

ALCOHOL LICENSING AND OFF-LICENCES IN NEWCASTLE UNDER LYME

Submitted by: Democratic Services Manager

Portfolio: Safer and Stronger Communities

Ward(s) affected: Non Specific

Purpose of the Report

To update the Committee regarding a meeting that took place on 7 February 2012 with representatives from Trading Standards.

To inform the Committee of the process for a review of a premises licence.

To request that the Committee consider future ways to consolidate information regarding licensing complaints such as underage sales and the sale of counterfeit alcohol.

Recommendation

That a central point for the collation of information regarding off licence premises be identified.

Reasons

At present complaints may be made to a variety of different bodies regarding off licence sales, this information is vital as it can be used by Trading Standards to identify and take action against problem premises. Very little information is currently being fed into Trading Standards from the Newcastle area.

1. Background

1.1 The Chair and Vice Chair of this Committee met with Fiona Chapman and Brandon Cook from Staffordshire Trading Standards on 7 February 2012 to discuss issues relating to off licensed premises, underage sales and the sale of counterfeit alcohol. Also in attendance was Trevor Smith, the Council's Community Safety Officer (Alcohol Lead).

2. Issues

2.1 There are currently 400 off-licences in the County which have now been visited by Trading Standards of which 73 had alcohol seized. It is still unknown who is supplying these premises but there are thought to be 2 or 3 major suppliers. Eighteen thousand bottles of counterfeit alcohol had been confiscated county wide, some of which have been contaminated, some which are genuine alcohol with counterfeit labels and some of which have been imported without having duty paid. Attached at **Appendix A** is a list of operations that have been carried out by Trading Standards Officers.

2.2 The main area where the Council can look to help Trading Standards in the identification of problem premises is with regards to the provision of information. At the moment information may be fed to Councillors from concerned constituents, to residents associations, to LAPs and to a variety of other sources. In order to help the efficient processing of information to Trading Standards a centralised point for the collation of this information is required and it is suggested that a database of complaints be held by the Licensing Department and regular reports sent to Trading Standards to allow them to identify premises that are persistent

offenders. The production of fact based evidence is vital should Trading Standards prosecute a premise or a responsible authority submit an application for a review of a premise licence, guidance regarding a review clearly states that any speculative evidence will not be accepted. Details regarding submitting an application for a review of a premise licence are attached at **Appendix B**.

2.3 Attached at **Appendix C** is a diagram highlighting the many organisations from which information about problem premises may be received.

3. **Options Considered**

3.1 That a centralised point for the collation of off licence related complaints be identified.

4. **Proposal**

That the Licensing Department help to collate and keep a database of all complaints relating to off licence sales and provide regular reports to Trading Standards.

5. **Reasons for Preferred Solution**

5.1 At the moment a lack of information from the Newcastle Area means that Trading Standards are unable to identify persistent offenders regarding under age sales and the sale of counterfeit alcohol. This information is vital for any prosecutions or reviews of the licence that are submitted.

6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- creating a cleaner, safer and sustainable Borough
- creating a healthy and active community
- transforming our Council to achieve excellence

7. **Legal and Statutory Implications**

None identified at present.

9. **Financial and Resource Implications**

9.1 May result in some additional work for licensing administration staff.

10. **Major Risks**

10.1 There is a risk that should information not be handled in a more comprehensive way that Trading Standards will be unable to take the required action against problem premises.

11. **List of Appendices**

Appendix A – List of Operations

Appendix B – Review of Premise License application

Appendix C - Diagram re problem premises