensed premises (including all advertisements displayed thereon) shall be in accordance with a scheme previously submitted to, and approved by, the Local Authority. In the case of the grant of a new licence, the existing scheme must be submitted to the Council within 28 days of the grant of any licence.
5. No alteration in any respect whatsoever to the appearance of the licensed premises shall be made without the prior approval in writing of the Council.

3A. Any Relevant Policies

Local Government (Miscellaneous Provisions) Act 1982.

Sex Shop Licence Conditions.

The Northampton Borough Council Policy on Sex Establishments. (*Scheme previously submitted to, and approved by, the Local Authority*).

4. Options and Evaluation of Options

That the Committee make a decision to grant or not to grant the application.

5. Resource Implications (including Financial Implications)

The Licensing Enforcement officers will continue to monitor and enforce 'Sex Shop Conditions'.

6. Consultees (Internal and External)

Internal	Legal Planning
External	N/A

7. Compliance Issues

Finance Comments

The application fee remains unchanged.

Legal Comments

“Indecent “ is not defined in any statute but bears its dictionary meaning: unbecoming, highly unsuitable or inappropriate, contrary to the fitness of things, in extremely bad taste or grossly offensive.

Case Law also defines it to be “Whether the images complained of would be considered indecent according to ‘recognised standards of propriety’ or ‘the standard of decency which ordinary right-thinking members of the public would set’ ”

Indecent Displays (Control) Act 1981.

“1 Indecent displays.

(1) If any indecent matter is publicly displayed the person making the display and any person causing or permitting the display to be made shall be guilty of an offence.

(2) Any matter which is displayed in or so as to be visible from any public place shall, for the purposes of this section, be deemed to be publicly displayed.

(3) In subsection (2) above, “public place”, in relation to the display of any matter, means any place to which the public have or are permitted to have access (whether on payment or otherwise) while that matter is displayed except—

(a) a place to which the public are permitted to have access only on payment which is or includes payment for that display; or

(b) a shop or any part of a shop to which the public can only gain access by passing beyond an adequate warning notice;

but the exclusions contained in paragraphs (a) and (b) above shall only apply where persons under the age of 18 years are not permitted to enter while the display in question is continuing.

(4) Nothing in this section applies in relation to any matter—

(a) included by any person in a television broadcasting service or other television programme service (within the meaning of Part I of the Broadcasting Act 1990);]

(b) included in the display of an art gallery or museum and visible only from within the gallery or museum; or

(c) displayed by or with the authority of, and visible only from within a building occupied by, the Crown or any local authority; or

(d) included in a performance of a play (within the meaning of the Theatres Act 1968); or

(e) included in a film exhibition as defined in the Cinemas Act 1985—

(i) given in a place which as regards that exhibition is required to be licensed under section 1 of that Act or by virtue only of section 5, 7 or 8 of that Act is not required to be so licensed; or

(ii) which is an exhibition to which section 6 of that Act applies given by an exempted organisation as defined in subsection (6) of that section.]

(5) In this section “matter” includes anything capable of being displayed, except that it does not include an actual human body or any part thereof; and in determining for the purpose of this section whether any displayed matter is indecent—

(a) there shall be disregarded any part of that matter which is not exposed to view; and

(b) account may be taken of the effect of juxtaposing one thing with another.

(6) A warning notice shall not be adequate for the purposes of this section unless it complies with the following requirements—

(a) The warning notice must contain the following words, and no others—

“WARNING Persons passing beyond this notice will find material on display which they may consider indecent. No admittance to persons under 18 years of age.”

(b)The word “WARNING” must appear as a heading.

(c)No pictures or other matter shall appear on the notice.

(d)The notice must be so situated that no one could reasonably gain access to the shop or part of the shop in question without being aware of the notice and it must be easily legible by any person gaining such access.”

Any objections received for this application must fall within Paragraph 12 Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 and the members of the committee must steer away from any moral considerations raised by any objector(s).

The committee ought to have due regard to the European Convention of Human Rights Act Article 1 Protocol 1 (peaceful enjoyment of possessions) and Article 10 (freedom of expression)”

Planning

With the exception of motor vehicles, types of goods for sale are not a planning consideration.

As with all shops the display of their advertisements can only be controlled if they are above a particular size or height or are illuminated.

Crime and Disorder Issues

N/A

Equality Impact Assessments

The Equality Act 2010

This provides a new cross-cutting legislative framework to protect the rights of individuals and advance equality of opportunity for all; to update, simplify and strengthen the previous legislation; and to deliver a simple, modern and accessible framework of discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

In implementing the Licensing of Sex Entertainment Venues, associated legislation and guidance, this Licensing Authority is committed to ensuring that the obligations and duties within this legislation are met.

Human Rights Act Implication

Local Authorities must take into account any rights the existing operator may have under Article 1, Protocol 1 of the European Convention of Human Rights,(which entitles every person to the peaceful enjoyment of their possessions) and Article 10 (freedom of expression).

Other compliance issues

Northampton Borough Council Sex Shop Licence Conditions and their reference to displays and advertisements. (Conditions 1,2,3 and 5).

8. Background Papers

Home Office	Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. Indecent Displays (Control) Act 1981.	
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Name	Signature	Date	Ext.
Author	Mr P Bayliss	13/9/11	7099
Corporate Manager	Steve Eley		
Director	Julie Seddon		

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Sex Shop Licence

SS0002

Organisation and Office Address

Simply Pleasure

86 Wellingborough Road
Northampton
Northamptonshire

LICENCE HOLDER

Tim HEMMING

Unit B, Sterling Business Park 6 Nimrod Way, Ferndown Business Park, Wimbourne Dorset BH21 7SH

Licence valid from **01 Oct 2010**

expires...

30 Sep 2011

IMPORTANT NOTES

- This registration is subject to the provisions of the relevant legislation.
- The possession of this document does not guarantee that the registration is in force. Its validity may be established by reference to the Council's Licensing Office.
- This registration is not transferable without the consent of the Council.

Principal Licensing Officer

P Bayliss

15/09/2011 08:15:43 SS0002

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NORTHAMPTON
BOROUGH COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

SEX SHOP LICENCE CONDITIONS

1. To ensure that at all times, the premises, and every part thereof, comply with the Indecent Displays Act, 1981
2. To ensure that the premises comply at all times with the provisions of the Town and Country Planning (Control of Advertisements) Regulations, 1992.
3. The external appearance of the licensed premises (including all advertisements displayed thereon) shall be in accordance in all respects with a scheme previously submitted to, and approved by, the Local Authority. In the case of the grant of a new Licence, the existing scheme must be submitted to the Council within 28 days of the grant of any licence
4. The person to whom the Licence is granted shall comply with all requirements of the Council as to the format, colour, construction, design and materials used in connection with the approved shop fascia.
5. No alteration in any respect whatsoever to the appearance of the licensed premises shall be made without the prior approval in writing of the Council.
6. The premises shall not be open save between the hours of 9.00am – 8.00pm without the permission of the Council.
7. No film or video material shall be exhibited, kept, sold, or supplied at the sex establishment, except such film or video material as bears a valid classification issued by the British Board of Film Classification in accordance with the requirement of the Video Recordings Act 1984 and 1993 or any regulation made there under.
8. In the event of the person licensed (or any person who signed a Declaration of Convictions in respect of the Application Form relevant to the Licence) being convicted of any criminal offence, to notify the Solicitor to the Council in writing within 7 days of the date of the conviction, specifying the nature of the offence, the Court which imposed the penalty and the penalty imposed.
9. To notify the Council in writing within 7 days of the happening of any of the following events and at the same time give the applicable information specified hereunder:-
 - (i) In the event of any person other than those mentioned in the relevant Application Form becoming involved in, or connected with, the running of the business carried on under this Licence (whether by addition to our substitution for, existing managers or in the case of a Company, directors and branch managers) to give details of the name, age and private address of all such persons.
 - (ii) In the event of any books, films, materials, articles or any other things whatsoever being seized, impounded or otherwise removed from the premises by any person (whether by virtue of any statutory power or under a warrant issued for that purpose) to give full details thereof and such additional information as may be required by the Solicitor to the Council.

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Simply Pleasure Ltd.
Unit B Sterling Business Park
6 Nimrod Way
Ferndown Industrial Estate
Wimbourne
Dorset
BH21 7SH

Philip Bayliss

01604 837099

26th July 2011

pbayliss@northampton.gov.uk

Dear Ms Moss

Open Window Display Request - Simply Pleasure, 86 Wellingborough Road,
Northampton.

I refer to your letter received 25th July 2011 and acknowledge their contents.

I intend to place your application for an Open Window Display before the Licensing Committee on 27th September 2011. You will be contacted before the hearing and provided with a copy of the committee report.

I also enclose your application form for the renewal/variation of your licence. This is due to expire on 30th September 2011 both matters will be heard together.

To allow the display would mean a change to the relevant conditions and this has to be agreed by the Licensing Committee.

As regards your request to extend your opening hours of trading to include Sunday opening.

The conditions on your licence do not impose a restriction on your days of opening and previous contact with our Planning Department reveal that they have no objections to your request.

In view of this we would have no objection to your opening on the days requested.

If I can be of further help do feel free to contact me.

Yours sincerely



Philip Bayliss
Principal Licensing Officer



Philip Bayliss
Northampton Borough Council
Meeting Services & Licensing
The Guildhall
St. Giles Street
Northampton
NN1 1DE

Dear Philip

**Ref: Open Window Display Request – Simply Pleasure 86
Wellingborough Road, Northampton, NN1 4DP**

I write with regards to the above as we would like to be granted permission to have an open window display.

I have attached images of our other stores which have been granted an open window. We can assure you that the inside of the shop will not be visible to passersby and we will not be displaying anything of an explicit/erotic nature. We feel that having an open window will make the front of the shop look more appealing.

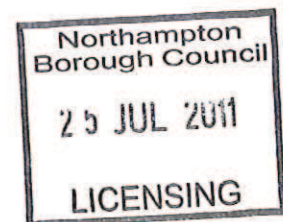
Our shops which already have an open window currently display lingerie and club wear, which you can see from the images I have provided.

We would also like permission to trade on Sunday. Many of our stores trade on a Sunday and we feel that this would be very beneficial to us in the Northampton area. The hours would be 10am to 4pm and we would of course not wish to trade on Easter Sunday.

If you can advise when the next committee meeting will be I will ensure that the Area Manager for the store is available to attend.

Yours faithfully

Lisa Moss
HR & Licensing





West Brom



Woot Bown

Massfield



Exeter



Haverhill



Barquay



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Appendices
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NORTHAMPTON
BOROUGH COUNCIL

Item No.
7

Ward: N/A

Name of Group:	LICENSING
Meeting Date:	27 September 2011
Directorate:	Public Protection
Head of Service:	Steve Elsey
Corporate Director	Julie Seddon

Report Title	Hackney and Private Hire Vehicles. Introduction of age policy.
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1. Recommendations

That the report be considered with a view to consulting with interested parties as to the feasibility and necessity of introducing a combined Hackney and Private Hire vehicle age policy.
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2. Summary

At present the Council will not licence a Hackney Carriage if it is older than three years from the date of first DVLA registration. There are no similar conditions on licensing Private Hire vehicles.
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Research has been carried out to determine whether faults found on Hackney and Private Hire vehicles are age or mileage related and whether they could be avoided by introducing an age or mileage restriction on first plating. Also to introduce an upper age limit when a vehicle will be assessed as no longer suitable for use as a licensed vehicle.
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3. Report Background

Northampton Borough Council currently licence 140 Hackney vehicles and 550 Private Hire vehicles.

The Chairman of the Licensing Committee has requested that research be carried out into the feasibility of introducing an age related policy in respect of Private Hire vehicles. The committee may feel that in the interests of public safety this should be extended to cover all vehicles licensed by the authority for use in the 'taxi' trade.

Members will recall that there are two trades providing exclusive driver and car hire services.

- (a) Taxis which ply for hire from taxi ranks (hackney carriages) and can be hired in the streets; and
- (b) Private Hire Vehicles, which must be pre-booked by telephone or by calling in person at the operator's office (mini-cabs).

The Councils current policy with regard to Hackney carriages, introduced in October 1997, is that they must be less than 3 years old when licensed for the first time. There is no upper age limit placed on these vehicles thereafter. These are, however, a purpose built vehicle and as such are generally more robust than the average family saloon.

Private Hire Vehicles are usually "normal" vehicles representative of the private car fleet e.g. medium/large saloon cars, people carriers with up to 8 passengers capacity and some limousine type vehicles for specialist hire.

Technical specifications for private hire vehicles

There are many different makes and styles of vehicle on the road today.

Not all vehicles would be suitable for use as a private hire vehicle and the Council has therefore approved certain standards to guide proprietors on the type of vehicle considered suitable bearing in mind public comfort/safety and the legal requirements previously mentioned.

The specifications we apply to vehicles are as follows:

- 1. That your vehicle is in an immaculate condition both mechanically and cosmetically. There is no age limit on this type of licence, but vehicles are expected to remain in a first class condition.*
- 2. That your vehicle is right hand drive. We will not accept any "conversions" from left to right hand drive under any circumstances. The vehicle must not have less than four road wheels. They will still need to pass the Council test.*
- 3. That your vehicle (if a car) has a minimum of 4 doors giving adequate access and egress from the vehicle. The design of the car can be saloon, hatchback, estate, or MPV.*
- 4. That your vehicle has a back seat width (when measured in a continuous line from edge to edge) of at least 1220mm (48 inches).*
- 5. That your vehicle provides easy access from a door to any passenger seat.*

6. That your vehicle is constructed or adapted to carry a minimum of 4 passengers in comfort.

7. That your vehicle (if a minibus or "people mover") has sufficient doors of sufficient size to allow passengers to get in and out quickly and safely.

8. It is a requirement of the Council that seat belts be provided for all persons, irrespective of age, and according to the licensed capacity of the vehicle.

9. The licence number shall be displayed on the outside of the vehicle on the official plates provided.

10. Our policy being a vehicle, 4-door saloon or estate of not less than 1400 cc, and includes specific measurements relating to the interior and exterior of the vehicle, and other nominated specialist vehicles.

The licensing authority may not restrict the number of such vehicles.

This Council has no current policy regarding the age of Private Hire Vehicles. A number of Councils have introduced an age policy with regard to these vehicles; all have proved successful in improving the quality of Private Hire vehicles and enhancing the image of the trade in general. There has also been a noticeable decrease in the failure rate when these vehicles are tested. Daventry introduced an age policy in 1995, Wellingborough and Kettering more recently.

From research carried out older and high mileage vehicles are more prone to faults than the newer, more advanced models. A significant number of vehicles also fail to satisfy the new EU Emission Limits, mainly due to their age and changes in emission levels. It is possible to provide an exemption for exceptional vehicles that are also able to satisfy Emission controls set by the EU.

There is no doubt that having an age policy in respect of Hackney Vehicles has helped to maintain a fleet of vehicles that are a credit to the licence issuing authority, a similar policy in respect of Private Hire Vehicles would no doubt have a similar result.

Recommendations

The proposal is that, following relevant consultation with interested parties, any Private Hire Vehicle licensed for the first time will be no more than 3 years old from the date of first registration and, providing the standard is maintained, the vehicle will be licensed for a further 5 years.

A Private Hire vehicle will not be able to renew that licence once it is more than 8 years old from the date of first registration.

The three year limit would also ensure that Private Hire Vehicles would not only benefit from European Union emission controls but also manufacturers improvements in technology which offer greater safety and security for both

passengers and drivers. Features such as anti-lock brakes, side impact bags and bars, air bags, intelligent seat belts etc.

Introducing an age limit in respect of Private Hire Vehicles would bring their entry age limit into the trade in line with Hackney Carriage Vehicles. This could be argued to be in the interest of fair competition. It would also improve the image of the trade and ensure that persons entering the trade are committed to their investment.

Granting licenses only to suitable, new, or used vehicles less than three years old on entry to the Private Hire trade, would lead to a high quality fleet of more reliable, safer, less polluting vehicles. This supports the Council's objective of improving the local environment.

It is also recommended that the minimum CC of any new vehicle should be increased from the present 1400cc to 1600cc.

This will not only bring Northampton in line with most other authorities within our region but also take into consideration the diversity of journeys that these vehicles now have to make. Initially Mini-Cabs were as the name implied, small cars making short journeys. This has now changed and a great deal more is expected from each individual driver and vehicle. At the request of the hirer, airport runs are a part of everyday life and a two to three hundred mile round trip is not unusual. An engine of a reasonable size is essential for both the safety and comfort of passengers and drivers.

It is recommended that the seat width condition remains the same.

The purpose of any age limit is to try and ensure that the licensed vehicles are as safe, reliable and comfortable as possible; this is the responsibility of the Local Authority. An age limit is not in itself arbitrary, because it must be a policy and the local authority must then consider any application that falls outside the age policy on its own individual merits.

Vehicles of exceptional condition and low mileage will still be considered for a licence but, should a vehicle fail its first test when over 8 years old, it cannot then be considered as being in exceptional condition.

The committee may also feel that a Private Hire vehicle adapted for specific wheelchair use, a considerable investment by the driver, should be able to continue to be licensed past any limit set by the authority. This could also encourage drivers to invest in these vehicles thereby increasing the number of vehicles for use by those with a disability.

It is fair that for reasons of public safety and quality control the same standards should apply to both hackney carriage and private hire vehicles. The Committee may wish to introduce an upper age limit on Hackney vehicles as although, purpose built, these vehicles are not immune to wear and tear through heavy use.

It is recognised that any vehicle used as a Private Hire Vehicle becomes a "tool of the trade" and takes on an arduous life covering over five times the UK average

vehicle mileage.

Private Hire Vehicles whether undertaking a local short journey or a long motorway airport trip are subject to sustained heavy use when compared to “normal” vehicle usage.

It is also recommended that the committee consider that when a vehicle is brand new on first plating, Hackney or Private Hire, following its initial test it would not need to be retested until the vehicle is 1 year old from first registration. This would not affect the bi-annual plating procedure, a check on essential documentation, and would give a small additional incentive for those willing to make that investment.

It is a legal requirement that Hackney vehicles have to be tested annually the usual three year exemption does not apply. If this is a legal requirement for a Hackney vehicle common sense would suggest that the same rules should apply to the Private Hire trade.

Emission Controls

The European Union has developed a number of emission control measures that all new vehicles must comply with. The aim of the Euro standards is to reduce overall vehicle pollution. Requiring Private Hire Vehicles to be new or less than three years old when first licensed would help meet the European emission regulations reducing significantly emissions from the vehicles exhaust. A ten-year-old vehicle will emit approximately 20 times the emissions of a new vehicle.

It is therefore considered that efforts should be made to improve, as far as is reasonable, the efficiency of vehicles licensed by the Authority, particularly in the emission of pollutants. Newer vehicles will have improved fuel efficiency and emit fewer pollutants, if they are properly maintained, than older vehicles.

It is of note that a review carried out by the National Society for Cleaner Air in 2005 found that taxis were more likely than other vehicles to fail an emissions test.

By adopting the suggested age limits Northampton Borough Council will be playing a small part in the reduction of overall pollution within the borough.

Vehicle Checks.

At present, all licensed vehicles, Hackney and Private Hire, are tested bi-annually by the testing stations approved by the council. When tested during the council’s ‘spot checks’, older vehicles are consistently failing with sometimes-serious mechanical defects, brake pipes have disintegrated when tested, leaving a vehicle with no power to stop. Vehicles of most make and models are affected. So-called prestige vehicles are not immune when faults start to develop due to high mileage and general wear and tear.

It is of concern to the enforcement team that these faults are present when carrying fare-paying passengers. The prime consideration when licensing these vehicles must be the safety of the public.

Although there is a school of thought that the 'trade' will be adversely affected with a reduction in vehicles and drivers, this is not borne out by research. By engaging in the consultation process it should be possible to minimise any adverse effect on individual drivers and consider how their human rights might be affected.

It is possible that there may be a slight decrease in licensed vehicles initially, but we can minimise this by staggering the introduction of the vehicle upper limit (8 years) over two years.

If this were introduced with immediate effect it would adversely affect 166 vehicles. If it were to be staggered over a period of two years the number of vehicles affected would be reduced to 36, the number of vehicles currently over ten years old.

Some drivers have already realised the advantage of purchasing newer vehicles. Other drivers have consistently purchased older vehicles in the hope that they will pass the council test for two to three years, after which they will purchase another "old" vehicle with similar expectations.

Should the Committee be in agreement the intention would be to renew those licenses of vehicles at present over 8 years until they reach an upper age limit of 10 years, subject to satisfactory testing by the council approved testing station. This will only apply to those vehicles reaching 8 years at their next plating. There will need to be a proviso whereby if a vehicle, when presented for its test, fails with a serious mechanical defect then that vehicle will be barred from applying for a renewal of its licence.

A serious mechanical defect will be any defect that affects the vehicle and may relate to any part of the vehicle that the tester, at the time of the test, considers to be detrimental to overall passenger/driver safety.

3A. Any Relevant Policies

Hackney and Private Hire Licensing.

4. Options and Evaluation of Options

That the Committee evaluate the report.

5. Resource Implications (including Financial Implications)

The Licensing Team already enforce the Private Hire Operator, Driver and Vehicle conditions. They will continue to do so.

6. Consultees (Internal and External)

Internal	
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External	<ul style="list-style-type: none"> • Wellingborough Council. • Kettering Borough Council • Daventry District Council. • East Northants Council. • South Northants Council. • Peterborough City Council. • Corby Council. • Milton Keynes Council. • Kent County Council. • Swansea Council. • Members of the National Association of Licensing Enforcement Officers. • Jackson’s MOT Centre. • NCS MOT Centre.
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7. Compliance Issues

Finance Comments

N/A

Legal Comments

Local Authorities must take into account any rights the existing owners may have under Article 1, Protocol 1 of the European Convention of Human Rights, (which entitles every person to the peaceful enjoyment of their possessions).

“ In making any decision, the Committee must be mindful of the case of **The Queen (on application of Lionel Morris) and Newport City Council [2009] EWHC 3051** where Mr Justice Beaston noted the settled law on Consultation, namely that:

- a) *Consultation must be at a time where proposals are still at a formative stage*
- b) *Sufficient reason must be given for any proposal to enable intelligent consideration and response*
- c) *Adequate time must be given for such consideration and response*
- d) *The product of consultation must be conscientiously taken into account in finalising any proposals*

As to point (d) above, the Newport City Council’s relevant decision reports did not include relevant representations, including those made at a meeting held by the Council and the Taxi Association. The Association had then commented:

- i. It was opposed to an age limit on vehicles due to “the credit crunch”*
- ii. Vehicles were tested twice a year and could also be called for random tests*
- iii. Even where a vehicle is over 10 years old, the owner could have maintained it to an exceptional standard, whereas some younger vehicles were not maintained to an acceptable standard and may not be in such good condition.*
- iv. More stringent testing should be undertaken and vehicles not meeting the standard should be taken off the road.*

As Newport City Council failed to take all these points on board, a restriction to set age limit on all vehicles made by the Council was set aside and the Association was entitled to claim a remedy from the Council"

Crime and Disorder Issues

Under Sec.17 Crime and Disorder Act 1998, we will ensure an increase in safety for the residents of Northampton.

Equality Impact Assessments

The Equality Act 2010

This provides a new cross-cutting legislative framework to protect the rights of individuals and advance equality of opportunity for all; to update, simplify and strengthen the previous legislation; and to deliver a simple, modern and accessible framework of discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

Ensuring that Hackney and Private Hire vehicles, will be subject to the same guidelines; will give a greater sense of 'fair play'.

Other compliance issues

None

8. Background Papers

Title	Description	Source
Local Government (Miscellaneous Provisions) Act 1976.	Legislation relating to the regulation and licensing of private Hire Vehicles.	Mr P Bayliss
Conditions of fitness and licensing of Private Hire Vehicles.	Department for Transport (Taxi/Private Hire best practice).	
European Union emission control standards.	Legislation and guidelines relating to emission controls.	
Ford Motor Company research.	Reducing vehicle exhaust emissions.	

Name	Signature	Date	Ext.
Author	Mr P Bayliss	16/9/11	7099
Corporate Manager	Steve Elsey		
Director	Julie Seddon		

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Appendices
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NORTHAMPTON
BOROUGH COUNCIL

Item No.
8

Ward: N/A

Name of Group:	LICENSING
Meeting Date:	27th September 2011
Directorate:	Public Protection
Head of Service:	Steve Elsey
Corporate Director	Julie Seddon

Report Title	Licensing Act 2003. Redressing the Balance. Recommendations following consultation.
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1. Recommendations

That the report be noted.

2. Summary

In March 2011 the Government released their recommendations for changes to the Licensing Act 2003, following consultation with interested parties, in order to redress the balance between the applicants for licences and the Responsible Authorities. This will give more powers to the Local Authority when considering applications.

The following are a brief outline of changes included in the Police Reform and Social Responsibility Bill 2010-2011: (This received Royal Assent on 15th September 2011).

Reducing the burden of proof on licensing authorities

The aim is to give local authorities and the police much stronger powers to remove licences from, or refuse to grant licences to, any premises that are causing problems in the local area.

The wording will be amended throughout the Licensing Act 2003 to lower the evidential threshold which licensing authorities must meet when making licensing

decisions by requiring that they make decisions, which are 'appropriate' rather than necessary for the promotion of the licensing objectives. This will, for example, give licensing authorities greater power to tackle irresponsible premises.

'Appropriate' will be defined within the guidance and will still have to address the four Licensing Objectives; action will still need to be justified.

A decision that is 'appropriate' for the promotion of the licensing objectives provides some flexibility to consider the effects of the decision on the objectives. It may therefore be decided to take steps that are suitable for, rather than necessary to, the promotion of the objectives. It provides an element to deal with reluctance or resistance, to enable local communities to assert themselves properly in relation to this particular approach

Licensing Authorities - Responsible Authorities.

Licensing authorities will become responsible authorities under the Licensing Act. This will empower them to refuse, remove or review licences themselves without first having had to have received a representation from one of the other responsible authorities.

This will enable licensing authorities to take the necessary actions to tackle irresponsible premises without having to wait for representations from other responsible authorities. They will be able to collate information on individual premises and use that information to call for a review of the licence.

The Government will specify in guidance that licensing committee members shall be allocated responsibility for different roles when determining a licence application. This will ensure that the same licensing officer is not responsible for acting as a responsible authority and making a determination on an application. Any actions taken will need to be justified on the basis of the promotion of the licensing objectives.

Licence applicants to give greater consideration to the local area when making their application.

Currently, as part of the licence application process, applicants are required to set out in the operating schedule accompanying their application the steps they intend to take to promote the licensing objectives. Some licensing authorities have reported that this section of the application is often poorly completed, providing licensing authorities with very little information on which to make their determination. Applicants also do not have to consider issues specific to the local area, which they may need to address, and the onus is on the licensing authority to assess the potential impact of granting the licence on the local area.

The aim of this proposal is to shift the onus onto the applicant to give greater consideration to the local area when setting out the steps they will take to promote the licensing objectives and to provide responsible authorities and the licensing authority with better information on which to make informed representations or determinations.

Lower the evidential hurdle for Cumulative Impact Policies to allow licensing authorities to have more control over outlet density.

Cumulative Impact Policies were introduced as a tool for licensing authorities to limit the growth of licensed premises in a problem area. This is set out in the statutory guidance issued under section 182 of the Licensing Act 2003.

The statutory guidance governing Cumulative Impact Policies will be more focused on local needs and easier for licensing authorities to implement. This will reduce the evidential requirement on licensing authorities. This will give greater weight to the view of local people, as the licensing authority will not be constrained by the requirement to provide detailed additional evidence where such evidence is unavailable.

Extend Early Morning Restriction Orders so they can be applied flexibly between midnight and 6am.

An Early Morning Restriction Order is an uncommenced power within the Licensing Act 2003 that will allow licensing authorities to restrict sales of alcohol in the whole or a part of their areas for any specified period between 3am and 6am if they consider this appropriate for the promotion of the licensing objectives. This applies to premises licences, club premises certificates and temporary event notices.

The intention of these policy proposals is to extend the flexibility of Early Morning Restriction Orders to provide licensing authorities with an additional tool to shape and determine local licensing.

Give more autonomy to licensing authorities regarding closing times.

Section 182 of the statutory guidance will be amended to make it clear to local authorities that they can make decisions about the most appropriate licensing strategy for their area. Licensing authorities will be encouraged to consider using measures including fixed closing times, staggered closing times and zoning.

This change acknowledges the fact that different licensing approaches may be best for different areas and will empower licensing authorities to implement a licensing strategy that is best placed to meet the needs of their local area, based on their local knowledge.

Late night levy.

The late night levy is a power for licensing authorities to introduce a charge for premises that have a late alcohol licence. If this recommendation is adopted whether or not to implement the levy will be left entirely at the discretion of the licensing authority the decision will be based on the situation in their local area. In the areas that it is introduced the levy will be collected annually and the revenue will be split between licensing authorities and the police.

The aim is to permit licensing authorities to charge those businesses that benefit from trading alcohol in a safe late-night economy for the extra enforcement costs

that the night-time economy generates for police and local authorities.

This element is to go out for more consultation again as it is proposed that there will be exemptions from having to pay the levy. This may include those premises certificated under the Best Bar None scheme, members of Pub Watch, those already subject to a levy under the Business Improvement District scheme. There is a thought that this recommendation may be scrapped altogether.

Locally set fees under the Licensing Act 2003.

The Government has introduced an amendment to the Police Reform and Social Responsibility Bill that will allow the Secretary of State to introduce locally set licensing fees.

The policy aim is to ensure that fees recover the full costs of local licensing authorities in exercising their functions under the Licensing Act. The current fees were intended to achieve the same aim, but they have not been increased since the Act was introduced in 2005.

To reassure fee-payers that the fees will not be a 'blank cheque' for licensing authorities, a nationally set cap for each fee category will be imposed in regulations.

Making local health bodies responsible authorities.

At present, the determination of licensing decisions gives little consideration to the views of local health bodies, as they are not included as responsible authorities in the Licensing Act. This means that they are unable to make representations to the local licensing authorities regarding concerns about the impact of new licensed premises on the local NHS (primarily A&E departments and ambulance services) or more generally the safety of the public within the night-time economy.

Making health bodies responsible authorities will ensure that the safety of the public within the nighttime economy is taken into consideration for new and existing licence applications.

Persistently selling alcohol to children.

The Statutory Guidance issued under section 182 of the Licensing Act 2003 will be amended.

The aim of the change is to take tough action against those persistently selling alcohol to children. Amending the Statutory Guidance to state that all licences will be reviewed where the licence holder is found to be persistently selling alcohol to children and making the presumption will be that the licence will be revoked at review will encourage licensing authorities to make greater use of these powers.

Increase the weight licensing authorities will have to give to relevant representations and objection notices from the police.

The proposal is to strengthen the weight that licensing authorities must give to police representations (including those voiced by the police at a hearing) and objection notices by amending the statutory guidance to require licensing authorities to accept all representations and notices and adopt all recommendations from the police, unless there is clear evidence that these are not relevant.

It is felt that it is vital that licensing authorities consider relevant representations on the impact of crime and disorder from **all** responsible authorities.

Enable licensing authorities to suspend licences due to non-payment of fees

Provision will be made for licensing authorities to suspend licences due to non-payment of fees. This will provide a much stronger incentive for businesses to pay their fee in a timely manner and save licensing authorities the time and cost of pursuing non-payment. This measure will not impact on responsible businesses that pay their licence fees on time.

There will be a grace period of 21 days for licence holders to pay their fee. The licence will be reinstated as soon as the fee is paid and the licensing authority must notify the licence holder when their licence has been reinstated.

If an administrative error has occurred or there is a dispute about liability to pay a fee, a licence cannot be suspended under this provision.

Temporary Event Notices

The key changes that will be made through the Bill:

- The right to object to a Temporary Event Notice will extend to the environmental health authority.
- The police and environmental health officers will be able to object to a Temporary Event Notice on the basis of all of the licensing objectives.
- The police and environmental health officers will be given three working days to object to a Temporary Event Notice.
- Licensing authorities will be given discretion to apply existing licence conditions to a Temporary Event Notice if there are objections from the police or environmental health authority
- Late Temporary Event Notices (i.e. those submitted less than ten working days but at least 5 days before the beginning of the event) will be allowed unless the police or environmental health officers object.
- The statutory limits will be relaxed on the duration of a single temporary event from 96 hours to 168 hours, and on the total annual availability covered by a

Temporary Event Notice in relation to single premises from 15 days to 21 days.

Who will benefit from these proposals?

- Residents - who will be given more protection from noise, crime and disorder and unsafe conditions at temporary events.
- The environmental health authority which will be able to object to temporary events.
- The police and environmental health authority - which will have longer to consider a Temporary Event Notice and place any objections.
- Touring theatres, circuses and voluntary organisations which will gain extra business and income by being able to run events for a week without a break,
- Anyone (but particularly voluntary organisations and circuses) – who will still be able to put on temporary events (subject to annual limits) if they miss the 10 day deadline.

The new limit of 168 hours will allow organisations to run events for a week without a break.

Increase the opportunities for local residents or their representative groups to be involved in licensing decisions by removing the vicinity test for interested parties.

Uncertainty will be removed amongst residents or other persons as to whether or not they are in the 'vicinity' of premises, and therefore whether they are able to make relevant representations. This will be achieved by removing the requirement to show 'vicinity'. This means that any person, body or business will be able to make a relevant representation in relation to premises, regardless of their geographic proximity.

There will also be a requirement to publish key information on licence applications on the relevant licensing authority's website. This will ensure that interested parties are aware of new (and other) licence applications and have access to the relevant information. (This is already a part of the NBC licensing process).

Representations will still need to be relevant and relate to one or more of the licensing objectives. Existing safeguards to protect against vexatious, frivolous or repetitious representations will also still be in place.

Businesses, residents and bodies will be entitled to make representations against (or for) a new or existing premises licence. However, they will need to demonstrate that their representations relate to the promotion of one or more of the licensing objectives. A representation submitted on the basis of local competition would not be relevant and may be considered 'vexatious' by the licensing authority.

The guidance will set out more clearly what is classed as a relevant, frivolous or vexatious representation. It is believed that this proposal will encourage greater community involvement in local licensing decisions.

Procedures

The introduction of new procedures will be adopted by the Licensing Department.

3A. Any Relevant Policies

Guidance issued under Section 182 of the Licensing Act 2003.
Police Reform and Social Responsibility Bill 2010-11
Northampton Borough Licensing Policy (reviewed 2011)

4. Options and Evaluation of Options

That the Committee note the report.

5. Resource Implications (including Financial Implications)

N/A

6. Consultees (Internal and External)

Internal	N/A
External	N/A

7. Compliance Issues

Finance Comments
N/A
Legal Comments
N/A
Crime and Disorder Issues
N/A
Equality Impact Assessments
N/A
Human Rights Act Implication
N/A

Other compliance issues

None

8. Background Papers

DCMS Home Office website	Guidance issued under section 182 of the Licensing Act 2003 and Police Reform and Social Responsibility Bill 2010-11	
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Name	Signature	Date	Ext.
Author	Mr P Bayliss	13/9/2011	7099
Corporate Manager	Steve Elsey		
Director	Julie Seddon		