

NORTHAMPTON BOROUGH COUNCIL

LICENSING COMMITTEE

Tuesday, 19 June 2012

PRESENT: Councillor Malpas (Chair); Councillor Hill (Deputy Chair); Councillors Beardsworth, Capstick, Ford, Patel, Sargeant and Strachan

1. APOLOGIES

Apologies were received from Councillors Wire DL, Eales and Duncan.

2. MINUTES

The minutes of the meeting held on the 8th May 2012 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

There were none.

4. DECLARATIONS OF INTEREST

There were none.

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

There were none.

6. LATE NIGHT LEVY

The Senior Licensing Officer (SLO) submitted a report, which provided the Licensing Committee with an update of a proposed introduction of a Late Night Levy. It was explained that a Late Night Levy was a power for Licensing Authorities to introduce a charge between the hours of midnight and 6am for premises with a late alcohol license. It was noted that should a levy be introduced, monies would be collected annually and split between the Licensing Authorities and the Police. After administrative deductions for the Levy, the ratio that the money would be divided would be 70% to the Police and 30% to the Licensing Authorities. The SLO further explained that the Police were under no obligation to spend the money within the locality in which it had been collected or on policing, associated with alcohol related crime and disorder.

The SLO explained that a number of exemptions from the levy would be applicable. These would include businesses in the Business Improvement District or members of the Pubwatch scheme. It was noted that before any exemptions, 178 premises would be eligible to pay the Levy. It was suggested that there would be an increase in the number of premises joining Pubwatch in order to negate the levy, or alternatively reduce their licensing hours to avoid the extra costs incurred. Many are also likely to be exempt due to being included in the Town Centre Business Improvement District

The Committee expressed concern that an extra charge on licensed premises would damage the night time economy and specifically affect small businesses in the town centre. Members also voiced concerns about the fact that the Police had the choice of where to spend the charges, which would not necessarily be put back into the area and that there could potentially be a reduction in the number of people visiting the town. It was suggested that should a Late Night Levy be introduced an Equality Impact Assessment be carried out. The SLO explained that further amendments to the Police and Social Responsibility Act –

under which the Late Night Levy would be amended were expected in October 2012. It was explained that a report would be brought back to the Licensing Committee in October, which would ask for a decision to be made whether or not a consultation be undertaken on the Late Night Levy once the secondary guidance had been issued.

RESOLVED:

That the report be noted.

7. ANNUAL FEES - SUSPENSION OF LICENCE

The Senior Licensing Officer (SLO) submitted a report and explained the procedures in relation to the collection of annual fees under the Licensing Act 2003. It was noted that following a consultation on rebalancing the 2003 Act, it had become evident that a vast number of Local Authorities, including Northampton Borough had experienced difficulties in collecting fees and had limited powers to enforce against overdue debts. The SLO explained the proposed Billing Procedure and explained that should a payment not have been received fourteen days after the due date a reminder letter would be sent out. Should payment not have been received after the initial letter had been sent out, a Final Letter would be delivered by hand to the premises – 28 days after the due date). Should no further payment be received, the SLO would have the power to send a notice of suspension of the license, and the Police would be informed. Once the Licensing Team received payment, the suspension of the license would be lifted.

In response to questions asked by the Committee, the SLO explained that if a premises licence was suspended due to overdue debts and the premises continued to open for business, they would be liable to prosecution. A Member of the Committee congratulated the Licensing Team on their work and welcomed the proposed changes and asked if there was the capacity within the Licensing Team for the extra work to be carried out. The Licensing Officer stated that there was the capacity to apply the changes and enforce the legislation in partnership with the Police.

The SLO explained that there were a number of ways for License Holders to make their payments, which included debit/credit card transactions made over the phone.

Members asked that a progress report be brought back to the Committee in 6 months, to examine the affectivity and progress of the implementation.

RESOLVED:

That the Committee agree to the introduction of the billing procedure as 3.1.7 and 3.1.8 as set out in the report.

<TRAILER_SECTION>

The meeting concluded at 6.43pm