

Date: 25th August 2015

Dear Sir/Madam,

GENERAL PURPOSES COMMITTEE & LICENSING COMMITTEE

Notice is hereby given that a meeting of the **Licensing Committee** will be held in Room G21, Kelham Hall, Newark on Thursday, 10th December 2015 at **6.00pm**.

Notice is hereby given that a meeting of the **General Purposes Committee** will be held in Room G21, Kelham Hall, Newark on Thursday, 10th December 2015 immediately following the General Purposes Committee.

Yours faithfully,



A.W. Muter
Chief Executive

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LICENSING COMMITTEE

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the **LICENSING COMMITTEE** held on Thursday, 3rd September 2015 in Room G21, Kelham Hall immediately following the meeting of the General Purposes Committee.

PRESENT: Councillor Mrs R. Crowe (Chairman)
Councillor D.J. Clarke (Vice-Chairman)

Councillors: Mrs K. Arnold, Mrs I. Brown, M. Cope, J. Lee, Mrs S.M. Michael, D.R. Payne, P. Peacock, Mrs S. Soar, Mrs. L.M.J. Tift and I. Walker

7. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors: Mrs B. Brooks, G. Brooks and M. Buttery.

8. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

NOTED: that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

9. DECLARATION OF INTENTION TO RECORD MEETING

NOTED: that there would be an audio recording of the meeting.

10. MINUTES OF MEETING HELD ON 11TH JUNE 2015

AGREED that the Minutes of the meeting held on 11th June 2015 be approved as a correct record and signed by the Chairman.

11. VERBAL UPDATE

The Director – Safety provided Members with an update in relation to an issue raised at a previous meeting relating to the Atrium in Newark and the existing covenant on the premises.

The Committee were advised that the restrictive covenant was an asset and as such any consideration of it was within the remit of the Policy & Finance Committee and not the Licensing Committee. Following receipt press reports that the owners of the premises wished to extend their operating hours, a letter had been sent to them to reiterate the existing agreed hours. These were that the serving of alcohol and dancing were not permitted between the hours of 01:00 hours and 09:00am. It was acknowledged that this had been relaxed from the original commencement hours of 00:00 hours.

AGREED that the information as reported be noted adding that the existing covenant would need to be dealt with prior to any variation of the licensing hours being applied for and considered.

12. REVIEW OF STATEMENT OF GAMBLING POLICY – CONSULTEES RESPONSES

The Committee considered the report presented by the Business Manager - Environmental Health in relation to the outcome of the consultation exercise carried out in respect of the Statement of Gambling Policy required under the Gambling Act 2005.

It was reported that only one response to the consultation had been received from: Newark Town Council and that this was in relation to the 'no casino' resolution. The Town Council had stated their support for the continuation of the 'no casino' resolution.

AGREED (unanimously) that:

- (a) the draft Statement of Gambling Policy be approved and forwarded to full Council with a recommendation for adoption, subject to further amendment following receipt of any additional consultation responses and in consultation with the Chairman and Vice-Chairman of the Committee; and
- (b) full Council be recommended to renew the resolution not to issue any licences for casinos in the district.

13. LICENSING ACT TRAINING

The Committee considered the report presented by the Business Manager – Environmental Health in relation to providing feedback from the training provided on 3rd July 2015 on the Licensing Act 2003.

Members commented that as the training was an all-day event during the week it was difficult for working Members to attend. They requested that consideration be given to holding future training during the evening or on a Saturday.

It was noted that notes from the training would be circulated to those Members unable to attend.

AGREED (unanimously) that:

- (a) the report be noted; and
- (b) consideration be given to hold future training during the evening or on a Saturday.

14. COUNTYWIDE BEST BAR NONE SCHEME

The Committee considered the report presented by the Business Manager – Environmental Health in relation to the progress of the countywide Best Bar None Scheme.

The report provided a list of some of the things which the scheme would look to promote in order to raise standards in licensed premises. It also provided a summary of the current scheme and what the proposals were e.g. two levels of award were planned with a local award ceremony where all the premises achieving accreditation would be presented with their certificates. It was further reported that the top two premises would be put forward into the countywide finals. There would also be a judge's choice to acknowledge premises where judges felt that, whilst not necessarily scoring the highest in all categories, there was one element that stood out.

Members queried whether there was any planned publicity. They were informed that a press release had been drafted and it was hoped that this would be promoted by the local papers.

AGREED (unanimously) that:

- (a) the progress of the Nottinghamshire County Best Bar None Scheme be noted; and
- (b) proposals for both local and county wide award ceremonies be supported.

15. TEMPORARY EVENT NOTICES RECEIVED AND ACKNOWLEDGED BETWEEN 1ST APRIL AND 30TH JUNE 2015 INCLUSIVE

NOTED: the Temporary Event Notices received and acknowledged between 1st April and 30th June 2015 inclusive.

15. UPDATE ON QUARTERLY PERFORMANCE AND ENFORCEMENT MATTERS

NOTED: the activity and performance of the licensing Team between 1st April and 30th June 2015.

The meeting closed at 6.56 pm

Chairman

REVIEW OF STATEMENT OF GAMBLING POLICY

1.0 Purpose of Report

1.1 To inform the Committee of the outcome of the consultation exercise carried out in respect of the Statement of Gambling Policy required under the Gambling Act 2005.

2.0 Information

2.1 Members will recall that at the Licensing Committee meeting held on 3rd September 2015 it was agreed that:

- (a) the draft Statement of Gambling Policy be approved and forwarded to full Council with a recommendation for adoption, subject to further amendment following receipt of any additional consultation responses and in consultation with the Chairman and Vice-Chairman of the Committee;

2.2 Very late in the consultation process three further consultation comments were received. These, to some extent, all covered similar grounds. Attached as **Appendix One** is a summary of the comments received and the amendments that was agreed with the Chairman and Vice-Chairman of the Committee.

2.3 The final version of the Statement of Gambling Policy has now been prepared and it is proposed to seek Council's approval at the meeting in December.

3.0 RECOMMENDATIONS that:

- (a) **Members approve the amendments to the draft Statement of Gambling Policy; and**
- (b) **the Statement of Gambling Policy be forwarded to full Council with a recommendation for approval**

Background Papers

Licensing Act 2005
Guidance to Licensing Authorities - Gambling Commission

For further information please contact Alan Batty on 01636 655467

Karen White
Director - Safety

Summary of Amendments made in Response to Consultation

Representation	Comment	Action Recommended
Elizabeth Speed Group General Counsel Novomatic UK For Luxury Leisure		
1. As the Draft appreciates in relation to issues to Enforcement, the Authority is subject to the Regulators’ Code. That code imposes a number of obligations on the Authority, including one that it should carry out its activities in a way that supports those they regulate to comply and grow. Additionally, when designing and reviewing policies, the Authority must, among other things, understand and minimise the negative economic impact of their regulatory activities and regulate and minimise the costs of compliance of those they regulate. Further, the Authority should take an evidence-based approach in determining priority risks and recognise the compliance record of those they regulate.	S6.9 of the draft policy contains reference to the Regulators Code as follows. It is not thought necessary to change the statement. 6.9 Part 15 of the Act gives “authorised persons” power of investigation and section 346 enables licensing authorities to institute criminal proceedings in respect of offences described in that section. In exercising these functions the Authority will endeavour to follow the Regulator’s Code and Hampton principles. The principles require that enforcement should be: <ul style="list-style-type: none"> • Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised • Accountable: regulators must be able to justify decisions, and be subject to public scrutiny • Consistent: rules and standards must be joined up and implemented fairly • Transparent: regulators should be open, and 	None

Representation	Comment	Action Recommended
<p>We suggest the Draft be amended to include a statement that the Authority recognises that it is subject to and will comply with the Regulators' code in relation to matters of gambling licensing and enforcement.</p>	<p>keep regulations simple and user friendly</p> <ul style="list-style-type: none"> • Targeted: regulation should be focused on the problem, and minimise side effects. 	
<p>2. In the provisions for local risk assessments, the Draft repeats provisions of the LCCP, which we suggest is unnecessary.</p>	<p>In the view of the Nottinghamshire Authority Licensing Group (NALG) this serves to focus applicants minds on the requirements and is a useful reminder.</p>	<p>None</p>
<p>3. The provisions of paragraph 2.3 repeat the provisions of paragraph 2.2, save for the substitution of the word "making" for "undertaking". The wording of 2.3 accurately repeats the provisions of LCCP 10.1.1 and as such we suggest that 2.2 be deleted.</p>	<p>Agreed</p>	<p>Delete para 2.2</p>
<p>4. The first sentence in paragraph 2.5 repeats the provisions of 2.4(d) and as such we suggest that it should be deleted. Further, the provisions of LCCP 10.1.2 require licensees to "... review (and update if necessary) their local risk assessments ...". Accordingly the statement in the Draft that "Risk Assessments must also be updated ..." does not</p>	<p>Para 2.5 further expands para 2.4 and is therefore relevant.</p> <p>The statement "Risk Assessments must also be updated" relates to the following bullet points as listed in LCCP10.1.1</p>	<p>No change</p> <p>Amend as indicated</p>

Representation	Comment	Action Recommended
<p>accurately reflect the LCCP obligation and we suggest it should be amended.</p>	<p>Para 2. However for clarity this perhaps should be amended to state that “risk assessments must be reviewed:” to reflect the wording in the social responsibility code provision.</p>	
<p>5. Ordinary code provisions in the LCCP do not have the status of Operating licence conditions, but rather set out good practice (see Part II Code of Practice – LCCP). As such it is not accurate to state that an ordinary code provision “requires” licensees to share their risk assessment with licensing authorities etc. as the Draft currently states at paragraph 2.6. That paragraph also includes a date of 8th May 2015 for the effective date of the relevant LCCP provisions. That is not correct – the correct date is 6th April 2016.</p>	<p>There are two types of code provisions set out in the LCCP:</p> <ul style="list-style-type: none"> • Social responsibility code provisions: compliance with these is a condition of licences; • Ordinary code provisions: these do not have the status of operator licence conditions but set out good practice. Operators may adopt alternative approaches to those set out in ordinary code provisions if they have actively taken account of the ordinary code provision and can demonstrate that an alternative approach is reasonable in the operator's particular circumstances; or that to take an alternative approach would be acting in a similarly effective manner. <p>As stated in the ordinary code provision 1.1.1 the Commission expects licensees to conduct their gambling operation in a way that does not put the licensing objectives at risk and to work with the Commission in an open and cooperative way.</p> <p>The Licensing authority would echo those sentiments and would expect licensees to follow suggested good practice where outlined in the ordinary provisions.</p> <p>Ordinary provision 10.1.2 Para 1 states “ Licensees should share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request.”</p>	

Representation	Comment	Action Recommended
	<p>Our expectation is also that when conducting inspections, we would expect the local risk assessments to be available to view.</p> <p>It would also seem prudent for applicants, having carried out and/or reviewed their risk assessment to include it as supporting evidence with their application.</p> <p>However I would agree that the word requires may be an overemphasis and would suggest that para 2.6 is amended as follows: “The new social responsibility provision is supplemented by an ordinary code provision recommending as good practice that licensees should share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise at the request of the licensing authority. Both provisions take effect from 6 April 2016.</p>	<p>Amend as indicated</p>
<p>6. Paragraph 2.8 refers to the “local social profile” of the area. It is unclear whether this is intended to be different from the local area profile which is referred to at Paragraph 1.9, but is not attached to the draft. We suggest that it is unhelpful to refer to two separate profiles of the area and it is the local area profile which is referred to in the LCCP.</p>	<p>NALG will clarify the matter and indicate such in the document</p>	<p>Amend local social profile to local area profile.</p>

Representation	Comment	Action Recommended
<p>7. Section 158 of the Gambling Act 2005 sets out the definition of “an interested party”, who can make representations under Section 161 of that Act. Under Section 153(2) a licensing authority may not have regard to the expected demand for the facilities which it is proposed to provide. Accordingly any representations on demand, regardless as to which interested party or responsible authority makes such representations, cannot be considered. It does not just apply to existing gambling businesses. Those businesses may or may not qualify as an interested party under Section 158, but it is not for the Authority to predetermine the relevance and applicability of representations that such a party might make. All representations must be based on the licensing objectives and it is not for the Authority to seek to dis-apply the Act in relation to one section of the community. All applications must be considered on their merits and all representations considered likewise. Accordingly we submit that paragraph 3.7 of</p>	<p>Representations are considered on a case by case basis. This paragraph further reinforces the points made in the representation. The policy does not seek to disenfranchise any business in respect of the ability to make representations. However as many representations in respect of “need “ or “demand” may be from existing gambling businesses, it provides some pointed guidance to those who may not have grasped the concept.</p> <p>See 1.11, final bullet point, 1.14 and 3.17.</p> <p>This seeks to emphasise the need for representations to be focussed upon the licensing objectives.</p>	<p>None</p>

Representation	Comment	Action Recommended
the Draft should be deleted.		
<p>8. The Draft proposes at Paragraph 3.13 that a representation may be made on the grounds that the applicant’s local risk assessment (which under LCCP 10 relates to risks posed by the provision of gambling facilities at the relevant premises) is “not considered suitable and sufficient”. This wording is, with respect, vague and is not transparent. There is a real risk that it will encourage spurious representations and challenges of local risk assessments, spawning a satellite industry and satellite litigation. If it is for the applicant to identify risks and to address them. With respect, the provisions the LCCP are not directed at a dissection of the risk assessments themselves, but at the treatment of identified risks. Furthermore, a representation should be based on the licensing objectives and the suggestion at Paragraph 3.13 that an application can be rejected on general, unspecified grounds (“• otherwise should not be granted”), is in conflict with the Act and supporting legislation.</p>	<p>The phrases “not considered suitable and sufficient” and “Otherwise should not be granted” are not to be read in isolation. It is quite clear that the representation must relate to the licensing objectives(iv) and that evidence is to be provided to support any such representation (vi). The policy in no way suggests that an application may be rejected on unspecified grounds and fully supports the legislation requiring that representations must relate to the Licensing Objectives. “Spurious representations” must stand the test or will not be accepted. There is little risk of a satellite industry of litigation.</p>	<p>The term suitable and sufficient is used in government regulations and is therefore a term that sits well in a regulatory framework. No amendment required.</p>

Representation	Comment	Action Recommended
<p>9. Paragraph 4.19 states that the Authority will look particularly closely at applications that are made for premises close to sensitive areas or developments and include, as an example, premises licensed for gambling. It does not give any grounds for its statement that such premises are “sensitive areas or developments” for these purposes. Gambling is a perfectly legal and legitimate leisure activity, provided it is regulated and carried out in accordance with the law. As the Authority notes (and as referred above) demand is not a matter which an authority can have regard to in considering an application. The suggestion that the simple fact that there is another licensed premises in the area would be grounds to refuse an application for a premises licence, is with respect, not correct. The inclusion of this bullet point in the final Statement of Principles and the application of such principles to the premises licence process, would be deeply flawed and open to challenge. As such it should be removed.</p>	<p>Para 4.19 does not indicate grounds for refusal. It states that the authority will look particularly closely at applications made in certain areas. Managing the Gambling Act is about mitigating risk, ensuring that the licensing objectives are upheld and if it is felt that any of these areas create such a risk, the authority must investigate that issue.</p> <p>Again it is reiterated that each representation is considered on its merits. There is no suggestion that, as this representation suggests, an application would be refused because there is a licensed premises in the area. Nowhere in the paragraph is “refusal “ mentioned.</p>	<p>None</p>

Representation	Comment	Action Recommended
<p>10. Finally, we note that the Draft relies upon the Gambling Commission's Guidance to Licensing Authorities Version 5, which is yet to be finalised or published following its recent consultation. It seems to us that the publication of this Draft is therefore premature, given that the Commission's consultation response is awaited and that the final version of the GLA5 may not be entirely as the Authority anticipates</p>	<p>The Gambling Commission's guidance to Licensing Authorities 5 is as stated not yet published. However when it is, NALG will address the matter and any issues giving rise to concern will be revisited and amended as necessary.</p>	<p>None at the moment</p>
<p>Gosschalks Solicitors</p>		
<p>Within the introduction to the statement of gambling policy there are statements within paragraphs 1.2 and 1.3 relating to the statement/licensing authority aiming to promote the licensing objectives. As far as the grant of a premises licence is concerned, the requirement is that any grant be reasonably consistent with the licensing objectives rather than requiring the licensing authority to promote the licensing objectives. The Gambling Act 2005 places a duty upon the Gambling Commission to promote the licensing objectives but there is no similar duty imposed upon the licensing authority</p>	<p>The Council will always seek to promote the objectives but will deal with applications within the remit of the law.</p>	<p>No change required</p>
<p>Paragraph 1.9 indicates that a local area profile has been prepared based on local knowledge. It would assist if this were</p>	<p>The profile is still in draft form and is not in a suitable form for inclusion in the statement.</p>	<p>No action required</p>

Representation	Comment	Action Recommended
included within the body of the policy or annexed to it.		
We are slightly confused by paragraphs 1.20 and 1.21 which appear to be almost identical save for the slightly different wording at the start of each of the two sentences. Neither paragraph causes the ABB any concerns but one needs to be removed.	This was highlighted in an earlier comment and paragraph 1.21 has been deleted. It should be noted that these have now been renumbered and para 1.20 is now 2.2	Paragraph deleted.
At paragraph 1.25 there is a statement that “all local risk assessments will take into account the local social profile of the area.” It is not clear if this is the same as the “local area profile” referred to in paragraph 1.9. The policy should make it clear whether or not these are the same profiles or are different.	This was highlighted in an earlier comment	Amend local social profile to local area profile.
Within paragraph 3.4 – Policy 1 – there is a list of what the authority will take into account when determining whether or not the definition of “interested party” is satisfied. Whilst many of the bullet points are taken from the Gambling Commission Guidance to Licensing Authorities, there are some that are not. It is difficult to ascertain how the local area profile, the mitigating measures contained within an applicant’s risk assessment, the topography of the area, the density of the built up area or the character of the area can be relevant	The local authority has a wide discretion over who comes within the definition of interested party. The additional bullet points in paragraph 3.4 may assist members on deciding whether there will be an impact on local residents and businesses in the proximity of premises.	No Change

Representation	Comment	Action Recommended
with regard to whether or not a party is an interested party for the purposes of Gambling Act 2005		
Paragraph 3.9 appears to be a paraphrased version of s153 Gambling Act 2005. We respectfully submit that rather than paraphrasing s153, the policy would be assisted by actually outlining precisely what the aim to permit principle is and what should be taken into account.	The wording used is more straightforward than that found in section 153, but still conveys the principles of that section.	No change
Thereafter, paragraph 3.10 indicates that the criteria contained within s153 are more likely to be accepted and given weight if included within representations. This paragraph should be deleted. The criteria within s153 are the only criteria which need to be considered. Anything else is not relevant. This point is made in paragraph 3.11 rendering 3.10 obsolete and consideration should therefore be given to its removal.	The wording of paragraph 3.10 does imply that the criteria set out are the only ones that can be taken into account. This is not a true statement as other factors can be considered.	Reword paragraph 3.10
Paragraph 3.17 deals with irrelevant considerations. The fact that the licensing authority cannot take into account moral objections should be added to the list here.		Agreed. add new bullet point
At paragraph 4.4, the ABB welcomes the statement “in respect of betting offices the authority will make door supervision requirement only if there is clear		No change required

Representation	Comment	Action Recommended
evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and door supervision is both necessary and proportionate.”		
The need for evidence when imposing conditions is important. We suggest that paragraphs 5.2 and 5.10 should reflect the fact that the mandatory and default conditions will usually be sufficient and it is only when there is evidence of risk in a particular locality that there will be any need to supplement these already robust conditions.	Clarity of this point in the Statement may be of benefit.	Amend paragraph 5.2 and 5.10

NEWARK & SHERWOOD DISTRICT COUNCIL
LICENSING SUB-COMMITTEE

RECORD OF HEARING HELD ON
2ND NOVEMBER 2015
10.30 HOURS
ROOM G21, KELHAM HALL

NOTICE OF A TEMPORARY EVENT
WHITE HART WINE BAR AND RESTAURANT

APPLICANT: PAUL CHAMBERS

SUB – COMMITTEE: Councillor D. Clarke (Chairman)
Councillor Mrs I. Brown
Councillor J. Lee

Mrs Lisa Ingram (Legal Advisor)

ALSO IN ATTENDANCE: **Objectors**
Inspector Louise Clarke (Notts. Police)
Daveen Brown (Licensing Officer – Notts. Police)
Susie Rhodes-Best (Licensing Officer – Notts. Police)

Applicants
Paul Chambers – Applicant
Michael Kheng – Licensing Consultant
David Potter – Head Door Supervisor/Chairman of Pub Watch

Observers
Alan Batty – NSDC (Business Manager – Environmental Health)
Nicola Kellas – NSDC (Licensing Officer)
Matthew Yates – NSDC (Licensing Apprentice)

Prior to the meeting, Councillor J. Lee and Mr. David Potter advised that they knew each other. Councillor Lee also advised that he had, in the past, drunk in the premises.

Details of the Notice

Six Notices for Temporary Events were submitted by Paul Chambers in respect of the White Hart Wine Bar and Restaurant, White Hart Yard, Newark, NG24 1EG. Copies of the associated paperwork were circulated to all parties prior to the date of the Hearing.

Presentations

It was agreed by all attending that a single Hearing was taking place to consider all the Temporary Event Notices to save duplication and time.

Mr. Kheng invited his client to describe his premises to the Sub-Committee.

Mr. Chambers advised the Sub-Committee that he had had a Licence for the premises since June 2007. During that time the premises had adapted to market changes e.g. smoking ban; economic recession. He stated that he knew the local Newark economy and also ran the Beaumont Cross Public House, had a local food based business and was hoping to acquire another public house in the area. He directly employed approximately 15 people but this did not include door supervisors etc.

Mr. Chambers advised that his business was not just that of serving alcohol as his premises opened at 09:00 hours to serve teas and coffees etc. He added that he purchased his products locally.

In relation to the application for a temporary extension to the existing hours, Mr. Chambers reiterated that it was not just a late night venue. He stated that he had identified a gap in the market for such an establishment as at present the only other late night premise was The Atrium and he would wish to fill the gap with his premises.

Mr. Chambers advised that he had a broad spectrum of clients and that his premises were well known to employees of other hospitality venues as somewhere to go to relax after their shifts had ended elsewhere. He stated that there was a definite demand for the proposed extension to hours as his clients requested his to remain open. He advised that he was looking to cater for the music scene, having local bands play at the premises.

Mr. Chambers stated that his current licence permitted him to remain open until 3am and that if this application was granted it was his intention to continue to operate his business unchanged. The TEN would enable him to plan the operation of his business over the Christmas period by simplifying his current licence.

Mr. Chambers stated that many customers were University students who returned home during the holiday periods and that these individuals were often used to venues opening much later than in smaller towns like Newark.

Mr. Chambers confirmed that he had offered to have door supervisors at his premises and that he would not allow entry to any customers after 1.30am. He had applied for and been granted TENs in 2014 which had passed without incident, although he conceded that the Police had a difference of opinion on this matter.

The venue had a capacity of 350 persons but the actual number in premises at any one time was never that high. It was marketed as an exclusive venue with an entry fee of between £3 and £5 being levied. It was felt that this filtered out undesirable customers. Mr. Chambers advised the Sub-Committee of the cost of alcoholic drinks in the premises. He advised of his policies on the refusal of entry to individuals who did not meet his criteria for entry. He had invested heavily in the premises since 2007 and had one of the best CCTV systems in the area with some 16 cameras. Mr Chambers stated that there was no maximum budget in respect of CCTV.

Mr. Kheng, following the above statement by Mr. Chambers, gave a broad outline of the application to the Sub-Committee. He referred to the submission of the representations by Nottinghamshire Police, referring Members to policies and legislation in relation to the management of TENs. He advised that he had requested from the Police evidence of how the substantial increase in alcohol related crime disorder and violence would be achieved if the application was granted and that their response had been to supply a list of incidents and Inspector Clarke's statement. He proceeded to go through the list asking Members to disregard a number of them as he did not deem them to be relevant.

Mr. Potter spoke in support of the application, advising that he ran a professional company supplying door supervisors. His staff would not permit entry to persons already drunk, adding that it was their livelihoods at stake if they did not ensure a safe venue.

Questions to the Applicant from the Sub-Committee Members

Q. How many door staff are employed?

A. 2 regular door supervisors, with more being used as deemed appropriate. Additional staff can be provided at very short notice.

Q. If the Sub-Committee were minded to grant, would you agree to this?

A. Do not believe that a set number is necessary as there is already sufficient provision.

Mr. Kheng advised that his client could only have conditions attached to the TENs in line with existing conditions but that a figure in relation to the number of door supervisors could be agreed with the Police.

Q. Do door supervisors remain at the premises after it has closed and, if so, for how long do they remain?

A. Yes. They are paid an hourly rate and have no fixed termination hour. They remain until all customers have left the premises. For information, discussions had been held with the Council's Licensing Enforcement Officer in relation to marshalling the town centre to assist the Police.

Q. Is the courtyard used in the day time for lunches and/or in the evenings?

A. It is used in the evenings. It is a private courtyard. There is CCTV coverage and provision of door supervisors at the boundary of the premises.

Q. What is meant by Christmas Party Night? Will there be deals offered on alcohol?

A. No, there will be no deals on alcohol.

Q. How do you monitor your customers in and out of the premises?

A. In 2014 a hand stamp was used and it is intended to do this again or to use a wrist band. The charging policy is standard throughout the industry e.g. if an event night was held and someone came in fancy dress they may gain free entry.

Q. If the applications were granted, would you consider body cameras for your door supervisors?

A. There is an excellent CCTV system already provided. It is considered more beneficial and cost effective to enhance the existing system rather than using body cameras.

Q. How will the increase in footfall be managed at the venue from the returning University students?

A. There will be no increase in footfall in comparison to the figures of 2014.

Q. How will the increase in footfall be managed in comparison to a 'regular' night?

A. The figures differ only by a small margin. It is anticipated that customers will want one extra drink and as in the previous year, will disperse naturally. The additional hour offers a nice way in which to wind down the night.

Q. Will the additional hour not just move the dispersal on by the same amount of time?
A. No, it is the norm for customers to just drift away. If it would assist the Sub-Committee, a terminal hour for the supply of alcohol could be set.

Q. In relation to the number of door supervisors, how is this determined?
A. This is done dynamically by very experienced supervisors. Staff are 'shuffled' between premises throughout Newark Town Centre. Customers often have a set route so there is an element of predictability as to where they will be and where they will go. Door supervisors are what is termed 'floating' and there are also standby staff available.

Mr. Kheng advised that there was provision for the application to be varied prior to any decision being finalised.

Q. In relation to door supervisors the existing condition could be modified e.g. number of staff employed, would this be acceptable?

A. Yes, it was be acceptable to have additional door supervisors at the premises from when the new hours commenced.

Q. Are the party nights ticketed?

A. No, they are not private parties, they are party to a party with live music and are Christmas themed. No other venue sells tickets but this could be reviewed. It is the intention to sell tickets for New Year's Eve.

Q. How are customers filtered in relation to gaining entry to the premises?

A. They are judged on their dress; manner; attitude; and whether they are already drunk. If they are known to Pub Watch or are subject to a house ban they are not permitted to enter the premises.

Q. Apart from the Police representations, have they been in contact with you?

A. No. Mr. Chambers attended the Police station in January 2015 to discuss incident(s) that had occurred during the 2014 festive period. He was genuinely surprised by the representations made in relation to the application.

Q. The statement of Inspector Clarke refers to the admission of customers after the cut-off point of 01:30 hours.

Mr. Kheng queried how this was relevant to the application before the Sub-Committee. Mrs Ingram stated that it in an attempt to establish how the premises were managed and whether the conditions were adhered to. Mr Kheng replied that the condition related to new customers, not existing.

A. The customers who gained entry after 01.30 hours were from other establishments in the town. This had been discussed with Acting Sergeant Mortimor at the time who had indicated that they should not be permitted to enter. Mr. Chambers had advised that he would let them into the premises as he had already agreed with them to do so. It was felt that this was not undermining the licensing conditions and was not a blatant disregard of them.

Mr. Kheng and Mrs Ingram agreed that the current condition was too vague and ambiguous.

The Sub-Committee commented that the current licence was very complicated and it would be beneficial to all parties if this could be simplified. This was acknowledged by the applicant who added that he would hope to achieve this.

Q. If granted, would you be prepared to ticket the party nights?

A. It is considered that this is not relevant. Six events were held in 2014 without incident. Numbers of customers will be recorded both at entry and exit and customer would be charged whenever possible. However, this was not practicable as the applications were for the early hours and any conditions could only be applied to those hours.

Q. How will new entry customers be identified?

A. This would depend on the night. It is intended that a coloured wrist band would be used for external bar staff from other establishments but this was open to amendment.

Q. Do you rarely exceed your quota?

A. No, the quota was rarely exceeded.

Questions to the Applicant from the Police Authority

Q. Were all the available dates for the TENs in 2014 utilised?

A. Yes, although one of them was only partially used.

Q. Do you understand all of the conditions attached to your Premises Licence?

A. Yes, to the best of my ability.

Q. The TENs allude to Christmas parties but they are not parties. What are these?

A. They are Christmas themed nights out. A party to a party.

Q. Are they open to the public?

A. Yes, they are not private events.

Q. You offered additional CCTV but was this conditional on the Police agreeing to a permanent termination hour of 04:00 hours?

A. Yes, it was in an attempt to achieve a simple structure of licensing hours. This would negate the need for a TEN

Objectors' Cases

Susie Rhodes-Best, Licensing Officer from Nottinghamshire Police advised the Sub-Committee that it was the Police's belief that there would be an increase in alcohol related crime, disorder and violence if the applications were granted. Newark was not a city environment and had insufficient infrastructure and resources to police such an environment. It was the Police's premise that crime and disorder had increased during 2014 whilst the TENs were being held.

In an attempt to clarify the breach of the licence conditions, Mr. Chambers had been invited to Newark police station to discuss the incidents. When he had applied for the Variation a condition had been applied to the licence, to promote the licensing objectives, that there would be no entry permitted after 1.30am to customers. Mr. Chambers was aware of the condition and it was explained at the meeting that this was a breach. In response, Mr. Chambers stated that he had not agreed that a breach had taken place.

Inspector Louise Clarke stated that despite the alleged anomalies in the Police evidence she would confirm that her statement was a true record and was able to provide incident numbers, dates and times. She advised Members of the ongoing Operation Abridge which was the policing of the night time economy in Newark, stating that there was limited number of officers available and that they may be called away to deal with other incidents e.g. traffic incidents.

Inspector Clarke advised that she had compared 'normal' incidents to those during the TENS period and there had been an increase. The Police made every effort to use early intervention methods using detailed information from Officers on the ground. She referred to a flash point which had occurred in 2014 and that to allow some customers to gain entry after 01:30 hours and not others would cause problems. There had been a suggestion to Mr. Chambers that clear signs be erected to advise customers of the condition about gaining entry.

In December 2014 the Police had launched an initiative of "Too Drunk to Party". They had supplied a device to assist door supervisors but this had not been used at the White Hart as the door supervisors had stated that it did not work. On checking the Police found this to be incorrect.

Police were called to an incident when a customer had smashed a pool cue on the table and also attended a private party when an individual had been arrested. Officers on the ground had been concerned that door supervisors were not coping and on one occasion they had asked Officers to 'man the door' whilst they dealt with an incident inside the premises. Inspector Clarke stated that it was not the role of the Police to undertake these duties.

Inspector Clarke also stated that there had been an incident of customers gaining entry after 02:00 hours and that customers had exited the premises for a cigarette without being marked in any way.

Mr. Kheng, at this point, identified that Inspector Clarke was submitting fresh evidence that neither the applicant or the Sub-Committee had been privy to beforehand.

Inspector Clarke commented that she was attempting to demonstrate that the Police did work closely with the premises. The Police had no cause to attend the premises during the day and they only made visits at night time and therefore it was felt that an increase to the termination hour would increase incidents of crime and disorder.

It was reported that the Police had insufficient resources to monitor each of the premises and therefore relied upon the Designated Premises Supervisor to run their premises properly. It was the Police's belief that there was a direct correlation between the TENS and the incidents recorded.

Questions to the Objectors from the Sub-Committee

- Q. If the Police were so concerned why had they not asked for a review of the premises?
- A. The Police's concern is that of the extension of the hours to 4am. Mr. Chambers had asked if the Police would object to a permanent extension to the Premises Licence hours to 04:00 hours. The Police had stated that they would object.

- Q. There are anomalies between the times and dates submitted. Looking at the extension, could the Police justify their statement that there would be a substantial increase in alcohol related crime, disorder and violence? Could the application be amended to resolve the perceived issues?
- A. The meeting held in January 2015 with Mr. Chambers was to discuss the increase in crime and disorder when the TENs were in operation. An increase in incidents from 2 to 9 was considered to be significant by the Police.
- Q. What is the difference between Christmas Eve and New Year's Eve in relation to how busy the premises are?
- A. Comparisons are made from year to year. Every effort is made to staff accordingly but it has become increasingly difficult to predict.

Questions to the Objectors from the Applicant

- Q. Has there been any breaches of the last entry condition since January 2015?
- A. No.
- Q. If no, are there no concerns about the premises?
- A. The Police do not remain outside the premises so this cannot be answered accurately.
- Q. Can evidence be supplied to substantiate claims that incidents occurred after Bank Holidays?
- A. This application is not in relation to Bank Holidays. The Police related their representations to the dates that were covered in 2014.

Summaries

Police Authority

To allow the TENs will undermine the licensing objectives of public safety and the prevention of crime and disorder. There will be additional demand placed on the Police and it is believed that the application has been made to increase the profits of the premises. The Police maintain that there is an evidence of fact that there was an increase in incidents of crime and disorder in 2014 and that there is a correlation between later hours results in more incidents.

Licensing Consultant

It is the intention of legislation that the administration of TEN applications be dealt with by a 'light touch' approach. The applicant operated a TEN on 6 occasions in 2014 and the application for 2015 does not vary from that. There is little evidence to support the Police's claim of a substantial increase in crime and disorder and there was no evidence on the days when the applicant operated at non-standard hours. It was believed that the Police's submitted evidence was weak.

Decision

The Chairman of the Sub-Committee advised that the Temporary Event Notices would be granted with a condition that there be a provision of 3 door supervisors which had been agreed by the Police and was to be imposed under Condition 4 of the current Premises Licence Conditions.

The Chairman also stated that existing Condition 6, which related to the incident book, must be in operation during the hours of the Temporary Event Notices periods.

The Chairman also reported that it had been agreed that the TENS applications had been amended by the applicant so that all licensing activities would cease at 03:30 hours in line with the modified application that Mr. Chambers was to submit.

After informing those present of the decision of the Sub-Committee the Chairman addressed the applicant to inform him that there had been concern about the entry of customers to the premises after the agreed time for last entries of 01:30 hours. The Chairman advised that the Sub-Committee wanted to make it clear that Mr. Chambers should adhere to this condition and that every endeavour would be made by Licensing Enforcement Officers to monitor this. He added that if Mr. Chambers was found to be in breach of his licensing conditions he would be brought back before the Licensing Committee which may result in a request being made for a Review of his Premises Licence.

The meeting closed at 3.05pm

Helen Brandham
Democratic Services Officer

TEMPORARY EVENT NOTICES RECEIVED AND ACKNOWLEDGED BETWEEN 1ST JULY AND 30TH SEPTEMBER 2015 INCLUSIVE

1.0 Purpose of Report

1.1 To inform members of changes to Temporary Event Notices and notices that have been received and acknowledged between 1st July and 30th September 2015 inclusive.

2.0 Background

2.1 The Licensing Act 2003 introduced a light touch system for ad hoc, permitted temporary activities. A Temporary Event Notice (TEN) is given by an individual (a premise user) and authorises the premises user to conduct one or more licensable activities at premises.

2.2 There are two types of TEN;

- A standard TEN, to be given no later than 10 working days before the event to which it relates
- A late TEN, can be given 9 and not later than 5 working days before the event. Late TENs are intended to be used by premise user who is required for reasons outside their control to for example, change the venue at short notice.

2.3 Only the Police and Environmental Health can make representation against the TEN. Once the Police and Environmental Health receive a TEN, they have three working days to make any objections to it on the grounds of any of the four licensing objectives: prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm. If no objections are received the event will go ahead as planned. If an objection is received for a standard TEN the Council will have to organise a hearing to consider the objection and may impose conditions or decide that the event cannot go ahead. If an objection is received against a late TEN, no hearing is held and the application is refused.

3.0 Attachments

3.1 A list of Temporary Event Notices numbers by ward that have been received and acknowledged between 1st July 2015 and 30th September 2015 is attached at **Appendix A**.

3.2 A detailed list of Temporary Event Notices is attached at **Appendix B**.

4.0 RECOMMENDATION

That the report be noted.

Background Papers

Nil

For further information please contact Nicola Kellas on extension 5894.

Karen White
Director - Safety

APPENDIX A

Temporary Event Notices Acknowledged between July 1, 2015 and September 30, 2015 inclusive listed by wards. For further details please see Licensing Section.

Ward	Number of TEN's	TEN No's
Balderton North	3	768, 767, 733
Balderton West		
Blidworth	1	634
Boughton	1	916
Caunton	12	887, 783, 747, 690, 685, 656, 655, 649, 640, 593, 592, 579
Clipstone	1	799
Collingham & Meering	7	752, 740, 717, 684, 676, 653, 628
Devon		
Dover Beck	2	921, 947
Edwinstowe	4	842, 809, 781, 650
Farndon	6	836, 729, 682, 661, 660, 645
Farnsfield & Bilsthorpe	4	814, 771, 709, 601
Lowdham	6	813, 751, 698, 697, 680, 626
Muskham	4	734, 718, 648, 599
Newark – Beacon		
Newark - Bridge	1	746
Newark - Castle	13	918, 917, 812, 811, 810, 786, 742, 721, 693, 692, 674, 673, 657
Newark - Magnus	2	841, 675
Ollerton	1	779
Rainworth	2	821, 641
Southwell North	1	782
Southwell East	3	651, 598, 596
Southwell West	3	778, 691, 589
Sutton on Trent	2	683, 681
Trent	4	822, 741, 739, 738
Winthorpe	6	885, 787, 760, 728, 600, 597

APPENDIX B

TEMPORARY EVENT NOTICES ACKNOWLEDGED BETWEEN JULY 1, 2015 AND SEPTEMBER 30, 2015 INCLUSIVE

KEY FOR LICENCED ACTIVITIES

A – THE SALE BY RETAIL OF ALCOHOL

C – SUPPLY OF ALCOHOL BY OR ON BEHALF OF A CLUB TO, OR TO THE ORDER OF, A MEMBER OF THE CLUB

E - THE PROVISION OF REGULATED ENTERTAINMENT

R – THE PROVISION OF LATE NIGHT REFRESHMENT

REF	ACK'D	PREMISE	NATURE OF EVENT	DATE OF EVENT	TIME OF EVENT	LICENCED ACTIVITIES
Balderton North 15/00768/TE N	2.9.2015	St Giles Church Hall Main Street Balderton Newark On Trent Nottinghamshire NG24 3NN	Charity night	19.9.2015	19:00 to 22:30	A
Balderton North 15/00767/TE N	3.9.2015	Balderton Scout Headquarters Main Street Balderton Newark On Trent Nottinghamshire NG24 3NR	Swing band to raise money for political party	19.9.2015	15:00 to 19:00	A
Balderton North 15/00733/TE N	19.08.2015	The Newark Academy London Road Balderton Nottinghamshire NG24 3AL	Charity event	13.9.2015	12:00 to 16:00	A & E
Blidworth 15/00634/TE N	10.07.2015	Rainworth Lodge Blidworth Lane Rainworth Nottinghamshire NG21 0HF	Birthday Party	25.7.2015	17:00 to 02:00	A & E

Boughton	31.10.2015	Carpenters Arms Public House	Live music		19:30 to 23:00	
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15/00916/TE N		Retford Road Walesby Nottinghamshire NG22 9NJ	event			
Caunton 15/00887/TE N	23.9.2015	Floral Media Norwell Road Caunton Newark On Trent Nottinghamshire NG23 6AQ	Charity Event	7.11.2015	18:00 to 01:00	A
Caunton 15/00783/TE N	7.9.2015	Highland Farm Main Street Ossington Newark On Trent Nottinghamshire NG23 6LJ	Wedding	7.9.2015	19:00 to 00:30	A, E & R
Caunton 15/00747/TE N	24.8.2015	Floral Media Norwell Road Caunton Newark On Trent Nottinghamshire NG23 6AQ	Wedding	12.9.2015	14:00 to 00:00	A & E
Caunton 15/00690/TE N	7.8.2015	Chapel Farm Newark Road Wellow Nottinghamshire NG22 0EJ	Wedding	29.8.2015 30.8.2015	12:00 to 24:00 11:00 to 22:00	A & E
Caunton 15/00685/TE N	5.8.2015	Sports Ground Egmanton Road Laxton Nottinghamshire	Charity Event	22.8.2015	13:00 to 17:00	A
Caunton 15/00656/TE	22.7.2015	Floral Media Norwell Road	Wedding	22.8.2015	14:30 to 23:45	A & E

N		Caunton Newark On Trent Nottinghamshire NG23 6AQ				
Caunton 15/00655/TE N	22.7.2015	Floral Media Norwell Road Caunton Newark On Trent Nottinghamshire NG23 6AQ	Wedding	8.8.2015	14:30 to 23:45	A
Caunton 15/00649/TE N	17.7.2015	Wellow House School Newark Road Wellow Nottinghamshire	Wedding	22.8.2015	13:00 to 24:00	A & E
Caunton 15/00640/TE N	13.7.2015	Floral Media Norwell Road Caunton Newark On Trent Nottinghamshire NG23 6AQ	Wedding	25.7.2015	14:30 to 23:45	A & E
Caunton 15/00593/TE N	2.7.2015	Chapel Farm Newark Road Wellow Nottinghamshire NG22 0EJ	Wedding	14.8.2015 15.8.2015 16.8.2015	17:00 to 22:00 12:00 to 23:00 11:00 to 15:00	A & E
Caunton 15/00592/TE N	2.7.2015	Chapel Farm Newark Road Wellow Nottinghamshire NG22 0EJ	Wedding	17.7.2015 18.7.2015 19.7.2015	18:00 to 22:00 11:00 to 23:30 11:00 to 15:00	A, E & R
Caunton 15/00579/TE N	30.6.2015	Caunton Dean Hole Church Of England Primary School Manor Road	Charity event	23.8.2015	10:00 to 23:59	A & R

		Caunton Newark On Trent Nottinghamshire NG23 6AD				
Clipstone 15/00799/TE N	9.9.2015	Mission Hall Main Road Kings Clipstone Mansfield NG21 9BT	Music & Beer Festival	25.9.2015 26.9.2015 27.9.2015	19:00 to 23:00 13:00 to 23:00 13:00 to 18:30	A & R
Collingham & Meering 15/00752/TE N	26.8.2015	Coronation Hall Moor Lane South Clifton Newark On Trent Nottinghamshire NG23 7BG	Music Night	12.9.2015	18:00 to 23:30	A & R
Collingham & Meering 15/00740/TEN	20.8.2015	Harby Playing Fields Church Road Harby Nottinghamshire	Village show	5.9.2015	11:00 to 17:00	A & R
Collingham & Meering 15/00717/TEN	17.8.2015	Oakridge Quarter Horses Swinderby Road Collingham Nottinghamshire NG23 7NZ	Horse Show	5.9.2015 6.9.2015	10:00 to 23:00	R
Collingham & Meering 15/00684/TEN	4.8.2015	Oakridge Quarter Horses Swinderby Road Collingham Nottinghamshire NG23 7NZ	Horse Show	30.8.2015	12:00 to 23:00	A
Collingham & Meering 15/00676/TEN	3.8.2015	Collingham Cricket Club Newark Road Collingham Nottinghamshire	Birthday Party	22.8.2015	17:00 to 24:00	A, E & R

		NG23 7RD				
Collingham & Meering 15/00653/TEN	22.7.2015	Oakridge Quarter Horses Swinderby Road Collingham Nottinghamshire NG23 7NZ	Horse Show	8.8.2015 9.8.2015	12:00 to 23:00 12:00 to 20:00	A
Collingham & Meering 15/00628/TEN	8.7.2015	Collingham Football Club Football Ground Station Road Collingham Nottinghamshire	Family Fun Day	5.8.2015	12:00 to 16:00	A & R
Dover Beck 15/00921/TEN	28.9.2015	Epperstone Village Hall Gonalston Lane Epperstone Nottinghamshire NG14 6AZ	Fundraiser	10.10.2015	19:30 to 23:00	A
DoverBeck 15/00947/TEN	30.9.2015	Gunthorpe Village Hall Davids Lane Gunthorpe Nottinghamshire NG14 7EW		23.10.2015	19:00 to 22:30	A & E
Edwinstowe 15/00842/TEN	16.9.2015	Sherwood Forest Country Park And Visitor Centre Swinecote Road Edwinstowe Nottinghamshire NG21 9HN	Festival	3.10.2015 4.10.2015	10:00 to 18:00	A

Edwinstowe 15/00809/TEN	10.9.2015	Edwinstowe Cricket Club Pavilion Forest Corner Edwinstowe Nottinghamshire NG21 9RN	Wedding	26.9.2015 27.9.2015	14:00 to 01:30	A
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Edwinstowe 15/00781/TE N	7.9.2015	STREET RECORD High Street Edwinstowe Nottinghamshire	Christmas Lights switch on	26.11.201 5	16:00 to 19:00	E
Edwinstowe 15/00650/TE N	17.7.2015	STREET RECORD High Street Edwinstowe Nottinghamshire		15.8.2015	10:00 to 15:00	E
Farndon 15/00836/TE N	16.9.2015	Parish Church Of All Saints Cotham Lane Hawton Nottinghamshire		2.10.2015	18:00 TO 21:00	A & E
Winthorpe 15/00728/TE N	18.08.2015	Winthorpe Community Centre Woodlands Winthorpe Newark On Trent Nottinghamshire NG24 2NL	Charity Disco	10.10.201 5	19:30 to 23:30	A & E
Farndon 15/00682/TE N	3.8.2015	St Peter's Church Church Street Farndon Nottinghamshire	Church Concert	12.9.2015	19:00 to 23:00	A & R
Farndon 15/00661/TE N	27.7.2015	Rose And Crown 25 Main Street Farndon Newark On Trent	Live music	30.8.2015	12:00 to 23:00	A & R

Farndon 15/00660/TE N	24.07.2015	Rose And Crown 25 Main Street Farndon Newark On Trent	Beer Festival	1.8.2015	11:00 to 24:00	A
Farndon 15/00645/TE	15.7.2015	East Stoke Hall Church Lane	Old Hammer gaming event	31.7.2015 1.8.2015	12:00 to 22:00 12:00 to 22:00	A

N		East Stoke Newark On Trent Nottinghamshire		2.8.2015	12:00 to 18:00	
Farnsfield & Bilsthorpe 15/00814/TE N	11.9.2015	Oxton Lodge Southwell Road Oxton Nottinghamshire	Ploughing Match	26.9.2015	09:00 to 17:30	A
Farnsfield & Bilsthorpe 15/00771/TE N	2.9.2015	Farnsfield Village Centre New Hill Farnsfield Nottinghamshire NG22 8JN	Charity event	26.9.2015	19:00 to 22:30	A
Farnsfield & Bilsthorpe 15/00709/TE N	14.8.2015	Oxton Village Hall Main Street Oxton Nottinghamshire	Charity Event	5.9.2015	16:00 to 24:00	A
Farnsfield & Bilsthorpe 15/00601/TE N	6.7.2015	Field Adjacent To Beck Lane Farnsfield Nottinghamshire	Celebration of VJ Day	15.8.2015	15:00 to 21:00	A & E
Lowdham 15/00813/TE N	10.9.2015	Hoveringham Village Hall Gonalston Lane Hoveringham Nottinghamshire NG14 7JH	Art preview and exhibition	30.10.2015	11:00 to 21:00	A & E

Lowdham 15/00751/TE N	25.8.2015	Epperstone Village Hall Gonalston Lane Epperstone Nottinghamshire NG14 6AZ	Wedding	5.9.2015	14:00 to 24:00	A, E & R
Lowdham 15/00698/TE	11.8.2015	Biondi Bistro Gunthorpe	Silver Wedding	30.8.2015 31.8.2015	14:00 to 02:00	A, E & R

N		Trentside Gunthorpe Nottinghamshire NG14 7FB				
Lowdham 15/00697/TE N	11.8.2015	Magna Charta Public House Southwell Road Lowdham Nottinghamshire NG14 7DQ	Outside bar in courtyard	28.8.2015 29.8.2015 30.8.2015 31.8.2015	11:00 to 23:30	A
Lowdham 15/00680/TE N	3.8.2015	Hoveringham Village Hall Gonalston Lane Hoveringham Nottinghamshire NG14 7JH	Wedding reception	22.8.2015	12:00 to 24:00	A
Lowdham 15/00626/TE N	8.7.2015	Hoveringham Village Hall Gonalston Lane Hoveringham Nottinghamshire NG14 7JH	Wedding reception	8.7.2015	13:00 to 24:00	A & E
Muskham 15/00734/TE N	19.8.2015	Miss Mollys Cafe And Bistro 25 Main Street Lowdham Nottinghamshire NG14 7AB	Summer BBQ	5.9.2015	12:00 to 23:00	A & E

Muskham 15/00718/TE N	17.08.2015	Rectory Farm Staythorpe Road Averham Newark On Trent Nottinghamshire NG23 5QY	Village Fete	5.9.2015	12:30 to 18:00	A
Muskham 15/00648/TE	16.7.2015	The Crown Inn Public House Main Street	Charity BBQ	16.7.2015	14:00 to 18:00	A & E

N		Bathley Newark On Trent				
Muskham 15/00599/TE N	6.7.2015	Russet House Crab Lane North Muskham Newark On Trent Nottinghamshire	Wedding Reception	19.8.2015	12:00 to 24:00	A, R & E
Newark – Bridge 15/00746/TE N	24.8.2015	Brownhills Leisure Homes Lincoln Road Newark On Trent Nottinghamshire NG24 2EA	Open weekend	18.9.2015 19.9.2015	11:00 to 22:00	A & E
Newark – Castle 15/00918/TE N	25.9.2015	The Atrium Bar 69 Castle Gate Newark On Trent Nottinghamshire NG24 1BE	Christmas celebrations	11.12.201 5 12.12.201 5	02:00 to 02:30	A, R & E
Newark – Castle 15/00917/TE N	25.9.2015	The Atrium Bar 69 Castle Gate Newark On Trent Nottinghamshire NG24 1BE	Christmas celebrations	4.12.2015 5.12.2015	02:00 to 02:30	A, R & E

Newark – Castle 15/00812/TE N	11.9.2015	The Royal Oak Public House 17 Castle Gate Newark On Trent Nottinghamshire	Rugby World cup	9.10.2015 10.10.201 5 11.10.201 5 12.10.201 5	11:00 to 24:00	A
Newark – Castle	11.9.2015	The Royal Oak Public House 17 Castle Gate	Rugby World cup	25.9.2015 26.9.2015	11:00 to 24:00	A

15/00811/TE N		Newark On Trent Nottinghamshire		27.9.2015 28.9.2015 29.9.2015		
Newark – Castle 15/00810/TE N	11.9.2015	The Royal Oak Public House 17 Castle Gate Newark On Trent Nottinghamshire	Rugby World cup	1.10.2015 2.10.2015 3.10.2015 4.10.2015 5.10.2015	11:00 to 24:00	A
Newark – Castle 15/00786/TE N	8.9.2015	The Atrium Bar 69 Castle Gate Newark On Trent Nottinghamshire NG24 1BE	Christmas Celebrations	18.12.201 5 19.12.201 5	02:00 to 02:30	A, E & R
Newark – Castle 15/00742/TE N	21.8.2015	Newark Rowing Club Farndon Road Newark On Trent Nottinghamshire	Social Event	31.10.201 5	19:00 to 00:30	A, E & R
Newark – Castle 15/00721/TE N	14.8.2015	The Moorings Restaurant 34 Castle Gate Newark On Trent Nottinghamshire NG24 1BG	Use of outside bar	29.8.2015 30.8.2015 31.8.2015	15:00 to 22:30	A
Newark – Castle 15/00693/TE N	10.8.2015	Newark Castle Castle Gate Newark On Trent Nottinghamshire	Blues Festival	12.9.2015 13.9.2015	12:00 to 18:00	A & E
Newark – Castle 15/00692/TE N	10.8.2015	Newark Castle Castle Gate Newark On Trent Nottinghamshire	Blues Festival	12.9.2015 13.9.2015	12:00 to 18:00	A & E
Newark – Castle	21.7.2015	Newark Castle Castle Gate	Family Fun day	30.8.2015	14:00 to 22:00	A & E

15/00674/TE N		Newark On Trent Nottinghamshire				
Newark – Castle 15/00673/TE N	21.7.2015	Newark Castle Castle Gate Newark On Trent Nottinghamshire	Family Fun day	30.8.2015	14:00 to 22:00	A & E
Newark – Castle 15/00657/TE N	23.07.2015	The Atrium Bar 69 Castle Gate Newark On Trent Nottinghamshire NG24 1BE	Bank holiday extension	30.8.2015 31.8.2015	23:59 to 02:00	A, E & R
Newark – Magnus 15/00841/TE N	16.9.2015	Magnus Leisure Centre Earp Avenue Newark On Trent Nottinghamshire NG24 4AB	Kickboxing event	3.10.2015	19:00 to 23:59	A
Newark – Magnus 15/00675/TE N	30.7.2015	Newark Town & District Club 35 Barnby Gate Newark On Trent Nottinghamshire NG24 1PX	Wedding	5.9.2015	12:00 to 24:00	A, E & R

Ollerton 15/00779/TE N	7.9.2015	Market Field Netherfield Lane Perlethorpe Cum Budby Nottinghamshire	Caravan Rally	1.10.2015	11:00 to 23:00	A & E
Rainworth 15/00821/TE N	15.9.2015	Rufford Country Park Old Rufford Road Rufford Nottinghamshire	WW2 event	15.9.2015	11:00 to 23:00	A
Rainworth 15/00641/TE N	14.7.2015	Jerry Green Dog Rescue Warsop Lane Rainworth	Charity event	23.08.201 5	09:00 to 18:00	A

		Nottinghamshire NG21 0PG				
Southwell – North 15/00782/TE N	7.9.2015	Southwell Ploughing Match Site Oxton Estates Southwell Road Oxton Nottingham	Ploughing match	26.9.2015	08:30 to 18:00	A
Southwell – East 15/00651/TE N	21.7.2015	Upton Cricket Club Hockerton Road Upton Newark On Trent Nottinghamshire	Wedding	5.9.2015	15:00 to 23:30	A, E & R
Southwell – East 15/598/TEN	6.7.2015	Archbishop's Palace Church Street Southwell Nottinghamshire NG25 0HD	Wedding	25.7.2015	12:00 to 24:00	A, E & R
Southwell – East 15/00596/TE N	2.7.2015	The Minster Refectory Church Street Southwell Nottinghamshire NG25 0HD	Wedding	8.8.2015	14:00 to 23:30	A, E & R
Southwell – West 15/00778/TE N	7.9.2015	Minster School Nottingham Road Southwell Nottinghamshire NG25 0LG	Charity Fundraiser	17.10.201 5	19:00 to 22:00	A
Southwell – West 15/00691/TE N	7.8.2015	Fine Wine 17 Queen Street Southwell Nottinghamshire NG25 0AA	Anniversary	29.8.2015 30.8.2015 31.8.2015	10:00 to 20:00	A
Southwell – West	1.7.2015	The Old Vicarage Boutique Hotel Westgate	Wedding	6.8.2015	13:00 to 24:00	A, E & R

UPDATE ON QUARTERLY PERFORMANCE AND ENFORCEMENT MATTERS

1.0 Purpose of Report

1.1 To inform Committee of the activity and performance of the Licensing Team between 1st July 2015 and 30th September 2015 and to provide Members with details of current going enforcement issues.

2.0 Background

2.1 This report covers the period from 1st July 2015 and 30th September 2015 and sets out the range and number of licence applications during this period. It also highlights any activity required as a result of the applications.

Activity Report for 1st July 2015 to 30th September 2015

Application Type	Number Received	Number Issued	Number Refused	Comments
Personal Licence	21	21	0	
Vary the Designated Premise Supervisor	26	26	0	
Transfer of Premise Licence	9	9	0	
Minor Variation	3	3	0	
Variation to Premise Licence	2	2	0	
New Premise licence	4	4	0	
Change of Premise Name	1	1	0	
Notification of Interest	0	0	0	
Temporary Event Notices	99	99	0	

2.2 Enforcement Activity

Ongoing Enforcement Activity 1st July 2015 to 30th September 2015

Location	Summary Of Complaint/Reason For Visit	Date Case Opened	Action Taken So Far
Harcourt Street, Newark	Complaint that neighbour has built large extension and using as a pub until the early hours of the morning.	15/7/2015	LEO investigated and notice served on the property to cease activities immediately. No further complaints received.
Hearty Goodfellow, Southwell	Complaint of very loud music from the pub	30/7/2015	LEO had a meeting with the DPS and licence holder to discuss complaint. The DPS was on holiday when the event had taken place. The licence holder accepted that a breach of conditions has taken place.

			A verbal warning was given by the LEO.
Carter Gate, Newark	Enquiry/Advice regarding sex shop	20/8/2015	LO and LEO have advised that a licence would be required if the sale of sexual aids etc. was more than 33% of entire sales. LEO visited the premises to discuss with the prospective applicant.
Flowserve, Balderton	Noise complaint	24/08/2015	LEO investigated the complaint and gave advice to DPS regarding licence conditions and notice.
Miss Molly's Lowdham	Noise complaint	7/9/2015	LEO investigated the complaint and visited the premise. Advice given to the owner for future events.
Lurcher, Rainworth	Noise complaint	7/9/2015	LEO investigated and advised complainants that the noise from a charity fun day had not contravened licence conditions.
Market Field, Thoresby	Noise complaint	4/9/2015 – 6/9/2015	LEO investigated and spoke to licence holder. The licence holder was going to arrange a meeting with the complaint to resolve issues.
Railway Inn, Lowdham	Noise complaint	9/9/2015	LEO investigated and warning letter sent to licence holder and DPS.

3.0 **RECOMMENDATION**

That the Committee consider the contents of the report and identifies any issues it wishes to examine further.

For further information please contact Nicola Kellas on Extension 5894.

Karen White
Director – Safety

GENERAL PURPOSES COMMITTEE

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the **GENERAL PURPOSES COMMITTEE** held on Thursday, 3rd September 2015 in Room G21, Kelham Hall at 6.00pm

PRESENT: Councillor Mrs R. Crowe (Chairman)
Councillor D.J. Clarke (Vice-Chairman)

Councillors: Mrs K. Arnold, Mrs I. Brown, M. Cope, J. Lee, Mrs S.M. Michael, D.R. Payne, P. Peacock, Mrs S. Soar, Mrs. L.M.J. Tift and I. Walker

7. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors: Mrs B. Brooks, G. Brooks and M. Buttery.

8. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

NOTED: that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

9. DECLARATION OF INTENTION TO RECORD MEETING

NOTED: that there would be an audio recording of the meeting.

10. MINUTES OF MEETING HELD ON 11TH JUNE 2015

AGREED that the Minutes of the meeting held on 11th June 2015 be approved as a correct record and signed by the Chairman.

11. REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE

The Committee considered the report presented by the Business Manager – Environmental Health in relation to the review of the temporary licence of Mr. David Flint to consider whether he was a fit and proper person to hold a Private Hire/Hackney Driver's Licence.

The matter had been considered at the previous meeting held in June 2015 when Members had agreed to grant Mr. Flint a temporary licence for a 3 month period. This was to allow Mr. Flint's appeal against his conviction for 4 counts of benefit fraud to be heard, following which the Committee would consider the application again. It was reported that Mr. Flint had subsequently sought legal advice and had been informed that it was unlikely that any appeal would be successful and therefore he was no longer seeking to appeal his conviction.

In considering the matter, Members were advised of items for consideration and what options were open to them in relation to this case.

In response to Members querying the reasons for the conviction, Mr. Flint who was present at the meeting, explained that he had not informed the appropriate people as to a change in his circumstances. He confirmed that in his present role he was not left alone with service users and that he was not required to handle payments. He added that his present employers were aware of the circumstances and that he could continue his employment with them if he was granted a Private Hire Ambulance Licence. They have invested in him already by way of training and were eager for this to continue.

In considering the options available, it was proposed and seconded that Mr. Flint's licence be amended to that of a Private Ambulance Driver, thereby limiting his licensed activities to only driving private ambulances where no fee was handled by the driver. This would mean that Mr. Flint would not be able to drive a taxi or a private hire vehicle. Members also agreed that Mr. Flint be advised that should it be necessary for him to come before Committee again on the same or similar matter, such a lenient approach would not be taken.

AGREED (by 11 votes for with 1 against) that Mr. David Flint's licence be amended to that of a Private Ambulance Driver.

12. IMPACT OF THE DEREGULATION ACT 2015 ON THE DURATION OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS LICENCES AND ON THE DURATION OF PRIVATE HIRE OPERATORS LICENCES

The Committee considered the report presented by the Business Manager – Environmental Health in relation to the changes introduced by the Deregulation Act 2015 and the impact this would have on the Council's current policy of issuing all new drivers with a licence for one year and the policy of issuing operator licences for three years.

The report highlighted the changes that the Deregulation Act 2015 would have in relation to the Local Government (Miscellaneous Provisions) Act 1976. It was reported that the changes had been introduced to bring the national licensing regime into line with the position in London. It was further reported that the wording provided discretion for the Council to reduce the default period depending on the circumstance of each case. Paragraph 4 of the report highlighted the proposed changes to the Council's current policies to ensure that they were aligned to those of the Deregulation Act 2015 which was to come into effect on 1st October 2015.

AGREED (unanimously) that:

- (a) the Council's policy for Hackney Carriage and Private Hire Licensing be amended in relation to private hire operators to read: *'A private hire operator's licence is valid for five years on initial application and for the same period on renewal. A licence may be granted for a lesser period appropriate in the circumstances of the case'*;

- (b) the Council's policy for Hackney Carriage and Private Hire Licensing be amended in relation to private hire and hackney carriage drivers to read '*A private hire and/or hackney carriage drivers licence is valid for three years on initial application and for the same period on renewal. A licence may be granted for a lesser period appropriate in the circumstances of the case. A DBS check will be required to be submitted annually*';
- (c) the Council's policy for Hackney Carriage and Private Hire Licensing be amended in relation to private hire and hackney carriage drivers to read; '*A medical check will be required on initial application and every three years following the driver attaining the age of 45. Thereafter medical checks will be required every three years until the driver is 65 when medicals will be required every year. A licence renewal at age 65 will be for three years, however, a licence may be granted for a lesser period appropriate in the circumstances of the case*';
- (d) the conditions of licence attached to private hire and/or hackney carriage drivers licence be amended to include the requirement to subscribe to the annual DBS update service and to require drivers to submit an annual DBS check; and
- (e) the changes be implemented from the 1st October 2015.

13. UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Business Manager – Environmental Health in relation to the activity and performance of the Licensing Team between 1st April and 30th June 2015. The report also provided details of current ongoing enforcement issues.

In considering the report, Members queried whether the organisations who carried out Street Collections and House to House Collections were pursued for their returns. In response, Members were informed that all outstanding returns were pursued and a report would be made to Committee in this regard.

Members also sought clarification in relation to the number of HC vehicles that had been checked and subsequently found to have minor defects. They requested that this information be provided in future reports.

AGREED (unanimously) that:

- (a) the report be noted; and
- (b) future reports provided information as to the number of returns from Street and House to House Collections together with the number of vehicles found to have minor defects during scheduled checks.

The meeting closed at 6.35pm

Chairman

STREET COLLECTIONS 2016

1.0 Background

1.1 A street collection permit is required to collect money or sell articles for the benefit of any charitable, benevolent or philanthropic purpose in any street or public place. Collectors should have sealed collecting tins stating which organisation they are collecting on behalf of and should not act in any such manner as to cause, or likely to cause danger, obstruction, inconvenience or annoyance to any person. Street collections are governed by Section 5 of the Police, Factories, etc. (Miscellaneous Provisions) Act 1916 as amended by Section 251 and Schedule 29 to the Local Government Act 1972.

2.0 Information

2.1 The Council allows a total of 19 street collections to take place in Newark throughout the year. In addition, it also allows 12 in Ollerton and 13 in Southwell.

2.2 A list of applications received so far has been forwarded to Newark Town Council, Ollerton & Boughton Town Council and Southwell Town Council. These are listed in **Appendix A** detailing those charitable organisations wishing to make a street collection within these areas 2016. Members will note that the number received is below that maximum allowed and therefore it is anticipated that further applications will be made.

2.3 Ollerton & Boughton Town Council are considering the applications in respect of Ollerton Town Centre and Boughton (*a decision has not been received from Ollerton & Boughton Town Council's regarding application 1*).

2.4 Southwell Town Council Members noted the applications in **Appendix A** that are proposed for Southwell and have raised no comments in respect of Southwell Town Centre applications, these being 2, 3 and 4.

2.5 Newark Town Council considered applications in respect of the Newark Town Centre. Application numbers 5, 6, 7 and 8 are awaiting consideration. An update will be available at the meeting.

2.6 Newark Town Council's Policy attached at **Appendix B** states that the Council would generally not support requests for a Street Collection from those outside the area or where the proceeds are not likely to benefit the community.

3.0 Proposals

3.1 It is proposed that the Director – Safety be authorised to issue the licences for the applications supported by the Town Councils together with any further licences subsequently received under delegated powers after, and in the cases of Newark, Ollerton and Southwell Town Centres, having considered the recommendation of the relevant Town Councils.

3.2 It is further proposed that the applications not supported by the Town Councils be offered an alternative location within the Newark & Sherwood District.

4.0 RECOMMENDATIONS that:

- (a) the Committee consider the applications for Street Collections along with the comments of the relevant Town Councils and identify the street collections that shall be granted within the District of Newark & Sherwood during the year 2016; and**
- (b) after consultation with the Chairman of the General Purposes Committee the Director - Safety be authorised to approve and issue licences for all additional applications received for street collections within the District of Newark & Sherwood during the year 2016.**

Background Papers

Nil

For further information please contact Nicola Kellas on extension 5894.

Karen White
Director - Safety

OLLERTON AND BOUGHTON TOWN COUNCIL

1. James Whale Kidney Cancer Care
9th April 2016 - 9am to 5pm

SOUTHWELL TOWN COUNCIL

2. Framework
5th March 2016 – 9am to 5pm
3. Marie Curie
2nd April 2016 – 9am to 5pm
4. Gate to Southwell Folk Festival Ltd
11th June 2016 – 10am to 5pm

NEWARK TOWN COUNCIL

5. Marie Curie
12th March 2016 – 9am to 5pm
6. Breast Cancer Now
23rd April 2016 – 9am to 5pm
7. The Guide Dogs for the Blind Association
7th May 2016 – 10:00am to 4pm
8. Royal British Legion
5th -12th November 2015 – 8am to 8pm

**NEWARK TOWN COUNCIL
STREET COLLECTION POLICY**

1. The Town Council's policy will be to support locally based charities whose fund raising activities are for the benefit of those living within the local community.
2. This support will be extended to include local branches of national charities where funds are sought for use within the community.
3. The Town Council will also consistently support national appeals such as the Wings Appeal and the Poppy Appeal, where monies are collected on a branch basis.
4. The Town Council would generally not support requests for street collections from those outside the area or where the proceeds are not likely to benefit the community.

In exceptional circumstances, however, the Town Council may support such requests; and in such cases would provide Newark & Sherwood District Council with additional information to explain such decision.

Finance & Policy Committee
22.09.04

COMMUNITY GOVERNANCE REVIEW – CAYTHORPE PARISH COUNCIL

1.0 Purpose of Report

- 1.1 To consider the terms of reference, timetable and process for a Community Governance Review following the receipt of a request from Caythorpe Parish Council for an increase in the number of parish councillors.

2.0 Background Information

- 2.1 The Council received a request from Caythorpe Parish Council on 19th October 2015 to undertake a Community Governance Review to increase the number of their parish councillors from five to six.
- 2.2 In accordance with the Local Government & Public Involvement in Health Act 2007 it is now for the Council to determine if it wishes to undertake such a review.

3.0 Proposals

- 3.1 The Local Government & Public Involvement in Health Act 2007 places a duty on the Council to have regard to the need to secure that any community governance review reflects the identities and any interests of the local community and that it is effective and convenient. Relevant considerations which influence judgements against those two principal criteria include the impact on community cohesion and the size, population and boundaries of the proposed area.
- 3.2 The request from Caythorpe Parish Council is simply for the District Council to undertake a Community Governance Review in order to increase their members from five to six. The parish have indicated that the workload on the current five working councillors is onerous and on occasion meetings have to be cancelled because of councillors working away. The parish also add that the village has grown considerably in population since the number of members was set as five and they do not see any problems with filling the extra seat as there have been no vacancies on the parish council for decades.
- 3.3 If a decision is made to conduct a review at this time, the first stage of the Review as prescribed by the Local Government and Public Involvement in Health Act 2007, would be to establish a Terms of Reference which will set out the matters on which the Review is to focus. A draft terms of reference is attached as **Appendix A** to the report. This document includes a timetable for the Review. It is proposed that the General Purposes Committee would receive further details of the Review as it progresses with them making recommendations to Council in terms of draft and final proposals.

4.0 RECOMMENDATIONS that:

- (a) **the Committee consider whether to conduct a review in accordance with the draft terms of reference and timetable as set out in Appendix A to the report; and**

- (b) if a decision is made to conduct the review at this time, the General Purposes Committee receive further details about the review as indicated in the draft timetable.**

Background Papers

Email from Caythorpe Parish Council dated 19th October 2015.
Guidance on Community Governance Reviews

For further information contact Nigel Hill on ext 5243.

A.W. Muter
Chief Executive

Review of Parishes and Related Matters
Local Government and Public Involvement in Health Act 2007

Terms of Reference

Introduction

Following a request from Caythorpe Parish Council the Council will undertake a Community Governance Review of Caythorpe Parish Council in respect of increasing their number of members.

In undertaking the Review, the Council will be guided by Part 4 of the Local Government and Public Involvement in Health Act 2007, the relevant parts of the Local Government Act 1972 and Guidance on Community Governance Reviews issued by the Department of Communities and Local Government and the Electoral Commission.

These Terms of Reference will set out the matters on which the Review is to focus.

Why is the Council Undertaking the Review?

The Review is to be undertaken due to the receipt of a request from Caythorpe Parish Council for a review of their number of members.

What will the Review Consider?

The Review is to consider a request from the parish council to increase their number of members from five to six. Allied to this the review will need to determine the future electoral arrangements.

Parish Governance within the District

The Council wants to ensure that there is clarity and transparency to the areas that parish councils represent and that the electoral arrangements are appropriate, equitable and readily understood by the electorate.

In their White Paper, Strong and Prosperous Communities, the Government emphasised that “Ultimately, the recommendations made in a community governance review ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services”.

Who undertakes the Review?

The Constitution delegates parish issues to the General Purposes Committee. As such General Purposes Committee will consider representations received during the review period and recommend to the Council both draft and final recommendations.

How the Council proposes to conduct consultations during the Review?

In arriving at its recommendations in a Review, the Council will need to take account of the views of local people. The Local Government and Public Involvement in Health Act 2007 requires the Council to consult the local government electors for the area under review and any other person

or body who appears to have an interest in the Review (for instance the local Member of Parliament and the County Council) and to take the representations that are received into account by judging them against the criteria in the Local Government and Public Involvement in Health Act 2007.

The Council will consult in an appropriate manner within the Review area ensuring that those most affected are given the opportunity to respond. Any decisions made and the reasons for those decisions will be published following the Review.

In accordance with the Local Government and Public Involvement in Health Act 2007, representations received in connection with the Review will be taken into account, and consultees will be informed of the outcome of the review. The mechanism for this will be through the Council's website, issuing press releases, personal communication where appropriate and through the lodging of key documents on deposit at parish council offices etc.

How to Contact Us

Contact details at the Council for the duration of the review are as follows:

Nigel Hill – Business Manager - Democratic Services Tel 01636 655243 Email nigel.hill@nsdc.info or voting@nsdc.info

Timetable for the Review

19/10/15	Request for Review by Caythorpe Parish Council Received.
10/12/15	Terms of Reference and Timetable for Review to be approved by the General Purposes Committee.
14/12/15	Council to publish Terms of Reference. Consultation begins with initial submissions being invited.
22/01/16	Closing date for submission of initial submissions.
25/01/16	General Purposes Committee Members to be consulted on initial submissions.
09/02/16	Council to approve Draft Proposals.
10/02/16	Council to publish Draft Proposals. Consultation begins on Draft Proposals.
29/02/16	Closing date for submissions on Draft Proposals.
07/12/16	General Purposes Committee Members to be consulted on submissions on Draft Proposals.
10/03/16	Council to approve and publish final Recommendations.
April 2016	Interested parties (including Electoral Commission informed of the outcome of the Review). Reorganisation Order is made.
May 2016	Election to amended Parish.

Electorate Figures

The latest electoral figures as at 27th October 2015 for Caythorpe Parish Council are 217. (1st December stats)

Therefore the ratio of Councillors to electorate is 1: 43

There is no prescribed number of parish Councillors but five is the minimum number required.

Electoral Arrangements

Ordinary elections for parish councillors are next due to take place in May 2019 which will coincide with the cycle for the District Council elections. If the review results in any change to the electoral arrangements elections will be held in May 2016 but for a three year term only. This would enable the parish council to fall back in line with the May 2019 schedule.

Reorganisation of Community Governance Orders and Commencement

The Review will be completed when the Council adopts the Reorganisation of Community Governance Order. Copies of this Order, any maps which affect the order of the detail and the document which sets out the reasons for the decisions that the Council has taken will be deposited at Kelham Hall and on the Council's website.

Date of Publication of Terms of Reference

14th December 2015.

FURTHER ELECTORAL REVIEW OF NOTTINGHAMSHIRE COUNTY COUNCIL

1.0 Purpose of Report

- 1.1 To note the outcome of the Further Electoral Review of Nottinghamshire County Council.

2.0 Background Information

- 2.1 The Local Government Boundary Commission have now concluded their electoral review of Nottinghamshire County Council. The Final Recommendations were published on 17th November 2015.
- 2.2 The Final Recommendations are for Nottinghamshire County Council to have 66 Councillors arranged in 46 single member divisions and 10 two member divisions.
- 2.3 Within Newark and Sherwood District there remain 10 single member divisions as per the previous arrangements. These divisions are:

Balderton
Blidworth
Collingham
Farndon & Trent
Muskham & Farnsfield
Newark East
Newark West
Ollerton
Sherwood Forest
Southwell

- 2.4 A summary of the Final Recommendations can be found on the attached document. The new arrangements will be effective for the County Council Elections scheduled to take place in May 2017.
- 2.5 Full information about the Final Recommendations is available at:
<http://www.lgbce.org.uk/current-reviews/east-midlands/nottinghamshire/nottinghamshire-county-council>

3.0 Parish Electoral Arrangements

- 3.1 As a result of the new County divisions revised parish electoral arrangements are required in Newark and Balderton.
- 3.2 Balderton Parish Council will retain 15 parish councillors as at present but these will be split into new wards as follows:

Balderton Milton (1 member)
Balderton North (4 members)

Balderton Rowan (3 members)
Balderton South (7 members)

- 3.3 Newark Town Council will retain 18 town councillors as at present but these will be split into new wards as follows:

Beacon (4 members)
Bridge (3 members)
Castle (2 members)
Devon (5 members)
Newark East (1 member)
Newark South (1 member)
Magnus (1 member)
Sleaford (1 member)

- 3.4 Elections to Balderton Parish and Newark Town Council, under these new arrangements, are scheduled to take place in May 2019.

4.0 RECOMMENDATION

That the Committee note the outcome of the Further Electoral Review of Nottinghamshire County Council.

Background Papers

Nil

For further information please contact Nigel Hill on Ext 5243.

A.W. Muter
Chief Executive

The table lists all the divisions we are proposing as part of our final recommendations along with the number of voters per county councillor. The table also shows the electoral variances for each of the proposed divisions which tells you how we have delivered electoral equality.

Division name	No. of cilrs	Number of electors per councillor (2020)	Variance from average %	Division name	No. of cilrs	Number of electors per councillor (2020)	Variance from average %
Ashfield District				Mansfield District			
1 Ashfields	1	9,129	-6%	33 Mansfield East	2	9,613	-1%
2 Hucknall North	1	9,130	-6%	34 Mansfield North	2	9,137	-6%
3 Hucknall South	1	8,816	-9%	35 Mansfield South	2	9,823	2%
4 Hucknall West	1	8,860	-8%	36 Mansfield West	2	9,188	-5%
5 Kirkby North	1	9,775	1%	37 Warsop	1	9,665	0%
6 Kirkby South	1	10,127	5%	Newark & Sherwood District			
7 Selston	1	10,522	9%	38 Balderton	1	9,953	3%
8 Sutton Central & East	1	9,320	-4%	39 Blidworth	1	8,647	-11%
9 Sutton North	1	9,909	2%	40 Collingham	1	9,734	1%
10 Sutton West	1	10,071	4%	41 Farndon & Trent	1	8,806	-9%
Bassetlaw District				42 Muskham & Farnsfield	1	10,440	8%
11 Blyth & Harworth	1	10,197	5%	43 Newark East	1	9,183	-5%
12 Misterton	1	10,653	10%	44 Newark West	1	9,000	-7%
13 Retford East	1	9,569	-1%	45 Ollerton	1	10,013	4%
14 Retford West	1	9,745	1%	46 Sherwood Forest	1	9,161	-5%
15 Tuxford	1	8,846	-9%	47 Southwell	1	10,710	11%
16 Worksop East	1	10,078	4%	Rushcliffe Borough			
17 Worksop North	1	10,131	5%	48 Bingham East	1	9,297	-4%
18 Worksop South	1	10,139	5%	49 Bingham West	1	8,891	-8%
19 Worksop West	1	10,379	7%	50 Cotgrave	1	8,888	-8%
Broxtowe Borough				51 Keyworth	1	8,754	-9%
20 Beeston Central & Rylands	1	9,366	-3%	52 Leake & Ruddington	2	8,946	-7%
21 Bramcote & Beeston North	1	10,251	6%	53 Radcliffe on Trent	1	9,970	3%
22 Eastwood	1	10,022	4%	54 West Bridgford North	1	9,939	3%
23 Greasley & Brinsley	1	10,040	4%	55 West Bridgford South	1	9,974	3%
24 Nuthall & Kimberley	1	10,658	10%	56 West Bridgford West	1	9,481	-2%
25 Stapleford & Broxtowe Central	2	9,091	-6%	Totals Average			
26 Toton, Chilwell & Attenborough	2	9,976	3%		66	9,670	
Gedling Borough							
27 Arnold North	2	10,068	4%				
28 Arnold South	2	10,395	7%				
29 Calverton	1	10,286	6%				
30 Carlton East	1	10,074	4%				
31 Carlton West	2	10,267	6%				
32 Newstead	1	8,594	-11%				

What happens next?

We have now completed our review of Nottinghamshire County Council.

The recommendations must now be approved by Parliament. A draft order - the legal document which brings into force our recommendations - will be laid in Parliament. Subject to parliamentary scrutiny, the new electoral arrangements will come into force at the county elections in 2017.

November 2015

The Local Government Boundary Commission for England

Final recommendations on the new electoral arrangements for Nottinghamshire County Council

Summary report

Read the full report and view detailed maps at: www.consultation.lgbce.org.uk

Find out more at: www.lgbce.org.uk

Follow us on Twitter at: @LGBCE

Who we are

The Local Government Boundary Commission for England is an independent body set up by Parliament. We are not part of government or any political party. We are accountable to Parliament through a committee of MPs chaired by the Speaker of the House of Commons.

Our main role is to carry out electoral reviews of local authorities throughout England.

Electoral review

An electoral review examines and proposes new electoral arrangements for a local authority. A local authority's electoral arrangements are:

- The total number of councillors representing the council's voters ('council size').
- The names, number and boundaries of wards or electoral divisions.
- The number of councillors representing each ward or division.

Why Nottinghamshire?

We are conducting an electoral review of Nottinghamshire County Council to deliver improved levels of electoral equality for local voters.

Nottinghamshire currently has high levels of electoral inequality where some councillors represent many more - or many fewer - voters than others. This means that the value of your vote - in county council elections - varies depending on where you live in Nottinghamshire.

Our proposals

Nottinghamshire County Council currently has 67 county councillors. Based on the evidence we received during previous phases of the review, the Commission recommends that 66 county councillors should serve Nottinghamshire in future.

Electoral arrangements

Our final recommendations propose that Nottinghamshire's 66 county councillors should represent 46 single-member electoral divisions and 10 two-member electoral divisions across the county.

The Commission believes the final recommendations meet our statutory criteria to:

- Deliver electoral equality for voters.
- Reflect local community interests and identities.
- Promote effective and convenient local government.

Stage of review	Description
28 Oct 2014 - 9 Feb 2015	Public consultation on new division pattern
9 Jun - 10 Aug 2015	Public consultation on draft recommendations
17 Nov 2015	Publication of final recommendations
May 2017	Subject to parliamentary approval - implementation of new arrangements at county elections

Overview of final recommendations for Nottinghamshire County Council

Summary of our recommendations

Our final recommendations propose that Nottinghamshire county councillors should represent 46 single-member electoral divisions and 10 two-member electoral divisions across the county.

Before drawing up the final recommendations the Commission carried out two stages of public consultation, initially inviting proposals for a new pattern of divisions for Nottinghamshire, from which we produced our draft recommendations. These were subject to public consultation. We have considered all the submissions received during both phases of consultation.

The Commission believes that the final recommendations meet the obligations –which are set out in law –to:

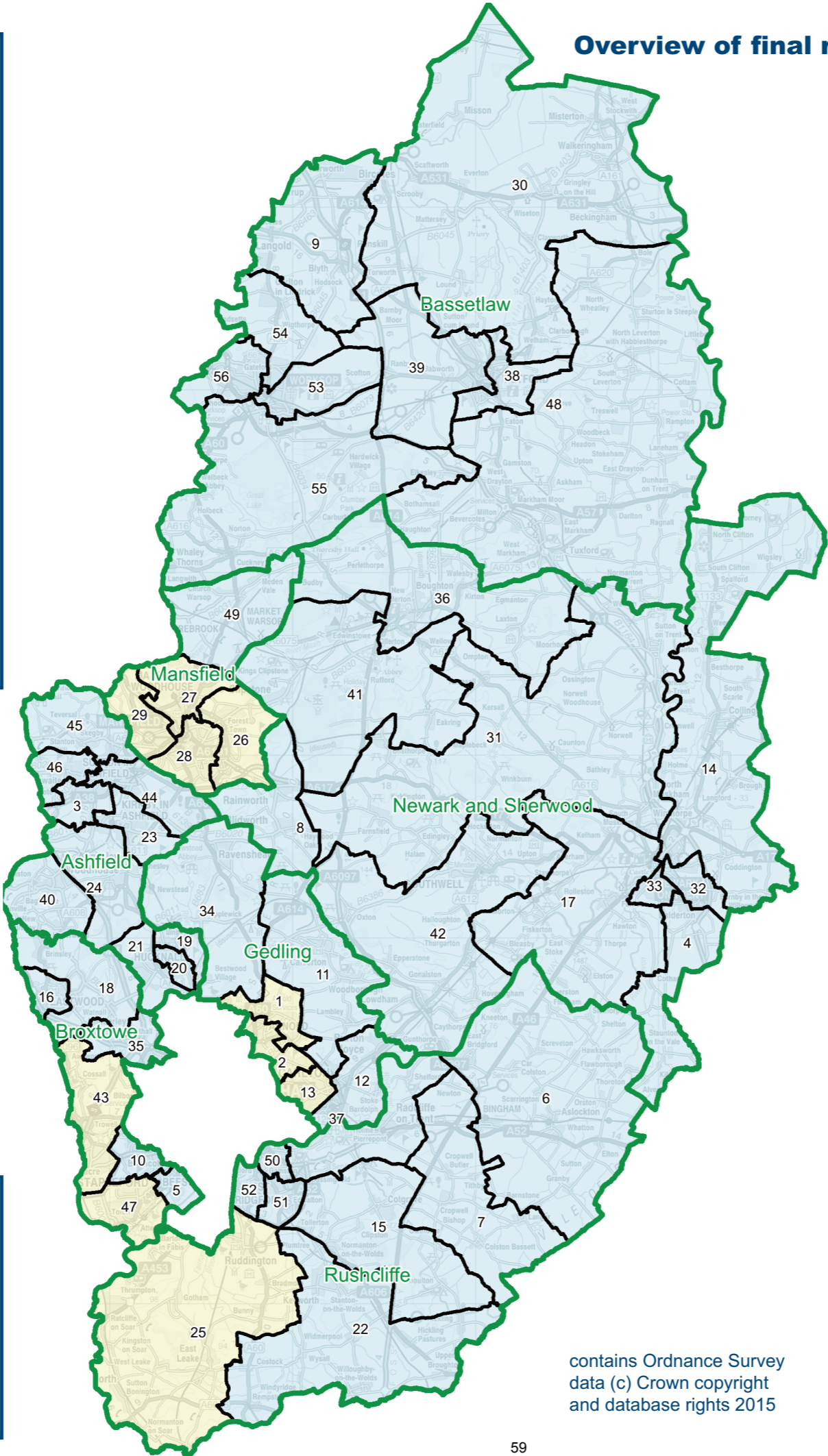
- Deliver electoral equality for voters
- Reflect local community interests and identities
- Promote effective and convenient local government.

You can read the full report on our website at www.lgbce.org.uk.

Find out more:

www.consultation.lgbce.org.uk

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Map key:	
1	Arnold North
2	Arnold South
3	Ashfields
4	Balderton
5	Beeston Central & Rylands
6	Bingham East
7	Bingham West
8	Blidworth
9	Blyth & Harworth
10	Bramcote & Beeston North
11	Calverton
12	Carlton East
13	Carlton West
14	Collingham
15	Cotgrave
16	Eastwood
17	Farndon & Trent
18	Greasley & Brinsley
19	Hucknall North
20	Hucknall South
21	Hucknall West
22	Keyworth
23	Kirkby North
24	Kirkby South
25	Leake & Ruddington
26	Mansfield East
27	Mansfield North
28	Mansfield South
29	Mansfield West
30	Misterton
31	Muskham & Farnsfield
32	Newark East
33	Newark West
34	Newstead
35	Nuthall & Kimberley
36	Ollerton
37	Radcliffe on Trent
38	Retford East
39	Retford West
40	Selston
41	Sherwood Forest
42	Southwell
43	Stapleford & Broxtowe Central
44	Sutton Central & East
45	Sutton North
46	Sutton West
47	Toton, Chilwell & Attenborough
48	Tuxford
49	Warsop
50	West Bridgford North
51	West Bridgford South
52	West Bridgford West
53	Worksop East
54	Worksop North
55	Worksop South
56	Worksop West

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UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

1.0 Purpose of Report

1.1 To inform the Committee of the activity and performance of the licensing team and to provide Members with details of current ongoing enforcement issues.

2.0 Background

2.1 A new applicant for a Hackney Carriage/Private Hire Drivers or Private Ambulance Drivers Licence have undergo various checks these include a Disclosure and Barring check, DVLA check, two references are required, Group II medical, knowledge and ability tests.

2.2 This report covers the period from 1st July 2015 to 30th September 2015 and sets out the range and number of licence applications during this period. It also highlights any activity required as a result of the applications.

Application Type	New applications received	Renewal of applications received	Number Issued	Comments
Hackney Carriage/ Private Hire Driver	3	12	17	1 Outstanding
Ambulance Drivers	3	3	6	
Hackney Carriage Vehicles	8	27	35	
Private Hire Vehicles	4	17	21	

2.3 Street Collections

The table below sets out the numbers of collections undertaken within the reporting period and the charities supported. The organisations undertaking the collections are required to complete a return that sets out the 80 % of the collection that is returned to the charity.

Charity	Location	Date	Total amount collected	% returned to charity
Newark Community First Aid	Newark	18.7.2015	£271.76	96%
RSPCA	Southwell	18.7.2015	£226.88	100%
Save the Children	Newark	11.7.2015	£225.39	100%
RNLI	Southwell	28.8.2015	£635	100%
RAFA	Newark	19.9.2015	£658.66	100%

2.4 House to House Collections

The table below sets out the numbers of collections undertaken within the reporting period and the charities supported. The organisations undertaking the collections are required to complete a return that sets out the 80 % of the collection that is returned to the charity.

Charity	Location	Date	Total amount collected	% returned to charity
Cancer Recovery Foundation IK	Whole district	July 2015	£37.50	81%
Cancer Recovery Foundation IK	Whole district	August 2015	£12.50	80%
Be Child Cancer Aware	Whole district	1.7.2015	£39.00	80%
Cancer Recovery Foundation UK	Whole district	1.9.2015	£18.80	80%
Be Child Cancer Aware	Whole district	August 2015	£60	80%

2.4 Enforcement Issues

Hackney Carriage/Private Hire Ongoing Enforcement Activity between 1st July 2015 and 30th September 2015

LOCATION	ACTIVITY	DATE CASE OPENED	ACTION TAKEN SO FAR
Lincoln Street Taxi Rank	Verbal abuse and intimidating behaviour against a licensed driver by another licensed driver	16.7.2015	Complaint investigated by LEO. As a result, letters sent to all parties including a witness driver. A written warning was sent to the aggressor advising not to lose his temper and reminding him of the regulation surrounding being a fit and proper person. Warned that if this behaviour was repeated then he would be referred to committee.
Ollerton	Hackney Carriage displaying his vehicle licence plate in the rear window of vehicle.	16.7.2015	LEO spoke to the Hackney Carriage owner. The owner stated that the plate was affixed to the rear bumper.

			LEO checked this when carrying out routine inspections approx. 2 weeks later.
Victoria Street, Newark	Hackney Carriage vehicle seen turning into Asda off Victoria Street against a "No Right turn" sign	22.7.2015	LEO spoke to the driver and advised was given regarding his driving manner.
Morton Hall, Swinderby	Complaint that Hackney Carriage vehicle is not displaying a vehicle plate.	17.8.2015	Spoke to Hackney carriage vehicle owner, who explained that he plate kept falling off due to poor double sided tape. Driver warned and in for a full taxi check at Kelham Hall. Vehicle checked – no faults and plate properly affixed to rear bumper.
Jessop Way, Newark	Full HC vehicle check	20.8.2015	6 vehicles were checked by LEO. 1 vehicle had a minor defect which was rectified within the 7 days given. Driver failed to comply with dress code. As he had been verbally warned previously a written warning was given.
27.8.2015	Full HC vehicle check	27.08.2015	5 vehicles were checked by LEO. A number of minor defects were found with the vehicles. These have now been rectified and re-checked.
27.8.2015	Abusive language and threatening behaviour from taxi drivers towards a LEO whilst carrying out official duties.	27.08.2015	Licences suspended pending sub-committee hearing, reported separately under exempt items.

3.0 RECOMMENDATION

That the Committee consider the contents of the report and identifies any issues it wishes to examine further.

For further information please contact Nicola Kellas on extension 5894.

Karen White
Director - Safety