

8 March 2016

Dear Sir/Madam,

GENERAL PURPOSES COMMITTEE & LICENSING COMMITTEE

Notice is hereby given that a meeting of the **General Purposes Committee** will be held in Room G21, Kelham Hall, Newark on Thursday, 17 March 2016 at **6.00pm**.

Notice is hereby given that a meeting of the **Licensing Committee** will be held in Room G21, Kelham Hall, Newark on Thursday, 17 March 2016 immediately following the General Purposes Committee.

Yours faithfully,



A.W. Muter
Chief Executive

AGENDA

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3. Declaration of any Intention to Record Meeting
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None

GENERAL PURPOSES COMMITTEE

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the **GENERAL PURPOSES COMMITTEE** held on Thursday, 10th December 2015 in Room G21, Kelham Hall immediately following the meeting of the Licensing Committee.

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

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

14. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors: G. Brooks M. Cope and I. Walker.

15. 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.

16. DECLARATION OF INTENTION TO RECORD MEETING

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

17. MINUTES OF MEETING HELD ON 3RD SEPTEMBER 2015

AGREED that the Minutes of the meeting held on 3rd September 2015 be approved as a correct record and signed by the Chairman.

18. STREET COLLECTIONS 2016

The Committee considered the report presented by the Licensing Officer in relation to the applications for Street Collections for the forthcoming year.

Members noted the applications received for 2016 and requested that a further report be supplied to the next meeting of the Committee detailing the returns submitted for those collections held in 2015. They commented that this information would be useful for Parish and Town Councils when considering the applications for their area.

AGREED (unanimously) that:

- (a) the applications for Street Collections to be held within the district of Newark & Sherwood during 2016 be noted and approved;
- (b) following 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 with the district of Newark & Sherwood during 2016; and

- (c) a report be presented to the next meeting of the Committee providing details of returns for street collections held during 2015 and that this information also be supplied to the relevant Parish and Town Councils.

19. COMMUNITY GOVERNANCE REVIEW – CAYTHORPE PARISH COUNCIL

The Committee considered the report presented by the Business Manager – Democratic Services in relation to the process to be followed for a Community Governance Review for Caythorpe Parish Council for an increase in the number of parish councillors.

The report set out that the Parish Council had requested a review in order to allow them to increase their elected members from five to six with the reasons for the request being highlighted in the report.

In response to being asked if there was any guidance as to the number of councillors, the Business Manager advised that no such guidance existed. There was a minimum of five but no maximum number of councillors for parish councils but there was no consistency across the district.

AGREED (unanimously) that:

- (a) the request from Caythorpe Parish Council to conduct a review in accordance with the draft terms of reference and timetable as set out in Appendix A to the report be approved; and
- (b) further details in relation to the review as set out in the draft timetable be forwarded to the Committee for consideration.

20. FURTHER TRAINING

The Vice-Chairman addressed the Committee in relation to the proposal to provide additional training for Members of the Committee. He noted that recently there had been one or two lengthy Sub-Committee meetings to determine applications which had led him to look back at previous decisions taken by Members.

The Vice-Chairman stated that he was of the opinion that all Members would benefit from additional training and suggested that this could be through mock hearings and/or being instructed on how an interview under caution was undertaken. He stated that a broader knowledge would assist Members in upholding their responsibility to the public and reaching the correct decision. He added that when considering any application for a licence, the legalities of any decision reached must be taken into account.

The Business Manager – Environmental Health proposed that additional training be provided for Members' to improve their skills on questioning e.g. how to ask and what to ask and that this would result in informed decision making.

Members agreed that additional training for applications relevant to both the General Purposes and Licensing Committees be provided. It was also noted that it would be beneficial to receive guidance on what was considered to be an acceptable standard of behaviour.

AGREED (unanimously) that a programme of additional training for Members be developed.

21. FURTHER ELECTORAL REVIEW OF NOTTINGHAMSHIRE COUNTY COUNCIL

The Committee considered the report presented by the Business Manager – Democratic Services in relation to the outcome of the Further Electoral Review (FER) undertaken by Nottinghamshire County Council.

The report set out the background to the review and highlighted the necessary changes to some parish electoral arrangements following the final recommendations of the FER.

AGREED (unanimously) that the outcome of the Further Electoral Review of Nottinghamshire County Council be noted.

22. UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Licensing Officer in relation to the activity and performance of the Licensing Team together with a note of current ongoing enforcement issues.

Contained within the report was information as to applications received for: hackney carriage/private hire drivers; ambulance drivers; hackney carriage vehicles; and private hire vehicles. A note of the returns for street collections and house to house collections for 2015 to-date was also provided. Paragraph 2.5 of the report set out the current enforcement issues giving details of: location; activity; case opened; and what action had been taken to-date.

In relation to house to house collections, Members queried whether any advice was given on permitted hours between which to operate. In response they were advised that if the collection was for a direct debit mandate then permits were not issued by the local authority and therefore there were no enforceable restrictions.

Members also queried whether the Council had any discretion to refuse an application noting that the amounts collected were extremely low. They were advised that the larger charities were issued with exemptions from the Home Office and that the local authority could only refuse a permit if the charity did not donate 80% of the amount collected, noting that most applications met the threshold.

AGREED (unanimously) that the report be noted.

23. EXEMPTION OF PRESS & PUBLIC

AGREED that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

24. EXEMPT MINUTES OF HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE SUB-COMMITTEE HELD ON 18TH SEPTEMBER 2015

NOTED: the Exempt Minutes of the Hackney Carriage/Private Hire Vehicle Sub-Committee held on 18th September 2015.

25. EXTRACT FROM THE EXEMPT MINUTES OF THE POLICY & FINANCE COMMITTEE – THE ATRIUM, LOMBARD STREET, NEWARK (RESTRICTIVE COVENANT)

NOTED: the Exempt Minute extract of the Policy & Finance Committee in relation to the Restrictive Covenant for The Atrium, Lombard Street, Newark.

The meeting closed at 6.37pm

Chairman

REVIEW OF POLLING STATION IN HOCKERTON POLLING DISTRICT

1.0 Purpose of Report

- 1.1 To seek approval for the change of polling place in Hockerton Polling District from a mobile caravan located in the Spread Eagle Public House car park, Hockerton, to the proposed 'The Grange Wellbeing Centre', Hockerton.

2.0 Background Information

- 2.1 The Spread Eagle Public House car park was used to site a small mobile caravan which was used as a polling station. Toilet facilities were provided within the Public House for the polling station staff. Following notification that the Spread Eagle Public House would not be available for the May 2016 election, a suitable alternative polling place was sought. An alternative replacement was considered to be 'The Grange Wellbeing Centre' located on Kirklington Road, Hockerton.
- 2.2 The Grange Wellbeing Centre has disabled access to the main entrance and parking in front of the building. A footpath runs along both sides of the A617 through Hockerton village.

3.0 Representations

- 3.1 Representations were sought on the proposed new polling place with local Members, the Clerk to Hockerton Parish Meeting and the County Councillor who all support the proposed change. The local Member of Parliament was also contacted but no representations were received.

4.0 RECOMMENDATION

That the Grange Wellbeing Centre, Hockerton be used as a polling place to replace the mobile caravan located in the Spread Eagle Public House car park, Hockerton.

Background Papers

Nil

For further information please contact Nigel Hill on Ext 5243

A.W. Muter
Returning Officer

CHARITABLE COLLECTIONS AND RETURNS

1.0 Purpose of Report

- 1.1 To inform Committee of the House to House and Street Collections that were carried out between 1 January and 31 December 2015 and to provide Members with details of the monies collected.

2.0 Background

2.1 House to House Collections

A House to House collection is an appeal by a charity to the public by means of visits from house to house. Most collections are carried out by larger charities that deliver collection envelopes and then return on a set date to pick up the donation. A more recent way of working is to deliver a plastic 'charity bag' requesting clothing or bric-a-brac to be left out in the plastic sack which is again collected at a later date.

- 2.2 House to House collection applications are governed under the House to House Collections Act 1939 and House to House Collection Regulations 1947 (as amended). Some Charities have Home Office Orders of Exemption made under Section 3, which allows them to carry out their collections throughout the country without the need to be issued with a local authority licence. This is an important exemption as it does prohibit the effectiveness of any local licencing controls.

- 2.4 During the current year the local authority has issued 23 licences for House to House collections compared with 18 collections that have taken place under a Home Office exemption.

- 2.3 The licensing authority cannot grant a licence for a period longer than twelve months and may refuse a licence, or where granted, may revoke it in circumstances specified in the Act.

- 2.4 The Chief Promoter of a collection is required to furnish an account of the collection within a month of the expiry of the collection licence.

2.4 Street Collections

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.

- 2.5 Street collections in the town of Newark are restricted to 19 per year in total. Newark Town Council is consulted on applications received. Newark Town Council have adopted a policy for determining street collection applications.
- 2.6 Collections in Southwell and Ollerton are each restricted to 12 per year in total – with not more than one a month. When applications are received by the Council the relevant town/parish council are consulted as to which organisations are to be granted permits.
- 2.7 No formal Policy has been adopted by the Council, other than the application form states that 80% of the collection should be made available to the charity for which the collection has been made.

3.0 Charitable Collections Returns

- 3.1 Applicants of both House to House collections and Street collections are required (within one month for street collections) of the date of the collection to submit a statement of return showing the amount of money received and expenses incurred.
- 3.2 Table A below shows the charitable returns received since January 2015 for House to House collections.

Charity	Location	Date	Total Amount Collected	% Returned to Charity
Child & Teenage Cancer & Leukaemia Foundation	Whole District	January 2015	£45	80%
Be Child Cancer Aware	Whole District	January 2015	£42	70%
Be Child Cancer Aware	Whole District	February 2015	Nil	Nil
child & teenage cancer & leukaemia foundation	Whole District	February 2015	Nil	Nil
Be Child Cancer Aware	Whole District	March 2015	£42	80%
Child & Teenage Cancer & Leukaemia Foundation	Whole District	March 2015	£39	80%
Audosta	Whole District	April 2015 to March 2014	£2,625	9.5%
SOS Clothes Ltd	Whole District	26.03.15	£106.40	85%
Leukaemia Care	Whole District	01.04.15	£27.48	81%
Cancer Recovery Foundation UK	Whole District	June 2015	£25	80%
Be Child Cancer Aware	Whole District	April 2015	Nil	Nil
Be Child Cancer Aware	Whole District	May 2015	£42	80%
Child & Teenage Cancer & Leukaemia Foundation	Whole District	May 2015	Nil	Nil

To Help Make Dreams Come True of Ill Children	Whole District	05.12.14 to 15.04.15	£516	20%
Child & Teenage Cancer & Leukaemia Foundation	Whole District	June 2015	£66	80%
Child & Teenage Cancer & Leukaemia Foundation	Whole District	July 2015	£90	80%
Cancer Recovery Foundation UK	Whole District	July 2015	£37.50	80%
Cancer Recovery Foundation UK	Whole District	August 2015	£12.50	80%
SOS Clothes Ltd	Whole District	May 2015	£46.80	85%
Be Child Cancer Aware	Whole District	01.07.15	£39.00	80%
Cancer Recovery Foundation UK	Whole District	01.09.15	£18.80	80%
Children Hearts	Whole District	07.07.14 to 06.07.15	Nil	Nil
Be Child Cancer Aware	Whole District	August 2015	£60	80%
Child & Teenage Cancer & Leukaemia Foundation	Whole District	August 2015	Nil	Nil
Child & Teenage Cancer & Leukaemia Foundation	Whole District	September 2015	Nil	Nil
Be Child Cancer Aware	Whole District	September 2015	£51.00	80%
Cancer Recovery Foundation	Whole District	September 2015	£18.80	80%
Children's Hearts	Whole District	07.07.14 to 06.07.15	Nil	Nil
Be Child Cancer Aware	Whole District	August 2015	£60	80%
Child & Teenage Cancer & Leukaemia Foundation	Whole District	August 2015	Nil	Nil
Child & Teenage Cancer & Leukaemia Foundation	Whole District	September 2015	Nil	Nil
Be Child Cancer Aware	Whole District	September 2015	£51	80%
Cancer Recovery Foundation	Whole District	October 2015	£25	80%
Be Child Cancer Aware	Whole District	October 2015	Nil	Nil
Child & Teenage Cancer & Leukaemia Foundation	Whole District	October 2015	Nil	Nil
Be Child Cancer Aware	Whole District	November 2015	£51	80%
Troop Aid	Whole District	November 2015	£52.50	82%

Royal British Legion Poppy Appeal	Whole District	November 2015	£7763.91	100%
Be Child Cancer Aware	Whole District	December 2015	Nil	Nil
Child & Teenage Cancer & Leukaemia Foundation	Whole District	December 2015	Nil	Nil
Southwell Lions	Southwell	10.12.15 to 23.12.15	£5,466.22	96%
Betel UK	Whole District	01.12.15 to 23.12.15	Nil	Nil
Southwell Lions	Whole District	19.12.16	£617.27	100%

3.3 Table B below shows the charitable returns received since January 2015 for street collections.

Charity	Location	Date	Total Amount Collected	% Returned to Charity
Marie Curie	Whole District	21.03.15	£988.24	95%
RSPCA	Ollerton	18.04.15	£100.15	100%
Save the Children	Southwell	25.04.15	£317.68	100%
Help for Heroes	Newark	22.04.15	£170	100%
RNLI	Farnsfield	25.04.15	£333.19	100%
Alzheimer's Society	Wellow	25.05.15	£500	100%
James Whale Fund for Kidney Cancer	Ollerton	29.05.15	£135.60	100%
RSPCA	Newark	20.06.15	£266.40	100%
Clic Sargeant	Southwell	13.06.15	£33.75	100%
Save the Children	Newark	11.07.15	£225.39	100%
RSPCA	Southwell	18.07.15	£226.88	100%
Newark Community First Aid	Newark	18.07.15	£271.76	95%
RNLI	Southwell	29.08.15	£635	100%
RAFA	Whole District	19.09.15	£658.66	100%
Royal British Legion	Whole District	31.10.15 to 07.11.15	£2210.31	100%
Southwell Rotary Club	Southwell	12.12.15	£250.89	100%
Southwell Lions Club	Southwell	19.12.15	£17.27	100%
Betel of Britain	Southwell	17.12.15	£227.29	100%
The Salvation Army	Newark	19.12.15	£1200	100%
Beaumont House Hospice	Newark	22.12.15	£300	100%

5.0 **RECOMMENDATION**

That the Committee consider the charitable returns information provided along with the guidance relating to street collections and house to house collections and to advise Officers if they wish to see any changes in policy or procedure.

For further information please contact Nicola Kellas on extension 5894.

Karen White
Director – Safety

SAFEGUARDING ISSUES AND TAXI DRIVERS

1.0 Purpose of Report

1.1 To provide an update for Members on the steps taken to increase safeguarding controls for taxi drivers following the concerns highlighted in the Jay Report into child exploitation in Rotherham.

2.0 Introduction

2.1 In June 2015 a report was presented to the General Purposes Committee setting out the implication for taxi licensing arising from the Jay report into Child Exploitation in Rotherham. The report proposed a number of changes to enhance the current application procedure to ensure that robust safeguarding measures were in place.

2.2 The actions agreed by the Committee were:

- Reviewing the current knowledge test so that it includes safeguarding questions within it. As a result, a driver will be required to know what to do if they have safeguarding concerns before they are granted a licence. (This is a recommendation from the Jay Report).
- Creating a booklet/information sheet that provides drivers with the contact details and process that they need to follow if they have safeguarding concerns.
- In addition to the above, Nottinghamshire Police have offered to deliver safeguarding training to taxi drivers across the county and the Council can make its attendance mandatory and part of the licence conditions.

2.3 A copy of the June report is attached as **Appendix One**.

3.0 Actions to Date

3.1 The knowledge test taken by drivers has been reviewed and updated. However, safeguarding matters have not been included during this review process. This is because the mandatory training introduced for drivers has now addressed this (see below for further details).

3.2 Details of where and how the drivers can report concerns has now been included in the standard paperwork issued with every new and renewed licence. This is also covered in the training.

3.3 The safeguarding training for taxi drivers has been the most problematic to implement however, the scheme is now making good progress.

- 3.4 There has been agreement across the county (with the exception of Gedling) to deliver the same training package to all taxi drivers. The training consists of a 1.5 hours presentation followed by a multiple choice exam at the end so that the drivers can show that they have understood the principles of safeguarding. This will form part of the licensing authority assessment that the driver is a 'fit and proper' person.
- 3.5 The first two local training sessions were delivered in Newark on 23 February and 17 March. These are delivered by a combination of the police and licensing officers. Two sessions are delivered each day with a maximum of 30 delegates on each. The two courses planned for Newark were oversubscribed. Both training sessions gave rise to many questions and points of debate raised by the drivers.
- 3.6 A further programme of training has been produced. Drivers will be given the opportunity to attend the training and sit the exam on three occasions. If they cannot pass the exam at this point they will not be considered a 'fit and proper' person to hold a licence.

4.0 RECOMMENDATION

That the update to safeguarding measures for taxi drivers be noted.

Background Papers

Nil

For further information please contact Alan Batty on Ext 5467

Karen White
Director – Safety

IMPLICATION OF CORONER'S DECISION ON TAXI LICENSING

1.0 Purpose of Report

1.1 For Members to consider the implications on the recommendations from the recent Nottinghamshire Coroner's Court decision.

2.0 Introduction

2.1 Mansfield District Council have given evidence to the Coroner in relation to a road traffic accident involving a licensed Hackney Carriage driver. The details of the incident are set out below.

2.2 The driver was booked through a private hire operator to take passengers to Birmingham Airport in the early hours of the morning. The journey to the airport was a harrowing experience for the passengers as the driver kept weaving in and out of the lanes for no apparent reason and on one occasion hit the rumble strip. The passengers completed the journey at 30 mph (as they refused to allow the driver to go any faster for fear for their safety) and on arrival at the airport they rang the private hire operator and informed them of the situation and stated that the driver was not fit to drive.

2.3 The operator did nothing in response to the phone call. The driver set off back to Mansfield and on the way, fell asleep, veered into the middle of the road and collided with and killed a motorcyclist.

2.4 Mansfield District Council's Licensing Section were called into the inquest by the Coroner and she has made a number of recommendations as to what can be done to ensure such an incident does not occur again.

2.5 The concerns raised by the Coroner can be summarised as:

- Complaints Procedure
- Driver Hours
- Fitness of Drivers – Drink or Drugs
- Vehicle Condition/Maintenance

3.0 Concerns and Proposals of Potential Local Actions

3.1 Issue 1: The Coroner proposed the implementation of a 'robust complaints policy'. There is no current requirement to keep a record of complaints. This is considered to be an important element towards safeguarding members of the public.

3.2 Solution: Require Operators to implement a complaint handling process/policy for all Operators. Add a condition to all Operator Licences stipulating that they must maintain a record of complaints and notify the Council immediately where there are safety concerns (vehicle or fitness of driver) and/or conduct complaints. Clearly there are some practical implications, for example should all complaints be notified to the licensing authority or would there be a 'trigger'.

- 3.3 An amendment to the Operators conditions could be implemented at the renewal of existing licences and on all new Operator licences. Operators Licences are issued for 5 years and therefore it may be more beneficial to negotiate the implementation of such a condition as soon as possible.
- 3.4 Issue 2: Excessive Driver Hours – no mechanism in place to ensure this does not happen.
- 3.5 Solution 1: The use of trackers and taco graphs would be expensive and may not be a feasible solution for Licensing Authorities and this method/cost may not be proportionate to pass onto Operators.
- 3.6 Solution 2: Licensing Authorities could consider implementing a requirement for Operators to log and monitor hours worked by drivers (to include any other employment too). The ability to share information across operators may be required as drivers work for a number of different operators.
- 3.7 Solution 3: Issue an advice note on maximum number of hours. This could be based on the restrictions imposed on HGV and other similar drivers.
- 3.8 Issue 3: Fitness of Drivers. The Coroner was concerned about the use of drugs or alcohol whilst driving.
- 3.9 Solution: This issue has been discussed by the County licensing group. The use of breathalysers and spot check by licensing staff were considered but the consensus was that this is a police issue/responsibility – police advised they have little resource in this area and no longer have a traffic department. Licensing Authorities are also not equipped to undertake these types of tests.
- 3.10 Solution 2: Ensure Operators have something in place to monitor fitness of their drivers. The medical organisations used by licensing authorities could potentially assist (urine tests) but these appointments are pre-arranged and as such any tests may not be a true reflection.
- 3.11 Issue 4: Condition of Vehicles
- 3.12 Solution: All Operators should have a policy on defects (when should drivers report defects and how often) and how quickly any defects will be rectified. All operators should provide and require drivers' to maintain a defects book for their vehicle and provide guidance/training on this element. All books should be checked by operators on a regular basis.
- 3.13 An amendment to the Operator's Licence conditions could be implemented at the renewal of existing licences and on all new Operator licences. Operators Licences are issued for 5 years and therefore it may be more beneficial to negotiate the implementation of such a condition as soon as possible.
- 3.14 Hackney Carriages
- 3.15 It should be noted that many of the solutions set out above relate to conditions being imposed on the Operator's licence. The concerns raised by the Coroner have once again highlighted how little regulation there was for Hackney Carriages (they have no operator) because they are not required by law to keep a record of their bookings. Many are owner drivers which also means there is very little scrutiny and difficult for Licensing Authority to enforce.

3.16 A potential solution is to include a new condition on the drivers and/or vehicle licence to ensure Hackney Carriage drivers keep maintenance records and record their hours.

4.0 RECOMMENDATION

Members are asked to note the comments of the Coroner and to identify any changes to Private Hire/Hackney Carriage Licensing Policy of conditions that they would like to see implemented.

Background Papers

Nil

For further information please contact Alan Batty on Ext 5467

Karen White
Director – Safety

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 1 October 2015 to 31 December 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	6	16	19	3 Outstanding
Ambulance Drivers	5	4	6	3 outstanding
Hackney Carriage Vehicles	1	13	14	
Private Hire Vehicles	0	13	13	

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
RAFA	Whole District	19.9.2015	£658.66	90%
Royal British Legion	Whole District	31.10.2015 – 7.11.2015		
REACH	Southwell	24.10.2015	£493.18	100%
Newark & District Round Table	Newark	12.12.2015		
Southwell Rotary Club	Southwell	12.12.2015	£250.89	100%
Southwell & District Lions Club	Southwell	17.12.2015	£617.27	100%
Betel of Britain	Southwell	19.12.2015	£227.29	100%
The Salvation Army	Newark	19.12.2015	£1200.00	100%
Beaumont House	Newark	22.12.2015	£300.00	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 UK	Whole district	October 2015	£25	80%
Be Child Cancer Aware	Whole district	October 2015	Nil	nil
Child & Teenage Cancer Leukaemia Foundation	Whole district	October 2015	Nil	Nil
Be Child Cancer Aware	Whole district	November 2015	£51.80	80%
Troop Aid	Whole district	November 2015	£52.20	82%
Child & Teenage Cancer Leukaemia Foundation	Whole district	December 2015	Nil	Nil
Be Child Cancer Aware	Whole district	December 2015	Nil	Nil
Southwell Lions	Southwell	10.12.2015 – 23.12.2015	£5466.22	96%

2.5 Enforcement Issues

Hackney Carriage/Private Hire Ongoing Enforcement Activity between 1 October and 31 December 2015

LOCATION	ACTIVITY	DATE CASE OPENED	ACTION TAKEN SO FAR
Southwell	REACH were issued a street collection permit and Royal British Legion were collecting without permission.	24.10.2015	LEO contacted the Royal British Legion. They investigated the complaint and found that the Southwell regional organiser had failed to check his database as to when they should be collecting. They have issued a formal apology to REACH.

Lincoln Street Taxi rank, Newark	Passenger got a taxi from the rank and asked the driver to stop at the One Stop Shop, Sleaford Road en route to Charles Street. The driver was gone when the person had come out of the shop.	13.11.2015	LEO contacted driver who stated that he could not remember the incident. Took at statement from the complainant and interviewed the driver. He still claimed that he could not recall the incident. No other evidence available so no further action.
Traffic lights on Lincoln Road, on approach to the bridge.	Driver had gone into the right hand lane on the approach to the traffic lights, the lights changed and he continued to pass vehicles in the left hand lane. Complainant wants driver warned for his driving.	25.11.2015	LEO contacted the driver who remembered the incident. He stated that he had done nothing wrong. He had over taken some cars in the left hand lane (some indicating left) and was not able filter as they approached the bridge. No further action taken.
Lincoln Street taxi rank, Newark	Vehicle inspection	26.11.2015	Vehicle was inspected by LEO and 2 tyres were found with uneven wear and poor quality. The driver was instructed to change the tyres and re-present the vehicle by 7.12.2015. Driver was interviewed under caution and issued with a written warning. He re-presented the vehicle and all in order.
Lincoln Street taxi rank, Newark	Vehicle inspection	26.11.2015	5 HC vehicles were inspected. All in order apart from one "new" vehicle not displaying their plate correctly. Advised to rectify.
Cattle Market Roundabout, Newark	LO following a taxi that was not displaying its plate correctly.	16.12.2015	LEO contacted the driver and asked him to attend KH with vehicle. Driver arrived a few hours later with the plate correctly displayed.

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

LICENSING COMMITTEE

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the **LICENSING COMMITTEE** held on Thursday, 10th December 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 B. Brooks, Mrs I. Brown, M. Buttery,
J. Lee, Mrs S.M. Michael, D.R. Payne, P. Peacock, Mrs S.
Soar and Mrs. L.M.J. Tift

16. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors: G. Brooks M. Cope and I. Walker.

17. 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.

18. DECLARATION OF INTENTION TO RECORD MEETING

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

19. MINUTES OF MEETING HELD ON 3RD SEPTEMBER 2015

AGREED that the Minutes of the meeting held on 3rd September 2015 be approved as a correct record and signed by the Chairman.

20. REVIEW OF GAMBLING POLICY

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 following Committee's consideration of the matter at its meeting held on 3rd September 2015, three very late comments had been received. Attached as Appendix One to the report was a summary of the comments and agreed amendments to the Statement.

Members noted that the Statement of Gambling Policy was to be considered for approval at Full Council on 15th December 2015.

AGREED (unanimously) that:

- (a) the amendments to the draft Statement of Gambling Policy be approved; and

- (b) the Statement of Gambling Policy be forwarded to full Council with a recommendation for approval.

21. MINUTES OF THE LICENSING HEARING HELD ON 2ND NOVEMBER 2015 IN RELATION TO THE WHITE HART WINE BAR & RESTAURANT

The Committee noted the Minutes of the Licensing Hearing as above, suggesting that the reference to "*Councillor Lee also advised that he had, in the past, drunk in the premises*" be amended.

AGREED (unanimously) that the Minutes be noted.

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

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

23. UPDATE ON QUARTERLY PERFORMANCE AND ENFORCEMENT MATTERS

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

The meeting closed at 6.10 pm

Chairman

REQUEST TO SHOW A FILM THAT HAS NO CERTIFICATE FROM THE BRITISH BOARD OF FILM CLASSIFICATION

1.0 Purpose of Report

- 1.1 For Members to consider a request to allow a public showing of a film that has no certificate from the British Board of Film Classification

2.0 Background - The Local Licensing Authority Role

- 2.1 The showing of films is a licensable activity under the Licensing Act 2003 and therefore all cinemas are required to hold a premises licence issued by the local authority. The 2003 Act requires that a mandatory condition be applied to all premises licences which include the exhibition of film. Section 20 of the Act is set out below.

Section 20 Mandatory Condition: Exhibition of Films

- (1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
- (2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
- (3) Where—
 - (a) the film classification body is not specified in the licence, or
 - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

- 2.2 In effect the mandatory condition imposes restrictions on admission in accordance with film classification recommendations. These recommendations can be those of the 'film classification body' the BBFC or of the licensing authority itself if it chooses to impose its own classification system.
- 2.3 The current policy of this authority is to specify that admission must be in line with the BBFC classifications. The licence condition used in relation to premises exhibiting films states:

Admission of children (i.e. persons under the age of 18 years) to any exhibition of film must be restricted in accordance with any certificate and/or recommendation relating to that film made by the British Board of Film Classification

- 2.4 Film distributors and/or members of the public can ask a local authority for a certificate for a film banned by the BBFC, a local category for a film that the BBFC has not classified, or for a new rating (higher or lower) to be applied to a film in the local area.

3.0 Introduction

- 3.1 The Council has received a request from a film maker to show a film in the locality that has not received a certificate from the British Board of Film Classification. The film is entitled 'Fear Itself' and is describe by the film maker as 'A documentary about horror cinema, featuring various excerpts from existing horror films. There's a fair amount of violence, plus occasional nudity and swearing.'

- 3.2 In January 2015 the Licensing Committee adopted procedure for determining film classifications. A copy of this procedure is attached as **Appendix One**. Members will see that Part 5 of the procedure deals with uncertified films.

- 3.3 Section 5.1 of the procedure states:

Applications for authorisation of films not classified by the BBFC shall be referred to and determined by the Licensing Sub Committee on behalf of the Licensing Authority.

- 3.4 As part of the process film makers are required to submit specified information in support of their application. The information provided by the film maker is set out in **Appendix Two**. This consists of an initial letter requesting authority to show the film and additional information supplied in support of the application. A copy of the film on DVD is available.

- 3.5 The film entitled 'Fear Itself' is a 2015 British documentary film about horror cinema, directed by Charlie Lyne and narrated by Amy E. Watson. The film is constructed entirely from existing films with the exception of its opening and closing sequences. The film has a running time of 88 minutes.

- 3.6 The film was been released on BBC iPlayer on October 2015 and has the following description on the BBC Media web site:

Fear Itself takes viewers on a journey through fear and cinema and asks whether horror movies know us better than we know ourselves. Encouraging viewers to interrogate a diverse range of images and sounds sampled from 100 years of cinema, Fear Itself informs and unnerves in equal measure, changing the way you watch horror movies for good.

and described on the BBC iPlayer as:

Half-heard whispers. A creaking door. A missed step. From Vertigo to Videodrome, the scariest movies exploit our greatest – and most basic – fears. Constructed from cinema's most heart-stopping moments, Charlie Lyne's film explores how filmmakers scare us – and why we let them. A girl haunted by traumatic events takes us on a mesmerising journey through 100 years of horror cinema to uncover the fundamental nature of fear. It may change the way you watch horror movies for good.

- 3.7 The guidance provided on BBC iPlayer states 'contains some strong language, some violence and disturbing scenes.'

- 3.8 The film maker has said that he would expect the film to have an 18 classification
- 3.9 The film maker has approached a number of local authorities with a similar request to the one being considered by this Licensing Committee. To date three local authorities have approved the film for showing in their districts.

4.0 **Film Classifications**

- 4.1 In order to assist Members information relating to film classifications is set out below.
- 4.2 The British Board of Film Censors was established in 1912 by the film industry when local authorities started to impose their own, widely varying, censorship standards on films. The BBFC was set up in order to bring a degree of uniformity to those standards. The object was to create a body which could make judgements that were acceptable nationally.
- 4.3 In June 2009, the BBFC published its most recent set of Guidelines based on a detailed public consultation exercise conducted in 2008-2009. Over 8,700 people contributed their views on the BBFC's Guidelines in the form of lengthy questionnaires and focus groups. It is the policy of the BBFC to review its classifications every 4-5 years.
- 4.4 There are currently 6 classifications available. The current classifications are shown below with a brief description of the criteria that are taken into account when applying a certain grade of classification.

Film Classification	Criteria	Additional Comments
U Universal – Suitable for all	A U film should be suitable for audiences aged four years and over, although it is impossible to predict what might upset any particular child. U films should be set within a positive framework and should offer reassuring counterbalances to any violence, threat or horror.	If a work is particularly suitable for pre-school children, this will be indicated in the BBFC insight
PG – Parental Guidance	A PG film should not unsettle a child aged around eight or older. Unaccompanied children of any age may watch, but parents are advised to consider whether the content may upset younger, or more sensitive, children.	
12/12A – Suitable for 12 Years and older	Films classified 12A and video works classified 12 contain material that is not generally suitable for children aged under 12. No one younger than 12 may see a 12A film in a cinema unless accompanied by an adult. Adults planning to take a child under 12 to view a 12A film should consider whether the film is suitable for that child.	To help adults decide, it is recommended that they check the BBFC insight for that film in advance

15 – Suitable for 15 years and older	No one younger than 15 may see a 15 film in a cinema. No one younger than 15 may rent or buy a 15 rated video work.	
18 – Suitable only for adults	No one younger than 18 may see an 18 film in a cinema. No one younger than 18 may rent or buy an 18 rated video work.	<p>Adults should be free to choose their own entertainment. Exceptions are most likely in the following areas:</p> <ul style="list-style-type: none"> • where the material is in breach of the criminal law, or has been created through the commission of a criminal offence • where material or treatment appears to us to risk harm to individuals or, through their behaviour, to society. For example, the detailed portrayal of violent or dangerous acts, or of illegal drug use, which may cause harm to public health or morals. This may include portrayals of sadistic or sexual violence which make this violence look appealing; reinforce the suggestion that victims enjoy sexual violence; or which invite viewer complicity in sexual violence or other harmful violent activities • where there are more explicit images of sexual activity in the context of a sex work (see below) or where the primary purpose of the images in question is sexual arousal
R18 Restricted 18 -To be shown only in specially licensed cinemas, or supplied only in licensed sex shops, and to adults only.	The R18 category is a special and legally-restricted classification primarily for explicit works of consenting sex or strong fetish material involving adults. Films may only be shown to adults in specially licensed cinemas and video works may be supplied to adults only in licensed sex shops. R18 video works may not be supplied by mail order.	

5.0 Proposals

5.1 It is proposed that Members consider the application made by the film maker along with the additional information provided and decide on an appropriate course of action. The options available to Members are:

- (i) Allow the film to be shown and set a minimum age limit for admission; or
- (ii) Do not allow the film to be shown.

5.2 The first decision to be made is whether they Committee feel they can make a decision on the film based on the information provided or does a sub-committee need to watch the film before reaching a conclusion. Members may feel that allowing the film to be shown with an 18 certificate is appropriate without having to watch the film.

5.3 Alternatively a Licensing Sub-Committee could watch the film and then determine whether the film should be allowed to be shown in the district and if so what if any age restriction should be applied.

6.0 RECOMMENDATIONS that the Committee;

- (a) consider the application to show 'Fear Itself' an uncertified film and determine whether it should be permitted; and**
- (b) indicate an age restriction category they wish to impose classification**

Background Papers

Nil

For further information please contact Alan Batty on Ext 5467

Karen White
Director – Safety

Newark and Sherwood District Council Policy and Procedure for Determining Film Classifications

1.0 Purpose

- 1.1 The purpose of this Policy is to set out the formal procedure for the Licensing Authority to determine the classification of previously unclassified films; appeals by distributors against the British Board of Film Classification's decisions; requests received to reclassify films; and decisions of the Licensing Authority (of its own volition) to re-classify films .
- 1.2 The Licensing Authority when authorising film(s) shall at all times take into account the Guidance issued under section 182 of the Licensing Act 2003 (the National Guidance).
- 1.3 Where a premise seeks or intends to exhibit film(s) that venue must be covered by a Premise Licence, Club Premises Certificate or Temporary Event Notice under the Licensing Act 2003.

2.0 General Policy

- 2.1 In accordance with the National Guidance, the Licensing Authority shall concern itself primarily with the protection of children from harm. It will not use its powers to censor films save where there is clear cause to believe that this is required to promote the licensing objectives.
- 2.2 In terms of film exhibitions and festivals, the most relevant licensing objective is the Protection of Children from Harm. The National guidance states:

The protection of children from harm includes the protection of children from moral, psychological and physical harm and this would include the protection of children from too early an exposure to strong language and sexual expletives, for example, in the context of film exhibitions or where adult entertainment is provided.

3.0 Principles in Determining Film Classifications

- 3.1 The British Board of Film Classification classifies films in accordance with its published Guidelines, which are based on extensive research into public opinion and professional advice. The National Guidance under Section 182 of the LA03 recommends that:

Licensing Authorities should not duplicate the BBFC's work by choosing to classify films themselves. The classifications recommended by the BBFC

should be those normally applied unless there are very good local reasons for a Licensing Authority to adopt this role. Licensing Authorities should note that the provisions of the 2003 Act enable them to specify the Board in the licence or certificate and, in relation to individual films, to notify the holder or club that it will make a recommendation for that particular film.

- 3.2 The Licensing Authority considers the classification system used by the BBFC to be nationally understood and accepted. It will therefore use this system and any amendments thereto, as a reference point for determining its recommendation(s) on the restriction of access of children to the film(s). It should be noted however that the Licensing Authority is not obliged to follow these guidelines.
- 3.3 Where a licensed premise seeks to exhibit a film that has not been classified by the BBFC then it will be the responsibility of the Licensing Authority to authorise that film. As such the procedures outlined later in this document will be followed.
- 3.4 Applicants must ensure that all material that is the subject of the application complies with the current interpretation of the Obscene Publications Act 1959, the Copyright Design and Patents Act 1988 or any other relevant legislation and has not been created through the commission of a criminal offence.
- 3.5 Any authorisations for the exhibition of film(s) issued by the Licensing Authority shall only apply when the film(s) is exhibited within the Newark and Sherwood District and does not affect the authorisation or recommendations in any other borough.
- 3.6 Once authorised by the Licensing Authority a film will be authorised for a particular showing or festival only subject to the recommendations imposed by the Licensing Authority (unless further application for re-classification is made). Details of the authorisation including any recommendations shall be available from the Council's Environmental Health and Licensing Business Unit.
- 3.7 The Licensing Authority will consider each authorisation on its own merit and may impose additional and more specific recommendations where it deems necessary in order to comply with the Protection of Children from Harm Licensing Objective.
- 3.8 Where the Licensing Authority has determined to refuse authorisation of a film(s) clear and concise reasons shall be given.

4.0 Procedure for Authorisation of Films Already Classified

- 4.1 Applications for authorisation of films already classified by the BBFC shall be referred to and determined by the Licensing Sub Committee on behalf of the Licensing Authority. Applications should be submitted in writing.

- 4.2 All requests shall be accompanied by the film(s) where possible in DVD format to avoid delays, the cost to be borne by the applicant. If DVD format is not possible then arrangements will be made for a suitable venue to view the film. This will allow the Licensing Sub Committee time to view and authorise the film(s) so that the licence holder is able to adhere to any recommendations on age restrictions the Licensing Authority may impose. In any event, all requests should be submitted on the Licensing Authority's application form a minimum of **28 days** before the proposed screening.
- 4.3 Where an individual or organisation not connected with the film(s) requests reclassification of a BBFC classified film, they are not expected to provide a copy of the film(s). The Licensing Authority will then make suitable arrangements to view the film. It is also accepted that in these circumstances, it may not be possible to give 28 days' notice before the proposed screening.
- 4.4 All requests must be accompanied by detailed reasons for the request. Requests will be dealt with as expeditiously as possible as it is appreciated that films are generally only shown in cinemas for a relatively short period.
- 4.5 The Sub Committee will then view the entire film and assess it against the BBFC guidelines. The Sub Committee shall issue a Notice of Determination of the authorisation within 5 working days from the date of viewing. The Licensing Authority will then formally advise the applicant and the licence holder of any recommendation(s) restricting the admission of children to the film(s).
- 4.6 Requests must be relevant to the protection of children from harm licensing objective and not frivolous, vexatious or repetitive. Requests may also be relevant to the prevention of crime and disorder licensing objective but only in relation to the contravention of the current interpretation of the Obscene Publications Act 1959 or any other relevant legislation.
- 4.7 Where a film(s) is recommended by the Licensing Authority as falling into an age restrictive category, no person under the age specified shall be admitted. Where a film(s) is recommended by the Licensing Authority as falling into a category requiring any persons under a specified age to be accompanied by an adult, no person under the age specified shall be admitted unless accompanied by an adult.
- 4.8 In these circumstances, the licence holder will be required to display in a conspicuous position a notice clearly stating the relevant age restrictions and requirements. With regard to the wording of such Notices, the Licensing Authority shall have regard to National Guidance, e.g.:

Persons Under the Age Of [insert appropriate age] Cannot Be Admitted To Any Part of The Programme

Persons Under the Age Of [insert appropriate age] Can Only Be Admitted To The Programme If Accompanied By An Adult.

5.0 Procedure for Authorisation of Films Not Classified by the BBFC

5.1 Applications for authorisation of films not classified by the BBFC shall be referred to and determined by the Licensing Sub Committee on behalf of the Licensing Authority.

5.2 An application for authorisation should include the following information:

(a) the film maker;

(b) such recommendation as may have been made by the film maker upon age limit for the intended audience for exhibition of the film;

(c) any existing classification issued by an existing classification body, whether within or outside the UK;

(d) a synopsis identifying the material within the film considered by the exhibitor to be likely to have a bearing on the age limit for the audience for exhibition of the film. Where an applicant seeks an authorisation allowing exhibition of the film to persons 18 years and over only, a detailed synopsis will not be required;

(e) if known, a legitimate and legal internet site where the film, or a portion of the film is available to view without charge;

(f) any proposals on age restrictions for viewing the film that the applicant intends to impose;

(g) details of how age restrictions will be enforced.

5.3 In accordance with National Guidance all requests shall be accompanied by the film(s) where possible in DVD format to avoid delays, the cost to be borne by the applicant. If DVD format is not possible then arrangements will be made for a suitable venue to view the film. This will allow the Licensing Sub Committee time to view and authorise the film(s) so that the licence holder is able to adhere to any recommendations on age restrictions the Licensing Authority may impose. In any event, all requests should be submitted a minimum of 28 days before the proposed screening.

5.4 The Sub Committee shall issue a Notice of Determination of the authorisation within 5 working days from the date of viewing. The Licensing Authority will then formally

advise the applicant and the licence holder of any recommendation(s) restricting the admission of children to the film(s).

- 5.5 Where a film(s) is recommended by the Licensing Authority as falling into an age restrictive category, no person under the age specified shall be admitted. Where a film(s) is recommended by the Licensing Authority as falling into a category requiring any persons under a specified age to be accompanied by an adult, no person under the age specified shall be admitted unless accompanied by an adult.
- 5.6 In these circumstances, the licence holder will be required to display in a conspicuous position a notice clearly stating the relevant age restrictions and requirements. With regard to the wording of such Notices, the Licensing Authority shall have regard to National Guidance, e.g.:

Persons Under the Age Of [insert appropriate age] Cannot Be Admitted To Any Part of The Programme

Persons Under the Age Of [insert appropriate age] Can Only Be Admitted To The Programme If Accompanied By An Adult.

- 5.7 In order to ensure the promotion of the Protection of Children from Harm and Prevention of Crime and Disorder licensing objectives, the Licensing Authority will formally advise the licence holder and applicant of any recommendation(s) on the restriction on the age of access for children to the film(s). This may also include any relevant notices required to be displayed by the licence holder inside and outside the premises. The licensed premises hosting the exhibition of film will be expected to comply with these recommendations.
- 5.8 The Licensing Authority recognises the principle that adults should be free to choose their own entertainment and will not normally override this principle -as such requests shall not normally be refused. However, in all cases the Licensing Authority will expect the applicant to follow the BBFC's Guidelines for 18 and R18 restricted films.



Charlie Lyne
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Arts Representative
Newark and Sherwood District Council, Kelham Hall, Kelham, Newark, Nottinghamshire, NG23
5QX

22nd February 2016,

Dear Sir or Madam:

My name is Charlie Lyne and I'm a filmmaker based in London. I'm hoping to release my new film *Fear Itself* in select UK cinemas later this year, and one of the venues I'm considering is the Odeon Newark, which lies within your local authority.

As I intend to release the film without a certificate from the British Board of Film Classification, I need permission from the council before I can show the film in Newark and Sherwood. I would therefore like to request this permission.

Please don't hesitate to contact me using the contact information above. If you would like to watch *Fear Itself*, you can do so online at vimeo.com/142058424 with the password 'blindbeast'. Alternatively, I can send you a DVD copy of the film upon request.

Yours,

A handwritten signature in cursive script, appearing to read "Charlie Lyne".

Charlie Lyne

a) I'm the filmmaker. Fear Itself is my second film, and has played at various festivals around the world.

b) I think an 18 certificate would probably be most suitable.

c) It was shown on the BBC's iPlayer online platform with a 16+ age advisory.

d) It's a documentary about horror cinema, featuring various excerpts from existing horror films, so there's a fair amount of violence, plus occasional nudity and swearing.

e) It can be viewed on iPlayer.

f) Like I say, I would recommend 18.

g) The cinema would only let in those old enough.

POLICING & CRIME BILL AND THE IMMIGRATION BILL – CHANGES TO LICENSING LEGISLATION

1.0 Purpose of Report

1.1 To provide members with an update on the Policing and Crime Bill that was laid before Parliament in February and the Immigration Bill that was laid before Parliament in September 2015

2.0 Background

2.1 The Police and Crime Bill covers many aspects of general policing. However, it also contains changes that are relevant to licensing and to the operation of licensing enforcement.

2.2 The first reading of the Bill took place on 9 February. No date for a second reading has been set.

2.3 The Immigration Bill had its first reading in September 2015. It is described as a Bill to make provision about the law on immigration and asylum; to make provision about access to services, facilities, licences and work by reference to immigration status.

3.0 Policing & Crime Bill

3.1 Chapter Seven of the Bill deals with changes to the Licensing Act 2003. The changes proposed are:

- Amending the definition of alcohol to ensure that powdered alcohol and vaporised alcohol fall within the definition.
- Amending the summary review process to allow licensing authorities to keep interim steps in place between the review hearing and the outcome of any appeal. Also amending s.53B to limit the number of times a licensee can make representations against the interim steps before the review hearing.
- Giving licensing authorities the power to revoke or suspend a personal licence when someone is convicted of a relevant offence.
- Adding to the list of relevant offences.
- Removing the requirement to lay the 182 Guidance before Parliament when it is revised. (Note: the guidance will retain its statutory status).

3.2 Although this is still only a Bill and it has many stages yet to go through before becoming law there are issues that are worthy of further comment.

3.3 Personal licence holders are no longer required to renew their licence after 10 years, therefore, giving Licensing Authorities the power to revoke a licence following conviction of a relevant offence does give some element of control to the Licensing Authority. This is enhanced by the proposal to increase the list of relevant offences.

3.4 Currently the statutory guidance issued under Section 182 of the Act has to have its content be taken into account during the decision making process. The guidance does not always reflect best practice or very recent changes in legislation as it currently has to be signed off by Parliament. The proposal to remove this requirement will allow the guidance to be updated more regularly and in a timely manner.

3.5 Chapter 2 of the Bill proposes change to the Policing & Criminal Evidence Act. This is used during the conduct of investigations and therefore any changes will need to be considered and implemented into operation procedures. The changes proposed in the Bill deal in the main with issues not normally part of a non-police investigation and therefore the implications will be small.

4.0 The Immigration Bill

4.1 The Bill is wide ranging in its functions. Chapter Two of the Bill is relevant to licensing. It introduces a requirement relating to the employment of migrants ensuring that licenses for the sale of alcohol and late night refreshments are subject to compliance with immigration laws.

4.2 It also seeks to ensure that licences for drivers and operators of taxis and private hire vehicles are held by those who have the right to work in the UK and comply with immigration laws.

4.3 The intention of the provisions in the Immigration Bill is to make immigration checks mandatory and to embed immigration safeguards into the existing licensing regimes.

5.0 RECOMMENDATIONS that:

- a) Members are asked to note the Policing & Crime Bill update and to advise if there are any areas in which they would like additional information;**
- b) Members are asked to note the Immigration Bill update and to advise if there are any areas in which they would like additional information;**
- c) further reports updating with Members on the progress of the Bills will be brought to the Committee.**

Background Papers

The Policing & Crime Bill 2015-16

The Immigration Bill 2015-2016

For further information please contact Alan Batty on 01636 655467

Karen White
Director – Safety

**NEWARK & SHERWOOD DISTRICT COUNCIL
LICENSING SUB-COMMITTEE**

**RECORD OF HEARING HELD ON
23RD DECEMBER 2015
10:00 HOURS
ROOM G21, KELHAM HALL**

**APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
WHITE HART WINE BAR & RESTAURANT**

APPLICANT: ADMIRAL TAVERNS LIMITED

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

Karen White (Legal Advisor)
Alan Batty (Business Manager – Environmental Health)
Jade Reynolds (Legal Advisor)
Kerrie Vickers (Licensing Assistant – Observing Only)
Matthew Yates (Licensing Apprentice – Observing Only)

ALSO IN ATTENDANCE: Objectors

Susie Rhodes-Best (Nottinghamshire Police Authority)
Louise Clarke (Nottinghamshire Police Authority)
Daveen Brown (Nottinghamshire Police Authority)
Elizabeth Briggs (Nottinghamshire Police Authority)

Applicants
Michael Kheng (Kurnia Licensing Consultants)
Paul Chambers (Designated Premises Supervisor)

Details of the Application

An application for the variation of a Premises Licence was submitted by Admiral Taverns Limited in relation to the White Hart Wine Bar & Restaurant, White Hart Yard, Market Place, Newark, Notts. NG24 1EG. Copies of the associated paperwork were circulated to all parties prior to the date of the Hearing.

It was confirmed that an audio recording of the hearing would be undertaken by the applicant's representative and the Council.

Prior to the commencement of the Hearing, the Panel's Legal Advisor asked the parties present to confirm that they had been supplied with all the paperwork. Mr. Kheng circulated a document to those present which was a revised version of papers previously submitted that contained incorrect information.

Presentations

The Applicant's Case

Mr. Kheng advised that he was representing Admiral Taverns the owners of the premises and Mr. Paul Chambers, the Designated Premises Supervisor, who rented and ran the premises. He stated that the application was for the variation of the existing Premises Licence and was not for a review, suggesting that the Police, in their evidence, appeared to be treating it as such and that any decision must be in relation to the variation only.

Mr. Kheng stated that, in essence, the Panel had to determine whether they would grant the variation with a termination hour of either 03:00 hour or 03:30 hours, as applied for. There were a different number of terminal hours for different activities on the current Premises Licence which was very confusing and the purpose of the application was to streamline these. He added that despite the premises being able to operate 7 days per week and the additional hours being granted by the TEN, the permitted hours were not always utilised.

Mr. Kheng added that the Panel must also consider the conditions, stating that proposed condition 4 had not been agreed between the Applicant and the Police. He stated that it was his assumption that the application to remove and add some conditions where no representations had been received were acceptable.

Mrs White clarified to all parties that it was the Panel's purpose to look at the application for the Variation and the representations received. They were not limited to simply granting either what was proposed by the applicant or the Police. After considering the application and the representations they could refuse the application. Mr. Kheng acknowledged this, adding that if the Panel determined to grant the application outside of that requested, or for hours and conditions that the Police had already agreed they would need sound grounds for doing so.

Mr. Kheng stated that Conditions 1 & 2, 5 and 7 to 12 had all been agreed and were acceptable. The contested Conditions were 3, 6, 8 and 13.

Condition 3 was in relation to the number of registered door staff. Mr. Kheng stated that the Police had agreed to 3 door staff being employed when the premises were operating after 03:00 at the recent Hearing for the TEN but they now wanted a condition imposed requesting that 3 door staff be employed every Friday, Saturday and Sunday from 23:00 hours and he queried the reason for this.

Condition 6 was in relation to the last time for admissions to the premises. The applicant wished to amend the time for this from the current 01:30 hours to 02:00 hours and that the premises be permitted to operate a VIP/Guest List, such list to have been finalised 24 hours prior to the event. Mr. King advised that this condition had been initially offered by the applicant when applying for an earlier variation. The imposition of this condition had created management problems at the premises and this was the reason the applicant was seeking to make the amendment. He added that the Police had not supplied evidence to warrant a refusal of this condition. Mr. Kheng advised that page 39 of the Applicant's bundle of paperwork was for information and persuasive purposes to highlight a case heard by the Magistrates Court in Bedford. He was not aware of any other premises in the area that had a last entry condition and highlighted that the recently granted Variation in respect of Mr. Chambers other property, the Beaumont Cross, had not had such a condition attached to it. Mr. Kheng added that evidence would need to be supplied to link the condition to that of crime and disorder.

Condition 4 was in relation to the use of body worn cameras by door staff. Mr. Kheng stated that he did not believe there was sufficient need for the imposition of this condition. He added that this condition could not be enforced as the premises could already open until 02:00 or 03:30 hours. He added further that there had been no evidence submitted to support this condition.

In relation to Condition 13, Mr. Kheng advised that staff training was provided but that this was a management issue and should not be made subject to a condition. He added that the Police had sought the imposition of this condition at the Beaumont Cross but following discussions they had agreed that it was not required.

Mr. Kheng, having discussed the conditions, asked the Panel to focus on the remaining representations submitted by the Police. He stated that of the 29 incidents referred to in their evidence bundle, only 6 were in relation to incidents which occurred after 03:30 hours and beyond. Mr. Kheng advised that he would deal with the incidents listed that had occurred after November 2014 to the present day. He added that he had requested additional information from the Police in his letter to them dated 4th December 2015 but that this had not been provided. Ms Briggs stated that the Police evidence had given the information.

Mr. Kheng advised that he would focus his comments on incidents that had occurred only after 03:00 hours suggesting that anything prior to that should be disregarded as this was an application for a variation and not a review hearing.

Page 63 of Police Evidence (6th December 2015) – no evidence had been submitted to say that this incident had occurred in the White Hart. The first recorded time was logged at 03:10:26 hours. Caller informed that there would be no attendance by Police. Some hours later the call was changed to Violence Against the Person.

Page 75 of Police Evidence (28th November 2015) – the premises could open until 03:30 hours as per the TEN, this incident occurred at 22:49:33 hours and would have occurred with or without the extension of hours provided by the TEN. The incident occurred outside of the premises.

Mr. Kheng stated that all the other incidents listed had occurred during normal operating hours.

Page 135 of Police Evidence (5th April 2015) – this incident occurred during normal operating hours as it was a bank holiday weekend at Easter. The incident was not reported by a member of staff from the White Hart. It was a member of the public and was not written into the premises incident log.

Page 137 of Police Evidence (26th December 2014) – this incident occurred at 23:25:04 hours and was covered by Boxing Day hours. There had been no other incidents that day. It had taken the Police 45 minutes to respond to the incident. The person in question was not a regular at the premises and it was presumed he had been drinking elsewhere.

Page 145 of Police Evidence (6th December 2014) – this incident occurred in the pub within normal operating hours.

Page 149 of Police Evidence (5th December 2014) – this incident occurred at 03:15 hours when the premises could have been open until 04:00 hours. Although put forward as evidence, Mr. Kheng stated that it was not an actual incident.

Having taken the Panel through the incidents, Mr. Kheng noted that only 3 had occurred beyond 03:00 hours. He concluded his presentation by stating that the application was for hours until 03:30 hours to which the Police objected, however, they did not object to a termination hour of 03:00 hours. Some conditions had been agreed but it was his opinion that 2 of those requested should not be attached to the Premises Licence.

Questions to the Applicant and his Representative

Elizabeth Briggs noted that a Temporary Event Notice had recently been granted on 28th November 2015 with incidents having occurred on 28th, 29th November and 6th December 2015. Mr. Chambers had offered to put policies in place in relation to later opening hours with Ms Briggs querying whether these Policies in place on the days when the incidents occurred? Mr. Kheng advised that Policies were not in place and stated that there had been no TEN on 29th November 2015.

Ms Briggs then queried whether any risk assessment had been undertaken to ascertain if a Policy was required. Mr. Kheng confirmed that the premises had been operating under normal hours and conditions adding that the aforementioned Policies would be put in place should the application to vary the Premises Licence be granted.

Ms Briggs asked whether it was accepted by management that incidents had occurred and that no additional measures had been in place after these. Mr. Chambers replied that he had reviewed the CCTV and that if the Police had also done so they would come to a different opinion as to the incidents. He added that there had been very few incidents since he had taken over the running of the premises in 2007.

Ms Briggs noted that there had been an Action Plan set due to the incidents which had occurred in 2014. Mr. Chambers stated that he disputed the Police's version of events. He added that he was happy with the door staff he employed and that the incidents had occurred due to door staff refusing people entry to the premises and that he could not be held responsible for that.

Ms Briggs queried whether the same door staff were always employed. Mr. Chambers confirmed that they were, adding that the Chief Door Supervisor, was also the Chairman of the Pub Watch scheme.

In relation to the incident dated 30th November 2015, listed on Page 66- 74 of the Police Evidence, Mr. Kheng pointed out to the Panel that CCTV was handed over to the Police. However, he added that it would not be handed over if the Police were not investigating a specific incident as it could not be used as a 'fishing exercise' as per the Witness Statement submitted by the Police from SC Haddon Smith dated 17th December 2015.

Ms Briggs referred to the Witness Statement of Sergeant Ward (page 28 of Police Evidence) in which he stated his concerns about the ability of door staff to handle a situation at the premises on 29 March 2015 when the Police had been required to remove a customer and yet, despite this, Mr. Chambers continued to use the same door staff. Mr. Chambers responded that it was not possible for all door staff to know every person on Pub Watch. They had contacted the Police for assistance as they knew the customer to be potentially violent and whilst they could have handled the situation themselves they believed that he would need to be arrested. The Police did attend the premises and asked the customer to leave. They allowed him to finish his drink prior to him leaving, following which he went on to assault a taxi driver. Mr. Kheng reminded the Panel that the Police had a duty under Section 143(4) of the Licensing Act, on being requested to do so by a person to whom Sub Section 2 applies, to help expel from relevant premises a person who is drunk or disorderly and help prevent such a person from entering relevant places. He stressed that it was the Police's duty to help and respond to requests for assistance in such circumstances.

Ms Briggs also referred to an incident which occurred on 18 July 2015 (page 98 of Police Evidence) when 2 males had caused a disturbance at the premises but the security staff had walked away. Mr. Chambers advised that the premises had been closed at the time and the security staff had been off duty. The 2 males had been knocking on the doors and windows in an attempt to gain entry. The incident had been called in to the Police by a member of the bar staff.

It was noted by Ms Briggs that another person had been in the premises who was listed on Pub Watch. Mr. Chambers stated that due to Data Protection they were not able to have photographs of people listed on Pub Watch. If someone did gain entry and the staff became aware they were asked to leave. In relation to the incident which occurred on 16 August, it was noted that 6 door supervisors were on duty, despite the requirement being for only 3 to be on site.

Ms Briggs noted that there had been a breach of conditions in December 2014 in relation to the last entry time. Mr. Kheng acknowledged that the breach had taken place and that this had been on New Year's Eve. He stated that most premises were open all night and that it was his opinion that there should be an exception to this condition for that night.

The Panel's Legal Advisor, Mrs White, advised that there were 3 premises within Newark which operated a last entry condition: The Moorings (12 midnight); The Castle (12 midnight); and The Pound Pub (01:00 hours). Inspector Louise Clarke also advised that The Atrium had recently agreed to a 01:30 hours last entry.

Mr. Kheng queried whether there was any evidence to link the breach to crime and disorder. Ms Briggs advised that failure to comply with the condition was a criminal offence and that a warning had been given on that occasion. Mr. Chambers stated that he disputed the breach and that he had permitted entry as the customer was a regular at the premises. Mr. Kheng again acknowledged the breach of the condition and this was the reason why they were seeking to extend the last entry time and the operation of a VIP Guest List. Mr. Chambers added that he had offered the condition voluntarily but had he known that he would not be permitted to allow his guests entry he would have worded the condition in a better way. He again stated that he was of the opinion that he had not breached the condition.

On being asked to confirm by Mrs White which incidents referred to in the Police Evidence had occurred during normal operating hours or those covered by a TEN, Mr. Chambers advised accordingly.

Councillor Walker queried how the VIP Guest List would operate. Mr. Chambers advised that this would be compiled 24 hours in advance. He referred to an incident that had occurred on 11th December 2015 when a local company had paid for a bar to be provided for its staff. They had been delayed by the none arrival of a taxi at the Newark Showground and were refused entry to the premises when they eventually arrived as it was after 01:30 hours. Mr. Chambers added that bar staff who worked in other premises in the town also wished to come to the White Hart for a drink after their shifts had finished elsewhere. He added that he would not wish to open the guest list up to everyone and would be operated in a correct manner. Mr. Kheng advised that this was not an unusual condition and gave by way of an example, premises where such conditions were in operation in Mablethorpe.

Mr. Chambers advised that operation of a guest list could encourage good behaviour. If a customer did not behave they would be removed from the list. He added that it was in his interests to encourage his customers to arrive at the premises as early as possible. Councillor Clarke expressed his concern that problems may arise if door staff permitted entry to someone on the list but refused entry to someone else. Mr. Chambers advised that door staff already dealt with customers arguing who had been refused entry and that he was seeking a workable solution to the problem. He advised that the door staff would be able to manage the operation of a guest list. Mr. Kheng advised that the list would only be operated on certain occasions as per the previously referred to scenario of customers being delayed due to a taxi not arriving on time. Mr. Chambers added that he envisaged it would act as a positive pub watch and customers should view it as a privilege to be included. Mr. Kheng sought to establish the link between this condition and that of crime and disorder, suggesting that the removal of the condition would stop the issues altogether.

Councillor Brown queried what method of identification would be used to show that customers could gain re-entry to the premises. Mr. Chambers advised that this could be by an invisible hologram stamp which would only show up under a UV light. Alternatively it may be on a quiet night by a door supervisor keeping a mental note of who had left the premises previously that evening. Another method of identification could be by the use of a wrist band as these could not be removed or replicated.

Councillor Clarke queried as to the reason that Mr. Chambers had voluntarily put the condition on his Premises Licence. Mr. Chambers advised that he had thought that it meant no new entry but he could allow existing customers in. Had he realised he would have worded the condition differently. Councillor Clarke acknowledged Mr. Chambers' reply and queried whether, should the Panel determine to grant the application, would he be prepared to draw-up a specific policy covering the operation of a guest list. Mr. Chambers confirmed that he would be prepared to do so.

The Objector's Case

Ms Briggs advised that when the application was received it had been reviewed with the conclusion being that it was, in essence, an application to extend the current hours by 30 minutes. The main concern for the Police was that increased hours led to more alcohol which in turn led to additional antisocial behaviour and that this was a concern for the Police. She added that 4 conditions had not been agreed and acknowledged that one of these was in relation to the number of door supervisors, that had been agreed at the Hearing for the TEN.

If granted the premises would become known as a late opening bar. The Police had concerns about the handling of incidents by door staff and sought assurances that any incident would be handled properly. Incidents of antisocial behaviour at the premises had been alcohol fuelled and this was why it was important that the door staff needed to deal consistently with any issues that arose.

In relation to body cameras, Ms Briggs stated that these were a relatively new method of control being deployed but there was evidence to support that they protected both the wearer and the person being filmed. She added that there had to be a reflection of how crime and disorder was dealt with as a whole noting that it was a security matter and also helped with the prosecution and identification of individuals.

In relation to the training of staff, Ms Briggs stated that the Police had requested this condition because with the premises opening longer hours, customers would be more "in drink" which often led to an increase in antisocial behaviour. It was their belief that effective and evidenced training of staff would significantly assist with the running of the premises. Ms Briggs noted that Mr. Chambers had stated that he already trained his staff and the Police were only asking for this to be formalised and recorded.

Ms Briggs advised that the issue of last entry to the premises was of most concern. This condition had been offered by the applicant when the hours of the Premises Licence had been extended previously. The Police viewed the condition as a control mechanism to minimise migration between premises throughout the town and to lessen the chance of antisocial behaviour. She acknowledged that the Police had a duty to deal with incidents but added that there was also a responsibility on the premises to control this. If the last entry time was extended problems would still occur as customers would still want to gain access.

Ms Briggs stated that the use of a guest list was also of concern, noting that other premises use and permit people to sign up to this using social media. The use of such lists had the potential to create flash points. If they were not used then a blanket no entry could be applied.

In relation to Mr. Chamber's comments about leaving the premises, albeit temporarily, Ms Briggs queried as to what the actual meaning of this was. The premises provided a smoking area so there was no need to leave the premises entirely. The Police's reason for requiring the condition to remain unchanged was to avoid migration of customers between premises.

Ms Rhodes-Best addressed the Panel in support of the Police's representation in the matter. She stated that she was well aware of the Licensing Act 2003 and clearly understood the difference between a Review and Variation. She advised that in most cases 90% of applications were dealt with and agreed, but because of recent previous incidents of alcohol related crime and disorder associated with this Premise, this particular application raised concerns which had led to discussions being held with the Chief Inspector and the Neighbourhood Policing Inspector for the Newark & Sherwood area. An agreement had been attempted between the Police and applicant but a compromise had failed to be reached.

Ms Rhodes-Best noted that an application from the same Applicant to vary the Beaumont Cross premises had been received at a similar time, but that this was in a different area of Newark and an entirely different type of premises. There was no evidence of crime and disorder at that premise and therefore it could not be compared with the White Hart. She stated that the Police would have wished to impose a condition that required staff to be trained at the Beaumont Cross but there was no evidence of incidents to support this.

Ms Rhodes-Best stated that she had first received correspondence in relation to extending the hours of the premises in January 2014. There had been very little evidence at that time to make a representation to the application and it had been granted. Subsequently there had been an increase in crime and disorder and Admiral Taverns had been contacted accordingly. The premises had been visited and a discussion had been held with the Designated Premises Supervisor (DPS) at Newark Police Station. There had been a clear breach of the licensing conditions and a written warning was issued in relation to that. A discussion had been held in relation to an application to vary the current hours of the Premises Licence to which the Police had stated that they would not support it.

Ms Rhodes-Best commented that she was disappointed that the current TENs had not been permitted to run before the application was submitted. If they had, there would have been opportunity to reflect on what, if anything, had occurred and what action had been necessary.

Ms Rhodes-Best advised that the Panel that it was her opinion that Mr. Chambers had been belligerent when dealing with the Police and it appeared he was only concerned with obtaining approval for the variation. She finalised her comments by stating that it was her belief that approval of the variation would undermine the licensing objective in relation to the prevention of crime and disorder.

Inspector Clarke, Neighbourhood Policing Inspector for the Newark & Sherwood area addressed the Panel in support of the Police's representation in the matter. She stated that her Witness Statement (page 21 of Police Evidence) had been written with licensing objectives in mind.

Inspector Clarke advised that the last entry time of 01:30 hours was very important to the Police as it assisted in keeping control and reduced the incidence of people drinking heavily and then from wandering around the town from premise to premise. She stated that if customers left a premise to go to the White Hart, having had an altercation, if the last entry time were extended they could meet up again thereby creating the potential for a flashpoint. She added that she would wish to see the current time of 01:30 maintained, stating that the Atrium had readily agreed to this also.

In relation to safety, Inspector Clarke stated that key to this was management and control. She referred to 2 incidents which had occurred in November and were covered by the extended hours of the TEN when the Police had been called to attend. At one of the incidents an ambulance had been required but as none were available the Police had had to take the person to hospital. She stated that any incident had an immediate effect on the management of resources, adding that there was a direct correlation between extended hours and further incidents, which was the reason that the DPS needed to control the premises effectively.

Inspector Clarke referred to the allegation of rape by a female at the premises. She noted with concern that the female had been so drunk that she could not remember what had happened, adding that it was an offence to serve someone when they were already drunk.

Inspector Clarke expressed her concern in relation to the proposed guest list, stating that this could circumvent the last entry time. She queried who would be checking the individuals presenting themselves for entry, would they be ID'd and that this would slow down entry to the premises. She added that the aforementioned issue of not having photographs of people on the pub watch scheme had only recently come into effect but banned individuals had still been able to gain entry.

In relation to the viewing of CCTV from the premises, Inspector Clarke commented that until 17th December, when viewing had been refused, this had not caused any issues. She stated that having to issue a written request would slow down any investigation the Police were undertaking with Inspector Clarke expressing concern in relation to the working relationship between the Police and the DPS going forward.

In relation to body cameras, Inspector Clarke advised that these were very useful. It was visible to customers that they were being filmed with Inspector Clarke adding that the Atrium used them and had given positive feedback.

Inspector Clarke finalised her comments by highlighting her concerns about issues deteriorating stating that the Police had submitted far more detail than they had for the hearing for the TEN. She noted that customers were still gaining entry to the premises despite being on the pub watch exclusion list, later hours were being applied for, there was less control on entry to the premises, all of which had a significant impact on Police resources.

Questions to the Objectors

Mr. Kheng stated that, in relation to body cameras, any condition imposed must be proportionate and not a burden to the licence holder. Inspector Clarke advised that a kit for a body camera can be purchased for £95.00. The cameras would be owned by the premises and were a good tool on the door, helping with allegations of assault. Ms Briggs added that an agreement could be put in place to view footage under condition.

In relation to the proposed amendment to the last entry time and the use of a guest list and the undertaking by Mr. Chambers that a Policy would be developed for this, Mrs White queried how the premises would manage this, if granted. Inspector Clarke advised that the Police would not know who was on the list and that it would be the responsibility of the door staff to manage entry to the premises, adding that it would be difficult to be policed. Ms Briggs also commented that it would be difficult for the door staff to manage when those included on the list were intoxicated.

Mrs White queried with the Police their reason for accepting a terminal hour of 03:00 hours but not 03:30 hours. Inspector Clarke advised that it was in relation to 'feet on the street', the later the terminal hour, the less resources the Police had to respond. She added that there was a direct correlation between late hours and resource availability.

Councillor Walker queried whether any other premises operated VIP entry to premises. Ms Briggs advised that the Atrium were to commence a VIP area within their premises and that a VIP List on the door would be policed differently. Inspector Clarke confirmed that no other premises in the area operated a VIP Guest List.

Mr. Kheng queried what evidence the Police had to link a last entry time to crime and disorder, adding that any link would be casual only. Inspector Clark advised that it was a known fact that it often created flash points. Mr. Kheng again asked what evidence there was to support this. Inspector Clarke advised that information was provided by the Police on the streets who had to try to deal with situations as and when they occurred but that these were not always recorded.

Mr. Kheng queried why the Police had not requested that a condition be attached to the Beaumont Cross for a last entry time as Mr. Chambers could direct his customers from the White Hart to his other premises. Ms Briggs responded that the Beaumont Cross was a very different premises and each application was viewed on its own merits.

In relation to staff training, Mr. Kheng sought an explanation as to how the imposition of a condition in relation to this would assist in any of the incidents that had been submitted in the Police evidence. Ms Briggs advised that all the evidence put forward was in relation to incidents that had occurred due to people being in drink. Mr. Chambers advised that he had staff members who only worked periodically, e.g. home from university and if this condition was to be imposed, he would not be able to offer him casual employment. Mrs White asked Mr. Chambers to clarify whether this meant that he did not train all his staff if they were casual staff. Mr. Chambers confirmed that he undertook the training himself.

In relation to Ms Rhodes-Best's comments about not allowing the TEN period to run prior to submitting the application for a variation, Mr. Kheng advised that only 3 TEN dates remained and that 15 had already been utilised. Ms Rhodes-Best clarified her comments in that only 3 of the available dates had been used when the application had been submitted. Ms Briggs commented that if the TEN period had been left to run in its entirety the Police and the applicant may have been able to reach a compromise.

In relation to the incident on 28th November, Mr. Kheng queried whether the Police had said that the person in question had been inside the premises. Inspector Clarke advised that she had not investigated the incident so was unable to clarify this. Mr. Kheng replied that staff from the White Hart had taken the person into the premises to flush his eyes out following the incident. Ms Rhodes-Best confirmed that subsequent to the evidence being supplied she had learnt that both the victim and the attacker had been drinking at the White Hart. Mr. Kheng would not accept this confirmation as he had requested the information prior to the hearing but it had not been supplied.

Mr. Kheng referred to proposed Police conditions 3 and 4, adding that the use of a body camera was disputed, and that their use had been requested on a Friday, Saturday and Sunday. Mr. Kheng queried why Sunday had been inserted and out of the 19 incidents put forward, how many of them had occurred on a Sunday? Ms Briggs referred the Panel to page 13 of the Police evidence which gave the current condition at Annex 2, Paragraph 4, stating that the condition regarding 2 registered door staff was for the days Friday, Saturday and Sunday adding that it followed on from that existing condition. Mr. Kheng queried what evidence there was to warrant the use of 3 door staff on a Sunday. Ms Briggs advised that it was in relation to later hours and that more patrons would be accessing the premises. Mr. Kheng replied that there had been no incidents on a Sunday that had occurred when 2 door staff had been employed.

Mr. Kheng sought confirmation from the Police that they were in agreement that the current Premises Licence permitted the premises to have licensable activities until 03:30 hours on no less than 20 occasions in any one year. Ms Briggs stated that it was accepted that with regards to the longer opening hours the premises were permitted to open to 03:30 hours but could not confirm the number of occasions permitted.

Mr. Kheng also sought confirmation that in the previous 14 months the premises were permitted to open beyond 03.30 hours on no less than 60 occasions. Of these there were 20 TEN at the end of 2014, 20 TEN in November and December 2015 and the 20 days permitted by the Premises Licence. Ms Briggs confirmed that she accepted these figures.

In relation to body cameras Mr. Chambers stated that he would be willing to accept this on a voluntary basis adding that he already had 16 CCTV cameras at the premises.

Inspector Clarke commented that in relation to incidents occurring immediately outside the premises, the Police connected them to the premises because that is where the door staff are and they are duty bound to undertake their duties until customers leave the premises and the court yard area. She also stated that if an incident occurred immediately outside the premises she would expect the door staff to deal with that even if the people concerned had not been drinking inside the premises.

Summing Up

Police Authority

Ms Briggs stated that the primary concern to the Police was that of the extension in hours and that there was a direct correlation between late night drinking, antisocial behaviour and crime & disorder. It was accepted that the Police had a primary duty to deal with crime & disorder etc., however, the premises needed to assist in this where their activities created or exacerbated these issues.

She stated that the applicant needed to carefully consider the hours of the premises. The White Hart had the latest opening hours in the town and there had been an increase in the number of incidents related to the premises. Prior to the first extension of hours and the TEN the Police had had little reason to attend so the evidence presented confirmed that later hours had given rise to the increased incidents.

Ms Briggs stated that the Police believed that the conditions suggested were proportionate with that of the last entry time being considered to be the most important. She noted that Mr. Kheng had suggested that there was no evidence to say that it directly affected antisocial behaviour and crime & disorder but she submitted that there was evidence to support the claim that incidents had occurred and these were directly related to the premises and later opening times.

The Police maintained that customers would have made a choice by 01:30 hours as to where they would wish to end their evening with no reason to be milling around the town centre, going from premise to premise. The only reason they would do this is to get one last drink which may affect them and their behaviour and which could result in the Police having to deal with an incident.

Ms Briggs stated that in relation to the Guest List/VIP List she could add little to what had already been said previously except to confirm the Police's concerns as to whether it could be managed appropriately.

In relation to the number of door staff being requested, this was because of the increased number of patrons arising from the later opening hours and the more alcohol being consumed.

Ms Briggs referred to the number of incidents which had occurred on a Sunday and the existing condition that 2 door staff be employed adding that the incidents may be so few because of the door staff being present. She stated that the Police would say that if a premise is trying to increase the number of patrons and operating hours it was only sensible to increase the number of door staff.

In relation to body cameras, Ms Briggs referred to the Council's Statement of Licensing Policy, Section 7.7 which stated that there should be a reflection with local crime prevention strategies. She noted that the Police wore body cameras and that the Atrium used these too with good results. The Police maintained that this was proportionate and did not place a burden on the premises as it would assist them with their better management of the premises and protection for their door staff.

In relation to the issue of staff training Ms Briggs again referred to the Council's Statement of Licensing Policy which said there was an expectation of seeing effective and responsible management of licensed premises, such as the training of staff. Mr. Chambers had confirmed that he already trained his staff so the Police were simply requesting that this be formalised and a record be made just to ensure that all staff dealing with patrons later in the evening could deal with them appropriately. Although Mr. Chambers had offered to accept this on a voluntary basis, the Police had concerns. There had been a breach of the Premises Licence conditions and Mr. Chambers had not been prosecuted as the Police had taken a stance of trying to work with the management to secure improvements and a warning had been issued instead. Subsequently, the Police indicated that Mr. Chambers' approach had become more difficult and he had demonstrated an unwillingness to work with the Police. An Action Plan had been put in place with Mr. Chambers reluctantly agreeing to that. This Plan had resulted from incidents that had occurred during TENS.

Ms Briggs again referred to the Council's Statement of Licensing Policy, Section 7.9, which referred to effective management being proactive in minimising crime and disorder. The Police accepted their responsibilities and assisted when they could, however, they submitted that appropriately trained staff should be employed at the premises together with CCTV, including body cameras, as a way of promoting the licensing objectives.

Ms Briggs finalised her comments to state that the conditions were there to promote the 4 licensing objectives and were considered to be reasonable given the amount of alcohol related antisocial behaviour and crime & disorder incidents that had occurred which were directly related to the extension of hours that had previously been granted.

Applicant's Representative

Mr. Kheng advised that his client was willing to accept the imposition of Condition 13 if the Panel determined to grant the Variation. He stated that the current Premises Licence permitted the premises to operate past 03:00 hour on 20 occasions. During the past 14 months it had also benefitted from 20 TENs with 17 of those being utilised in 2015.

In relation to the number of door staff, Mr. Kheng noted that the Police had accepted that 3 door staff were to be employed after 01:30 hours and queried where the evidence was to support that this was no longer acceptable and again referred to the location and timing of some of the incidents submitted in the Police's evidence. He stated that his client was not seeking to remove the condition in relation to the number of door staff to be employed.

In relation to body worn cameras, Mr. Kheng reaffirmed that his client would be willing to accept this on a voluntary basis as other premises had but that he did not believe it should be a condition on the licence. He noted that the Police were only seeking to have 1 of the door staff wearing the camera, querying how much that would actually capture.

Mr. Kheng stated that his client was seeking to extend the hour of the last entry to the premises. He commented that there was no evidence to substantiate the Police's claims, referring the Panel to the aforementioned Jimann Ltd. –v- Bedford Borough Council case heard at the Luton Magistrates Court.

Mr. Kheng noted that the Police were willing to accept the extension of hours on a Sunday to Thursday as there was no evidence not to support this. He suggested that their concern was in relation to Police resources, adding that this was not a licensing objective. He stated that the Police's concerns were not evidence based and referred the Panel to read licensing guidance when coming to their decision.

In finalising his comments, Mr. Kheng stated that his client would accept the condition in relation to training. He reminded the Panel that this Hearing was for a Variation of the Premises Licence and not a Review and asked them to consider the application as applied for, subject to amendment.

The Panel then retired to consider its decision.

Decision

The Panel reconvened the hearing and the Panel's Legal Advisor, Mrs Karen White, advised those present that the Panel had reached a decision.

The Panel had considered the application to vary the Premises Licence and had listened carefully to all parties submissions, the operating schedule submitted by the Applicant, the representations that the Police had made and all evidence submitted. It was acknowledged that the hours on the current Premises Licence were confusing and there was benefit in these being streamlined. However, the Panel were persuaded by the Police evidence that there had been an increase in the number of incidents of crime and disorder since the increase in hours had been granted.

1. Hours of Operation Granted (modified from the application):

Regulated Entertainment

Standard: Monday to Sunday 08:00 to 03:00 the following day

Non-Standard: New Years' Day – all day

Additional hour to standard and non-standard times when BST commences

Late Night Refreshment

Standard: Monday to Sunday 08:00 to 03:30 the following day

Non-Standard: New Years' Day – all day (in effect 23:00 to 05:00)

Additional hour to standard and non-standard times when BST commences

Supply of Alcohol (both on and off sales)

Standard: Monday to Sunday 08:00 to 03:00 the following day

Non-Standard: New Years' Day – all day

Additional hour to standard and non-standard times when BST commences

Friday preceding a Bank holiday – 09:00 to 03:30 the following day

Saturday preceding a Bank holiday – 09:00 to 03:30 the following day

Christmas Eve, Christmas day, the day preceding Christmas Eve, Boxing Day, and the day preceding New Years' Eve – 09:00 - 03:30 the following day (Friday to Saturday only)

Hours Premises are Open to the Public

Monday to Sunday 08:00 to 03:30 the following day

2. Removal of current conditions in Annex 2 of the current licence to be replaced with the following:

1. A CCTV System with recording equipment shall be installed and maintained at the premises. Cameras shall encompass all ingress and egress to the premises and all areas where the sale/supply of alcohol takes place. Equipment shall be maintained in good working order and:

- Be of evidential quality and produce colour images in all lighting conditions particularly facial recognition;
- Indicate the time and date of recordings;
- Sufficient staff shall be trained to use the system;
- Recordings shall be kept in date order, numbered sequentially and kept for a period of 31 days and handed to the Police or any other authorised person upon request pursuant to the Data Protection Act 1998; and
- Copies of the recordings shall be provided in a format which can be viewed on readily available equipment without the need for specialist software.

2. Additional CCTV cameras are to be placed in the outside area to cover the access and egress of the premise, the smoking area and the archway.
3. A minimum of two SIA registered doorstaff shall be employed at the premises, Friday, Saturday and Sunday from 23:00 hours, unless otherwise agreed with the Police following a risk assessment. In addition, on any occasions when the premises operate until 03:30 hours, a minimum of 3 door supervisors shall be employed at the premises from 01:30 hours.
4. There shall be no admission or re-admission to the Premises after 01:30 hours until close save for:
 - access and egress to any external smoking area that is designated for such purpose (these customers shall be identified by way of a stamp or other method); and
 - persons who are on a guest list or hold a VIP ticket pass (such list being issued at least 24 hours prior)

The exemption above relating to entry after 01:30 hrs for persons on a guest list or holding a VIP ticket pass shall not be implemented until a policy setting out how this is to be operated and managed by the licensee has been submitted to and approved by the Licensing Authority.

5. When door supervisors are used at the premises a bound and sequentially paginated book or electronic record containing the names, addresses and date of birth, SIA registration number and hours worked of all door supervisors shall be made daily, kept for at least 12 months and made available for inspection and copying by the Police, SIA or any other authorised person immediately upon request.
6. A bound and sequentially paginated book or electronic record of incidents/accidents shall be kept, recording all incidences of disorder, damage and personal injury at the premises. Such records to be dated and made available for inspection and copying by the Police or any other authorised person upon request and all such records shall be retained at the Premises for at least 12 months.
7. The Licence Holder shall take all reasonable steps to ensure that patrons awaiting entry to the Premises or leaving the Premises do not cause annoyance or nuisance to any other person in the vicinity of the Premises.
8. Sound insulation or control equipment which is installed to prevent noise nuisance to the occupiers of neighbouring premises shall be maintained in satisfactory working order.
9. There shall be no adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the Premises that may give rise to concern in respect of children. (For the purposes of this licence condition 'Adult Entertainment' will be defined using the definition for 'Relevant Entertainment' found in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended by section 27 of the Policing and Crime Act 2009)) – that is to say: *“any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of an audience (whether by verbal or other means)”*.
10. There shall be in place the following:
 - Drugs Policy;
 - Door Supervisor Policy;
 - Search Policy;
 - Dispersal Policy

These policies shall be made available for inspection by the Police or any person authorised by the licensing authority.

11. When regulated entertainment is taking place between 2300 hours and close any external windows in areas where live or recorded music is taking place shall be kept closed until when the regulated entertainment is no longer taking place and any door(s) leading from the areas where the regulated entertainment is taking place to the outside shall be closed for the same period save for entry and exit to the Premises (NB. this may not in all cases be the last door out of the Premises and may be one within a lobby or corridor).
12. Challenge 21 shall be implemented at the Premises and a proof of age policy shall be applied with the accepted means of proof of age being:
 - Passport
 - Photo driving licence
 - A recognised valid photo-id card bearing the PASS hologram.
13. All members of staff shall be fully trained in the retail sale of alcohol. The training shall be ongoing and each member of staff shall be reviewed every six months. All details of the level of training shall be recorded in a bound and sequentially paginated book or electronic record. This information shall be made available for inspection and copying by the police or any other authorised person on request and all such books and records shall be retained at the Premises for at least 12 months.

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 1 October and 31 December 2015 and to provide Members with details of current going enforcement issues.

2.0 Background

2.1 This report covers the period from 1 October and 31 December 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 1 October to 31-December 2015

Application Type	Number Received	Number Issued	Number Refused	Comments
Personal Licence	20	20		
Vary the Designated Premise Supervisor	21	21		
Transfer of Premise Licence	9	9		
Minor Variation	2	2		
Variation to Premise Licence	3	3		
New Premise licence	2	2		
Change of Premise Name	3	3		
Notification of Interest	0	0		
Temporary Event Notices	78	77	1	

2.2 Enforcement Activity

Ongoing Enforcement Activity 1-October to 31 December 2015

Location	Summary Of Complaint/Reason For Visit	Date Case Opened	Action Taken So Far
Newark Working Men's Club	Issues regarding children including underage drinking and being allowed to play bingo.	1.10.2015	Advice given to club steward regarding underage drinking. LEO requested a refusals log which has been implemented. LEO took advice from the GC regarding children playing bingo, which has been given to the club steward.
Chesters, Elston	Noise complaint	25.10.2015	Advice given to DPS regarding noise.
Black Swan, Edwinstowe	Noise complaint	27.10.2015	Advice given to the DPS regarding noise.

Hearty Goodfellow, Southwell	Noise complaint	2.11.2015	Advice given to the DPS regarding noise. Complainant and DPS informed that noise would be monitored at future events.
One Stop, Collingham	Premise licence check	30.11.2015	All in order.
Cardinals Hat, Newark	Information from social media that premise are hosting a gentleman's afternoon including strippers.	16.11.2015	TEN application form received for the event. LEO's visited the DPS and explained that the event was in contrary to condition 2 on the premise licence. EH objected to TEN and it went to sub-committee where it was refused on the basis that the applicant had insufficient control and management of the premise.
Bengal Spice, Ollerton	Food team have issues with the premise and have highlighted licensing problems.	16.11.2015	LEO visited premise and went over licensing conditions with the DPS. No problems were identified.
Newark Food & Drink, 62 Carter Gate, Newark	Premise licence check	23.11.2015	A number of issues were identified by the LEO. A re-visit was necessary. All issues resolved.
Beacon Hill Stores, Newark	Premise licence check	23.11.2015	All in order.
Cheapest Cigs in Town	Premise licence check	23.11.2015	All in order.
Hawtonville Post Office, Newark	Premise licence check	23.11.2015	All in order
Coddington Post Office, Coddington	Premise licence check	23.11.2015	All in order
One Stop Store, Sleaford Road, Newark	Premise licence check	23.11.2015	All in order
Nisa Local, 156-158 Hawton Road, Newark	Premise licence check	23.11.2015	All in order
10A Grange Road, Newark, NG24 4LE	Premise licence check	23.11.2015	All in order

Beacon Heights Store, 22 Blatherwick Road, Newark, NG24 2JY	Premise licence check	23.11.2015	Two visits to premise required. First visit no refusal log or authorisation to sell, this was rectified and all in order at second visit.
New Baltica, 14B Barnby Gate, Newark	Premise licence check	15.11.2015	All in order
20-22 Barnby Gate, Newark	Premise licence check	16.11.2015	Two visits required. Summary not displayed, no authority to sell, no refusals log. This was rectified and all in order at the second visit.
Co-op, Collingham	Premise licence check	16.11.2015	All in order
Co-op, Albert Street, Newark	Premise licence check	16.11.2015	All in order
B & M Retail, Victoria Street, Newark	Premise licence check	16.11.2015	All in order
One Stop, Fernwood	Premise licence check	25.11.2015	All in order
Premier Stores, 1 Cromwell Road, Newark	Premise licence check	25.11.2015	All in order
Balderton Post Office, Balderton	Premise licence check	25.11.2015	All in order
Tesco, 56-58 Main Street, Balderton	Premise licence check	25.11.2015	All in order
Sainsburys, London Road, Balderton	Premise licence check	25.11.2015	All in order
N K Ruban Stores, 48a Hawton Lane, Balderton	Premise licence check	25.11.2015	All in order
Esso, London Road, Balderton	Premise licence check	25.11.2015	All in order

Pound Pub, Newark	Noise complaint	7.12.2015	LEO visited to the premise and inspected the rear garden. DPS was spoken to and a subsequent visit indicated that not all of the problems can be attributed to the premise. Complainant was spoken to and has not had any recent problems (14.11.2016)
Miss Molly's, Lowdham	Noise complaint	8.12.2015	Complainant made the complaint via a webform. LEO tried to call and visited the complainant but to no avail. LEO spoke to owner of the café, who confirmed that they had applied for TEN for the event. LEO viewed video footage of the event and cannot see a reason for the complaint.
Southwell Rugby Club, Southwell	Noise complaint	9.12.2015	LEO spoke to the complainant and advised to keep a diary of incidents and to report it, with a view of having recording equipment at the complainants. LEO also spoke to contact at the club and advised that they had a conditions regarding noise levels. He agreed to speak to the committee and arrange for future events to reduce noise levels.
The Friendly Farmer, Winthorpe	Premise licence check	21.12.2015	All in order
Co-op, Lincoln Road, Newark	Premise licence check	21.12.2015	All in order
Middleton Road Stores Ltd, Newark	Premise licence check	21.12.2015	Staff unable to find the refusals book or authority to sell. LEO made a return visit and these were in place.
Yorke Foodstore, Newark	Premise licence check	16.12.2015	All in order
Londis, Eton Avenue, Newark	Premise licence check	21.12.2015	All in order
Co-op, Barnby Gate, Newark	Premise licence check	14.12.2015	All in order

Co-op, Bowbridge Road, Newark	Premise licence check	16.12.2015	All in order
65 Beech Avenue, Newark	Premise licence check	21.12.2015	All in order
One Stop, Bowbridge Road, Newark	Premise licence check	16.12.2015	All in order
Clay Tavern, Newark	Noise Complaint		LEO visited premise and spoke to the DPS. Full licence check carried out and discussed complaint and licensing conditions.
Inn on the Green, Coddington	Noise complaint	24.12.2015	LEO spoke to DPS who had monitored the event for noise and did not think it was a problem. Complainant confirmed to LEO that the music was not excessive but wanted us to be aware of it following the review of the premise licence on 21.8.2014.

3.0 **RECOMMENDATION**

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

Background Papers

Nil

For further information please contact Nicola Kellas on Extension 5894.

Karen White
Director – Safety

TEMPORARY EVENT NOTICES RECEIVED AND ACKNOWLEDGED BETWEEN 1 OCTOBER AND 31 DECEMBER 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 1 October and 31 December 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 a 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 the number of Temporary Event Notices by ward that have been received and acknowledged between 1 October and 31 December 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 October 1, 2015 and December 31, 2015 inclusive listed by wards. For further details please see Licensing Section.

Ward	Number of TEN's	TEN No's
Balderton North	4	15/01094/TEN, 15/01087/TEN, 15/01029/TEN, 15/00964/TENLAT
Balderton South	1	15/01323/TEN
Clipstone	1	15/01292/TEN
Collingham & Meering	4	15/01213/TENLAT, 15/01188/TEN, 15/01136/TEN, 15/00966/TEN
Devon	1	15/01199/TEN
Dover Beck	3	15/01325/TEN, 15/01014/TENLAT, 15/00974/TENLAT
Edwinstowe	3	15/01331/TENLAT, 15/01189/TEN, 15/01155/TEN
Farndon	6	15/01186/TEN, 15/01184/TEN, 14/01169/TEN, 15/01130/TEN, 15/01030/TEN, 15/01018/TEN
Lowdham	4	15/01207/TEN, 15/01206/TENLAT, 15/01175/TEN, 15/01145/TEN
Muskham	2	15/01203/TEN, 15/01101/TEN
Newark – Beacon	2	15/01297/TEN, 15/01200/TEN
Newark - Bridge	1	15/01152/TEN
Newark - Castle	12	15/01337/TEN, 15/01336/TENLAT, 15/01205/TEN, 15/01190/TEN, 15/01083/TEN, 15/01070/TEN, 15/01069/TEN, 15/01068/TEN, 15/01065/TEN, 15/01063/TEN, 15/01004/TEN, 15/1066/TEN
Ollerton	6	15/0125/TENLAT, 15/01212/TEN, 15/01164/TEN, 15/01163/TEN, 15/01147/TEN, 15/01146/TEN
Rainworth	3	15/01211/TEN, 15/01210/TEN, 15/1208/TENLAT
Southwell North	11	15/01298/TENLAT, 15/01216/TENLAT, 15/01217/TEN, 15/01202/TEN, 15/01187/TEN, 15/01154/TEN, 15/01153/TEN, 15/01042/TEN, 15/01025/TEN, 15/01020/TEN, 15/01011/TEN,
Sutton on Trent	5	15/01144/TEN, 15/01121/TEN, 15/01078/TEN, 15/01077/TEN, 15/01413/TEN
Trent	5	15/01334/TEN, 15/01301/TENLAT, 15/01293/TENLAT, 15/01214/TEN, 15/01204/TEN
Winthorpe	4	15/01005/TEN, 15/01003/TEN, 15/00975/TENLAT, 15/00957/TEN

TEMPORARY EVENT NOTICES ACKNOWLEDGED BETWEEN OCTOBER 1, 2015 AND OCTOBER 31, 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 15/01094/TEN	27.10.2015	CODDINGTON C OF E PRIMARY SCHOOL BROWNLOWS HILL CODDINGTON NG24 2QA	CHRISTMAS CRAFT FAIR	27.11.2015	18:00 TO 21:00	A
BALDERTON NORTH 15/01087/TEN	26.10.2015	THE NEWARK ACADEMY LONDON ROAD BALDERTON NOTTINGHAMSHIRE NG24 3AL	SWIMMING CLUB PRESENTATION	20.11.2015	18:30 TO 23:00	A
BALDERTON NORTH 15/01029/TEN	19.10.2015	CHUTER EDE PRIMARY SCHOOL WOLFIT AVENUE BALDERTON NEWARK ON TRENT NOTTINGHAMSHIRE NG24 3PQ	CHRISTMAS FAIR	4.12.2015	18:00 TO 22:00	A
BALDERTON NORTH 15/00964/TENLAT	2.10.2015	THE NEWARK ACADEMY LONDON ROAD BALDERTON NOTTINGHAMSHIRE NG24 3AL	SWIMMING CLUB ANNIVERSARY	10.10.2015	19:00 TO 01:00	A
BALDERTON SOUTH 15/01323/TEN	9.12.2015	CHESTERS PUBLIC HOUSE 72 MAIN STREET BALDERTON NG24 3LL	NEWS YEARS EVE	31.12.2015	23:30 TO 02:00	A
CLIPSTONE 15/01292/TENLAT	3.12.2015	137 MANSFIELD ROAD CLIPSTONE NOTTINGHAMSHIRE NG21 9AA	SALES OF ALCOHOL UNTIL PREMISE LICENCE IS GRANTED	3.12.2015	07:00 TO 23:00	A

COLLINGHAM & MEERING 15/01213/TENLAT	20.11.2015	COLLINGHAM FOOTBALL CLUB FOOTBALL GROUND STATION ROAD COLLINGHAM	BIRTHDAY PARTY (EXTENSION OF PERMITTED HOURS)	28.11.2015	23:00 TO 00:00	A & E
COLLINGHAM & MEERING 15/01188/TEN	12.11.2015	CORONATION HALL MOOR LANE SOUTH CLIFTON NEWARK ON TRENT NOTTINGHAMSHIRE NG23 7BG	VILLAGE VENTURERS CHRISTMAS CRACKER	19.12.2015	17:00 TO 23:00	A & E
COLLINGHAM & MEERING 15/01136/TEN	4.11.2015	CORONATION HALL MOOR LANE SOUTH CLIFTON NEWARK ON TRENT NOTTINGHAMSHIRE NG23 7BG	GOLF PRESENTATION	21.12.2015	18:00 TO 23:00	A
COLLINGHAM & MEERING 15/00966/TEN	2.10.2015	CORONATION HALL MOOR LANE SOUTH CLIFTON NEWARK ON TRENT NOTTINGHAMSHIRE NG23 7BG	DANCE NIGHT	2.10.2015	18:00 TO 23:00	A
DEVON 15/01199/TEN	20.11.2015	THE CARDINALS HAT PUBLIC HOUSE JERSEY STREET NEWARK ON TRENT NOTTINGHAMSHIRE NG24 4NE	GENTLEMAN'S EVENT	6.12.2015	13:00 TO 17:00	A & E THIS EVENT WAS REFUSED AT SUB-COMMITTEE
DOVER BECK 15/01325/TEN	9.12.2015	THURGARTON VILLAGE HALL BLEASBY ROAD THURGARTON NOTTINGHAMSHIRE	NEW YEARS EVE PARTY	31.12.2015	20:00 TO 00:30	E
DOVER BECK 15/01014/TENLAT	14.10.2015	GUNTHORPE PRIMARY SCHOOL DAVIDS LANE GUNTHORPE NOTTINGHAMSHIRE NG14 7EW	SCHOOL DISCO	23.10.2015	17:30 TO 20:30	A

DOVER BECK 15/00974/TENLAT	5.10.2015	THURGARTON VILLAGE HALL BLEASBY ROAD THURGARTON NOTTINGHAMSHIRE NG14 7FW	RACE NIGHT	17.10.2015	18:30 TO 23:00	A
EDWINSTOWE 15/01331/TENLAT	10.12.2015	137 MANSFIELD ROAD CLIPSTONE NOTTINGHAMSHIRE NG21 9AA	SALE OF ALCOHOL UNTIL PREMISE LICENC IS GRANTED	22.12.2015 TO 27.12.2015	07:00 TO 23:00	A
EDWINSTOWE 15/01189/TEN	13.11.2015	HAMMER AND WEDGE CLUB EAST LANE EDWINSTOWE NOTTINGHAMSHIRE NG21 9QN	BOXING ON BIG SCREEN	29.10.2015	00:30 TO 02:00	A,E &R
EDWINSTOWE 15/01155/TEN	6.11.2015	UNIT 7 CHURCH FARM BUSINESS CENTRE MANSFIELD ROAD EDWINSTOWE NOTTINGHAMSHIRE NG21 9NJ	CHRISTMAS LIGHTS SWITCH ON	26.11.2015	16:30 TO 19:00	A & R
FARNDON 15/01186/TEN	12.11.2015	ST PETERS CHURCH OF ENGLAND PRIMARY SANDHILL ROAD FARNDON NEWARK ON TRENT NOTTINGHAMSHIRE NG24 4TE	CHRISTMAS DISCO	17.12.2015	18:00 TO 20:30	A
FARNDON 15/01184/TEN	12.11.2015	ST PETERS CHURCH OF ENGLAND PRIMARY SANDHILL ROAD FARNDON NEWARK ON TRENT NOTTINGHAMSHIRE NG24 4TE	CHRISTMAS FAYRE	27.11.2015	15:30 TO 18:30	A
FARNDON 15/01169/TEN	10.11.2015	PARISH CHURCH OF ALL SAINTS COTHAM LANE HAWTON NOTTINGHAMSHIRE	CHRISTMAS FAYRE	28.11.2015	14:00 TO 17:00	A

FARNDON 15/01130/TEN	3.11.2015	EDEN HALL LODGE LANE ELSTON NOTTINGHAMSHIRE NG23 5PG	MEMBERS EVENT	5.12.2015	18:00 TO 03:00	A & E
FARNDON 15/01030/TEN	20.11.2015	CHUTER EDE PRIMARY SCHOOL FERNWOOD ANNEXE HUNTERS ROAD FERNWOOD NEWARK ON TRENT NOTTINGHAMSHIRE	CHRISTMAS SHOPPING EXTRAVANZA	20.11.2015	18:00 TO 22:00	A
FARNDON 15/01018/TEN	15.10.2015	HOME VIEW ELSTON LANE ELSTON NEWARK ON TRENT	FIREWORK PARTY	7.11.2015	18:00 TO 21:00	A
LOWDHAM 15/01207/TEN	20.11.2015	MISS MOLLYS CAFE AND BISTRO 25 MAIN STREET LOWDHAM NOTTINGHAMSHIRE NG14 7AB	LOWDHAM LIGHTS SWITCH ON	18.11.2015	12:00 TO 23:00	A & E
LOWDHAM 15/01206/TENLAT	20.11.2015	MISS MOLLYS CAFE AND BISTRO 25 MAIN STREET LOWDHAM NOTTINGHAMSHIRE NG14 7AB	VEGAS THEMED NIGHT	28.11.2015	12:00 TO 23:00	A & E
LOWDHAM 15/01175/TEN	11.11.2015	THE CHURCH OF ST MARYS CHURCH LANE LOWDHAM NOTTINGHAMSHIRE	CHRISTMAS CONCERT	9.12.2015	19:30 TO 22:30	A & E
LOWDHAM 15/01145/TENLAT	5.11.2015	MISS MOLLYS CAFE AND BISTRO 25 MAIN STREET LOWDHAM NOTTINGHAMSHIRE NG14 7AB	LADIES EVENING	13.11.2015	18:00 TO 23:00	A & E
MUSKHAM 15/01203/TEN	20.11.2015	FLORAL MEDIA NORWELL ROAD CAUNTON NEWARK ON TRENT	WEDDING	5.12.2015	15:30 TO 23:50	A & E

MUSKHAM 15/01101/TEN	29.10.2015	NORWELL VILLAGE HALL CARLTON LANE NORWELL NEWARK ON TRENT NOTTINGHAMSHIRE	NORWELL PARISH HERITAGE GROUP CHRISTMAS PARTY	9.12.2015	19:00 TO 22:00	A & E
NEWARK- BEACON 15/01297/TEN	7.12.2015	MASONIC HALL 2 THE AVENUE NEWARK ON TRENT NOTTINGHAMSHIRE	EXTENSION OF LICENSED HOURS	31.12.2015	23:00 TO 00:30	A & E
NEWARK – BEACON 15/01200/TEN	20.11.2015	HIGHFIELDS SCHOOL LONDON ROAD BALDERTON NEWARK ON TRENT NOTTINGHAMSHIRE	CHRISTMAS FAYRE	4.12.2015	15:30 TO 17:45	A
NEWARK – BRIDGE 15/01152/TEN	6.11.2015	SMC VEHICLE SALES NORTHERN ROAD NEWARK ON TRENT NOTTINGHAMSHIRE NG24 2ET	PROMOTIONAL EVENT	28.11.2015	18:00 TO 00:00	A, E & R
NEWARK –CASTLE 15/01337/TEN	14.12.2015	POUND PUB 7 CASTLE GATE NEWARK ON TRENT NOTTINGHAMSHIRE NG24 1AZ	NEW YEAR DISCO	31.12.2015	09:00 TO 04:00	R
NEWARK –CASTLE 15/01336/TENLAT	14.12.2015	POUND PUB 7 CASTLE GATE NEWARK ON TRENT NOTTINGHAMSHIRE NG24 1AZ	CHRISTMAS DISCO	24.12.2015	09:00 to 02:00	R
NEWARK –CASTLE 15/01205/TEN	14.12.2015	WAITROSE LTD OSSINGTON WAY NEWARK ON TRENT NOTTINGHAMSHIRE NG24 1FF	EXTENSION OF CHRISTMAS OPENING	23.12.2014	07:00 TO 08:00	A
NEWARK –CASTLE 15/01190/TEN	12.11.2015	ANDY OLIVER PHOTOGRAPHY THE WHARF NEWARK ON TRENT	CAROL EVENING	16.12.2015	12:00 TO 23:00	A

		NOTTINGHAMSHIRE NG24 1EU				
NEWARK –CASTLE 15/01083/TEN	26.10.2015	NEWARK ROWING CLUB FARNDON ROAD NEWARK ON TRENT NOTTINGHAMSHIRE	PRIVATE PARTY	1.1.2016	12:05 TO 23:55	A & E
NEWARK –CASTLE 15/01070/TEN	21.10.2015	WHITE HART WINE BAR WHITE HART YARD NEWARK ON TRENT NOTTINGHAMSHIRE NG24 1EG	EXTENSION OF CHRISTMAS HOURS	4.12.2015 5.12.2015 6.12.2015 7.12.2015	01:30 TO 03:30	A, E & R AMENDED FOLLOWING HEARING
NEWARK –CASTLE 15/01069/TEN	22.10.2015	WHITE HART WINE BAR WHITE HART YARD NEWARK ON TRENT NOTTINGHAMSHIRE NG24 1EG	EXTENSION OF CHRISTMAS HOURS	27.12.2015 28.12.2015	01:30 TO 03:30	A, E & R AMENDED FOLLOWING HEARING
NEWARK –CASTLE 15/01068/TEN	22.10.2015	WHITE HART WINE BAR WHITE HART YARD NEWARK ON TRENT NOTTINGHAMSHIRE NG24 1EG	EXTENSION OF CHRISTMAS HOURS	23.12.2015 24.12.2015	01:30 TO 03:30	A, E & R AMENDED FOLLOWING HEARING
NEWARK –CASTLE 15/01065/TEN	22.10.2015	WHITE HART WINE BAR WHITE HART YARD NEWARK ON TRENT NOTTINGHAMSHIRE NG24 1EG	EXTENSION OF CHRISTMAS HOURS	18.12.2015 19.12.2015 20.12.2015 21.12.2015	01:30 TO 03:30	A, E & R AMENDED FOLLOWING HEARING
NEWARK –CASTLE 15/01063/TEN	22.10.2015	WHITE HART WINE BAR WHITE HART YARD NEWARK ON TRENT NOTTINGHAMSHIRE NG24 1EG	EXTENSION OF CHRISTMAS HOURS	26.11.2015 27.11.2015 28.11.2015 29.11.2015	01:30 TO 03:30	A, E & R AMENDED FOLLOWING HEARING
NEWARK – CASTLE 15/01066/TEN	21.10.2015	WHITE HART WINE BAR WHITE HART YARD NEWARK ON TRENT NOTTINGHAMSHIRE NG24 1EG	EXTENSION OF CHRISTMAS HOURS	11.12.2015 12.12.2015 13.12.2015 14.12.2015	01:30 to 03:30	A, E & R AMENDED FOLLOWING HEARING

NEWARK –CASTLE 15/01004/TEN	12.10.2015	THE BEAN AND VINE 5 MARKET PLACE NEWARK ON TRENT NOTTINGHAMSHIRE NG24 1DU	GUY FAWKES NIGHT	4.11.2015 5.11.2015	08:00 to 22:30	A & E
OLLERTON 15/01253/TENLAT	27.11.2015	LIFESPRING CENTRE GLOBAL COMMUNITY CONNECT SHERWOOD DRIVE OLLERTON NOTTINGHAM	CHRISTMAS PARTY	11.12.2015	18:00 TO 24:00	A & E
OLLERTON 15/01212/TEN	20.11.2015	THE PLOUGH PUBLIC HOUSE FOREST ROAD OLLERTON NOTTINGHAMSHIRE	CHRISTMAS EVENTS	4.12.2015	21:00 TO 22:30	A & E
OLLERTON 15/01664/TEN	9.11.2015	LIFESPRING CENTRE SHERWOOD DRIVE OLLERTON NOTTINGHAMSHIRE NG22 9PP	BIRTHDAY PARTY	17.12.2015	16:00 TO 00:30	A & E
OLLERTON 15/01163/TEN	9.11.2015	LIFESPRING CENTRE SHERWOOD DRIVE OLLERTON NOTTINGHAMSHIRE NG22 9PP	CHRISTMAS PARTY	5.12.2015	16:00 TO 00:30	A & E
OLLERTON 15/01147/TEN	5.11.2015	ST JOSEPHS CATHOLIC CLUB SHERWOOD DRIVE OLLERTON NOTTINGHAMSHIRE NG22 9PP	BOXING NIGHT CELEBRATION	26.12.2015	19:00 TO 01:00	A & E
OLLERTON 15/01146/TEN	5.11.2015	ST JOSEPHS CATHOLIC CLUB SHERWOOD DRIVE OLLERTON NOTTINGHAMSHIRE	CHRISTMAS CELEBRATIONS	24.12.2015	19:00 TO 00:00	A & E
RAINWORTH 15/01211/TEN	20.11.2015	RUFFORD MILL TEA ROOM RUFFORD ABBEY OLD RUFFORD ROAD RUFFORD	CHRISTMAS FAYRE	19.12.2015 20.12.2015	10:00 TO 18:00	A

		NOTTINGHAMSHIRE NG22 9DF				
RAINWORTH 15/01210/TEN	20.11.2015	RUFFORD MILL TEA SHOP RUFFORD ABBEY OLD RUFFORD ROAD RUFFORD NOTTINGHAMSHIRE	CHRISTMAS FAYRE	12.12.2015 13.12.2015	10:00 TO 18:00	A
RAINWORTH 15/1208/TENLAT	20.11.2015	RUFFORD MILL TEA ROOM RUFFORD ABBEY OLD RUFFORD ROAD RUFFORD NOTTINGHAMSHIRE	CHRISTMAS FAYRE	28.11.2015	10:00 TO 18:00	A
SOUTHWELL NORTH 15/01298/TENLAT	4.12.2015	THE EDINGLEY OLD SCHOOLROOM MAIN STREET EDINGLEY NOTTINGHAMSHIRE NG22 8BE	CHRISTMAS FAYRE	13.12.2015	12:00 TO 16:00	A
SOUTHWELL NORTH 15/01216/TEN	23.11.2015	ARCHWAY HOUSE KIRKLINGTON ROAD KIRKLINGTON NEWARK ON TRENT NOTTINGHAMSHIRE	COFFEE MORNING	3.12.2015	10:00 TO 13:00	A
SOUTHWELL NORTH 15/01217/TEN	23.11.2015	MINSTER SCHOOL NOTTINGHAM ROAD SOUTHWELL NOTTINGHAMSHIRE NG25 0LG	LANTERN WALK	12.12.2015	17:00 TO 21:00	A
SOUTHWELL NORTH 15/01202/TEN	20.11.2015	MINSTER SCHOOL NOTTINGHAM ROAD SOUTHWELL NOTTINGHAMSHIRE NG25 0LG	RACE NIGHT FUNDRAISER	4.12.2015	19:00 TO 22:00	A
SOUTHWELL NORTH 15/01187/TEN	12.11.2015	FINE WINE 17 QUEEN STREET SOUTHWELL NOTTINGHAMSHIRE NG25 0AA	SOUTHWELL LATE SHOPPING	3.12.2015	10:00 TO 22:00	A

SOUTHWELL NORTH 15/01154/TEN	6.11.2015	LOWES WONG JUNIOR AND INFANT SCHOOL QUEEN STREET SOUTHWELL NOTTINGHAMSHIRE NG25 0AA	CHRISTMAS FAYRE	4.12.2015	18:00 TO 20:00	A
SOUTHWELL NORTH 15/01153/TEN	6.11.2015	HILL FARM STATION ROAD EDINGLEY NOTTINGHAMSHIRE NG22 8BX	BIRTHDAY PARTY	14.11.2015	17:00 TO 01:00	A & E
SOUTHWELL NORTH 15/01042/TEN	20.10.2015	ALFRESCO CAFFE 10 QUEEN STREET SOUTHWELL NOTTINGHAMSHIRE NG25 0AA	SOUTHWELL LATE SHOPPING	3.12.2015	12:00 TO 21:00	A
SOUTHWELL NORTH 15/01025/TEN	16.10.2015	MINSTER SCHOOL NOTTINGHAM ROAD SOUTHWELL NOTTINGHAMSHIRE NG25 0LG	ROTARY CLUB QUIZ	5.12.2015	19:00 TO 22:45	A
SOUTHWELL NORTH 15/01020/TEN	15.10.2015	BRACKENHURST BAR THE NOTTINGHAM TRENT UNIVERSITY BRACKENHURST LANE SOUTHWELL NOTTINGHAMSHIRE NG25 0QF	BALL	1.11.2015	02:00 TO 06:30	A, E & R
SOUTHWELL NORTH 15/01011/TEN	12.10.2015	MINSTER SCHOOL NOTTINGHAM ROAD SOUTHWELL NOTTINGHAMSHIRE NG25 0LG	CHRISTMAS FUND RAISER	13.11.2015	19:00 TO 22:00	A, E & R
SUTTON ON TRENT 15/01144/TEN	5.11.2015	TURTON MEMORIAL HALL MAIN STREET MAPLEBECK NEWARK ON TRENT NOTTINGHAMSHIRE	NEW YEARS EVE PARTY	31.12.2015	19:00 TO 01:00	E & R

SUTTON ON TRENT 15/01121/TEN	2.11.2015	EGMANTON VILLAGE HALL TUXFORD ROAD EGMANTON NEWARK ON TRENT NOTTINGHAMSHIRE NG22 0HA	WEDDING	14.11.2015	18:00 TO 23:30	A
SUTTON ON TRENT 15/01078/TEN	23.10.2015	WESTON VILLAGE HALL MAIN STREET WESTON NEWARK ON TRENT	QUIZ NIGHT	13.11.2015	18:00 TO 23:00	A
SUTTON ON TRENT 15/01077/TEN	23.10.2015	WESTON VILLAGE HALL MAIN STREET WESTON NEWARK ON TRENT NOTTINGHAMSHIRE	CHRISTMAS PARTY	5.12.2015	18:00 TO 23:00	A
SUTTON ON TRENT 15/01413/TEN	30.12.2015	WESTON VILLAGE HALL MAIN STREET WESTON NEWARK ON TRENT NOTTINGHAMSHIRE	BURNS SUPPER	23.1.2015	19:00 TO 23:00	A & E
TRENT 15/01334/TEN	11.12.2015	ROBIN HOOD THEATRE COMPANY LTD CHURCH LANE AVERHAM NEWARK ON TRENT	NEW YEARS CELEBRATIONS	31.12.2015	19:00 TO 00:30	E
TRENT 15/01301/TENLAT	4.12.2015	THE CLOCK HOUSE CAFE UPTON HALL MAIN STREET UPTON NOTTINGHAMSHIRE	CHRISTMAS LUNCHES	15.12.2015	10:00 TO 18:00	A
TRENT 15/01293/TENLAT	3.12.2015	THE CLOCK HOUSE CAFE UPTON HALL MAIN STREET UPTON NOTTINGHAMSHIRE	CHRISTMAS LUNCHES	11.12.2015 13.12.2015	10:00 TO 18:00	A

TRENT 15/01214/TEN	20.11.2015	THE NATIONAL TRUST THE WORKHOUSE UPTON ROAD SOUTHWELL NOTTINGHAM	CHRISTMAS EXPERIENCE	4.12.2015 5.12.2015	17:00 TO 20:00	A
TRENT 15/01204/TEN	17.11.2015	BLEASBY C OF E SCHOOL STATION ROAD BLEASBY NOTTINGHAMSHIRE NG14 7GD	CHRISTMAS FAYRE	5.12.2015	14:00 TO 18:00	A
WINTHORPE 15/01005/TEN	12.10.2015	STAND B20 SHOWGROUND OFFICES THE SHOWGROUND LINCOLN ROAD WINTHORPE	CHRISTMAS FOOD AND WINE SHOW	24.10.2015 25.10.2015	08:30 TO 18:00	A
WINTHORPE 15/01003/TEN	8.10.2015	STAND F21 SHOWGROUND OFFICES THE SHOWGROUND LINCOLN ROAD WINTHORPE NEWARK ON TRENT	CHRISTMAS FOOD AND WINE SHOW	24.10.2015 25.10.2015	10:00 TO 19:30	A
WINTHORPE 15/00975/TENLAT	5.10.2015	WINTHORPE COMMUNITY CENTRE WOODLANDS WINTHORPE NEWARK ON TRENT NOTTINGHAMSHIRE	FUNDRAISER	18.10.2015	19:00 to 22:00	A
WINTHORPE 15/00957/TEN	1.10.2015	WINTHORPE PRIMARY SCHOOL GAINSBOROUGH ROAD WINTHORPE NEWARK ON TRENT	VILLAGE BONFIRE	7.11.2015	18:00 TO 21:00	A