

Council (Council Tax)

Thursday 16 February 2012

**CONFIRMATION OF COMMITTEE RECOMMENDATIONS AND RELEVANT
ORIGINATING BACKGROUND PAPERS**

ITEM ON SUMMONS	CABINET / COMMITTEE RECOMMENDATION	ORIGINATING REPORT
14.	Recommendation I: Licensing and General Purposes Committee (21 November 2011) AMENDMENT TO HARROW COUNCIL'S LICENSING POLICY TO INCLUDE A STATEMENT IN RELATION TO THE OLYMPICS	Report of the Corporate Director Community and Environment (Pages 1 - 12)

This page is intentionally left blank

**REPORT FOR: LICENSING AND GENERAL
PURPOSES COMMITTEE**

Date of Meeting:	21 st November 2011
Subject:	Amendment to Harrow Council's Licensing Policy to include a statement in relation to the Olympics 2012
Responsible Officer:	Brendon Hills – Corporate Director, Community & Environment
Exempt:	No
Enclosures:	None, but note that responses to the consultation will follow in a supplemental agenda

Section 1 – Summary and Recommendations

This report sets out the proposed Olympic statement to be added to Harrow Council's current Licensing Policy and the reasons for it. The results of the consultation exercise will be provided to the Committee once the consultation period ends by way of a supplemental agenda and will be available for the meeting on 21 November 2011.

Recommendations:

The Committee is requested to:

1. Consider the proposed Olympic statement for addition to the Licensing Policy and the responses received to the consultation exercise.
2. Subject to any comments, refer the amendment to Full Council.

Section 2 – Report

2.1 Background & Current Situation

London will be hosting the Olympic and Paralympic Games during the summer of 2012. Due to the dynamic and busy environment in the capital next summer, the Greater London Authority (GLA) has worked with London public service agencies to understand the impacts and issues arising from the non-sporting, or 'parallel' events planned for summer 2012.

In November 2010 the GLA asked all event organisers to work with their relevant Local Authority to enter information about planned events for 2012 on to the London Events Coordination Calendar (LECC), or into the Culture Diary by the closing date of March 31st 2011. London boroughs were also asked to identify a person within their organisation to take a lead on overseeing the events being added, including borough's own proposed events.

Since the closing date the GLA, in consultation with the Metropolitan Police Service, London Fire Brigade, London Ambulance Service, Transport for London, British Transport Police, Port of London Authority and the National Health Service, has been assessing the information provided on these proposed events.

Through this process of assessment it has become apparent that the volume of activity in London will be much greater than usual and this will mean demand for public services, private security, event equipment, portable sanitation etc. during the Games period is likely to outstrip supply. No single event can be treated in isolation, so it is important that borough event teams, licensing officers and committees maintain an awareness of the impact of events on both their local geographical area as well as across the whole of London.

Games Time Plus

The period of primary focus for resourcing agencies is what is known as Games Time Plus (GTP), which runs from mid July – mid September, 2012¹ and includes the following periods of activity:

Athletes village opens	15 th July
Torch Relay (London leg):	20 th July – 26 th July
Olympic Games:	27 th July – 12 th August
Transition:	13 th – 28 th August
Paralympic Games:	29 th August – 11 th September
Athletes' village closes:	16 th September

¹ This is a slight expansion of the previous GTP which ran from 20th July to 10th September.

2.2 Main Options

1. Add the following statement to Harrow Council's Licensing Policy (otherwise known as the "Statement of Licensing Policy"):

"The council is fully committed to a safe and successful Olympic and Paralympic Games in London during 2012. The council recognises that the resources of the police, transport and emergency services will be planned out and prioritised for the security of major events before, during and after the Games, as a minimum from 15th July 2012 until 16th September 2012. Due consideration will be given by the council to representations from the Police in relation to licence applications for activity during Games time on the grounds of public safety and security when police and other emergency services resources are insufficient to deal with the risks presented. Where, as a result of representations from a responsible authority, it is identified that a licence or proposed event presents a risk that the licensing objectives will be compromised, it is likely that such applications will not be granted."

2. Make no change to Harrow Council's Licensing Policy in light of the Olympics 2012

Reasons for recommendation

To raise awareness among those involved in the licensing process for the borough - primarily members of the Licensing & General Purposes Committee but also licensing officers and borough events teams – of the intense pressures on pan London resources during Games Time Plus. And also to make a set of suggested recommendations to support borough licensing processes which will hopefully alleviate some of that pressure, allowing as much activity as possible to go ahead smoothly during Games Time Plus, without jeopardising the 2012 Games themselves.

This Report takes account of the licensing process, including the independence of the Licensing Committee. It therefore does not propose any changes to this process, but rather it suggests a recommendation to help the borough ensure that due consideration of Games Time Plus issues, especially for Olympic/Paralympic venues (including road events), is made when considering granting licences to events in this borough.

2.3 Consultation

A consultation exercise was conducted in relation to the proposed addition to the Licensing Policy and this took place from 10 October 2011 to 11 November 2011. The draft policy with the proposed amendment was also published on the Council's website for the duration of the consultation period. The consultation was carried out in accordance with section 5 of the Licensing Act 2003, which requires the licensing authority to consult the following on the policy statement or any subsequent revision to it:

- (a) the chief officer of police for the licensing authority's area,
- (b) the fire and rescue authority for that area,
- (c) such persons as the licensing authority considers to be representative of holders of premises licences issued by that authority,
- (d) such persons as the licensing authority considers to be representative of holders of club premises certificates issued by that authority,
- (e) such persons as the licensing authority considers to be representative of holders of personal licences issued by that authority, and
- (f) such other persons as the licensing authority considers to be representative of businesses and residents in its area.

As the consultation period ends on a date after this report is published, the responses to the consultation will be attached to a Supplemental Agenda and provided to Committee members before the meeting on 21 November 2011.

2.4 Legal Implications

It is a statutory requirement under the Licensing Act 2003 for a licensing authority to publish a licensing statement (policy) every three years, but also to keep its policy under review during the three year period and make such revisions to it, at such times as it considers appropriate. The Act requires that the bodies/persons listed in 2.3 above are consulted for any revisions to the policy, as is required for the original policy too.

2.5 Equalities Impact

As noted above, a consultation exercise in relation to the proposed addition to Licensing Policy was carried out in accordance with section 5 Licensing Act 2003 and was advertised on the Council's website for the duration of the consultation period. In addition an Initial Equality Implications Assessment, in line with the Corporate Equalities Policy, has been carried out which concluded that a full Equalities Impact Assessment is not required. However,

once the consultation period has closed and all the responses to it have been gathered, a further Initial Equality Implications Assessment will be conducted to establish whether a full assessment is required.

2.6 Community Safety - Section 17 Crime and Disorder Act

The key remit of the Licensing Policy is the manner in which it and the decisions based on the policy address the need for partner agencies to work together to develop and implement strategies to tackle crime and disorder which may be related to the implementation of the Licensing Act and related controls and enforcement. Implementation of the Policy amendment will serve to provide additional safeguards to the delivery of crime reduction strategy priorities and as such directly support section 17 key objectives and the Crime and Disorder Reduction Strategy.

2.7 Financial Implications

None

2.8 Risk Management Implications

By including the proposed statement, the Authority will be better able to manage expectations of applicants and the Emergency Services during this period and is likely to assist the emergency services in their duties. The Olympics (and Diamond Jubilee events) are already in the directorate risk register and are standard agenda items in Joint area task group meetings.

2.9 Equalities implications

Was an Equality Impact Assessment carried out? No

An Initial Equality Implications Assessment, in line with the Corporate Equalities Policy, has been carried out which concluded that a full Equalities Impact Assessment is not required. However, once the consultation period has closed and all the responses to it have been gathered, a further Initial Equality Implications Assessment will be conducted to establish whether a full assessment is required.

2.10 Corporate Priorities

Please identify which corporate priority the report incorporates and how:

- Keeping neighbourhoods clean, green and safe.
During this particular period, it is expected that the Police and Fire Authorities may be stretched in their operations. This proposed statement would give the Harrow Police adequate notice and powers to plan and resource so that it can keep the neighbourhoods safe.

- Supporting our town centre, our local shopping centres and businesses.

By adopting this change to the policy the Licensing Authority will be able to licence and manage events that celebrate Olympics and support the local communities and businesses.

Section 3 - Statutory Officer Clearance

Name: Kanta Hirani	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: 09/11/11		
Name: Paresh Mehta	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: 09/11/11		

Section 4 - Contact Details and Background Papers

Contact: P Sivashankar, Licensing Services Manager x 6237

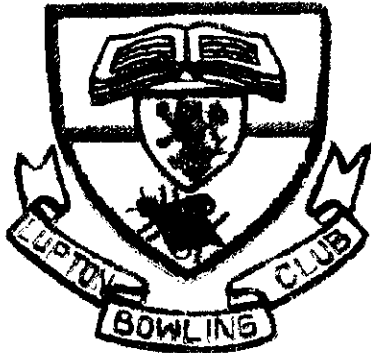
Background Papers:

1. Responses to consultation to follow in supplemental agenda

LUPTON BOWLING CLUB

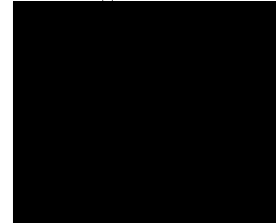
www.luptonbowlingclub.co.uk

President: Mrs. Hilda Bunn.



HON. SECRETARY

Michael Allighan,



P.Sivashankar, Esq.,
Service Manager-Licensing,
Harrow Council,
Civic Centre,
PO Box 18,
Station Road, Harrow,
HA1 2UT

2ND November, 2011

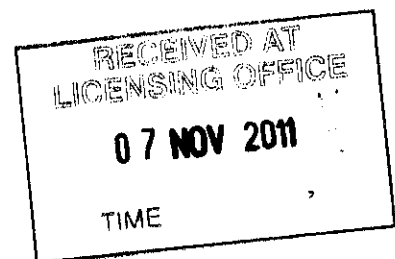
Dear Mr. Sivashankar,

Your Ref. ce/css/PS/ - Licensing Act 2003

Referring to your letter of 11th October, I can see no objection to the proposed statement being included. It would not appear to affect our small Bowls Club but in any case, as a general rule, it would appear sensible to make provision in this way.

Yours truly,

Michael Allighan



Donnefield Avenue, Edgware, Middlesex.

Affiliated to E.B.A. E.W.B.A. Middlesex County and Harrow & District Associations

This page is intentionally left blank



South Harrow and Roxeth Residents Association

Acting Secretary: Paul Boakes, [REDACTED]

By email to: licensing@harrow.gov.uk
P Sivashankar
Service Manager - Licensing
Harrow Council
Civic Centre
Harrow HA1 3XY

October 19, 2011

Dear Sirs,

Re: Licensing Act 2003 – Olympic Statement to the Licensing Policy

I write on behalf of the South Harrow and Roxeth Residents Association, and at the request of the Management Committee. SHARRA, as you know, has a long and distinguished history of over 80 years serving and representing the views of the local community in and around the South Harrow area.

The committee notes your consultation regarding the above proposed changes to the Licensing Policy covering next year's Olympics.

We are in agreement with the Council's proposals, and support the change to the Policy as detailed.

Incidentally, your letter was addressed to the late [REDACTED] as Chair of the South Harrow and Roxeth Residents Association. [REDACTED] passed away earlier this year, and for the time being, we would be grateful if you could address all further correspondence from the Council to me, in the interim position of Secretary for the Association.

Yours faithfully,

Paul Boakes
Acting Secretary
For and on behalf of the South Harrow and Roxeth Residents Association

cc: Cllr J Miles, Mr S Terry (SHARRA), Mr T Hooper (SHARRA)

This page is intentionally left blank

From: "Nigel Connor"
To:
Date: 17/10/2011 14:19
Subject: Consultation regarding Olympic Statement to the Licensing Policy

Mr Shivashankar

Thank you for your letter of the 11th October in reference to the above.

I have some comments to make in response:

- The presumption against grant of any application relating to licensable activities during the Olympic period as defined goes against the prevailing wider legacy themes of the Olympics of inclusiveness and encouraging tourism and commerce. The number of individuals who are able to enjoy the games in the stadiums will be limited but others may want to do so in other ways via events organised by the hospitality industry during the period. Such activity should be encouraged and whilst there may be reasons for an individual application to be refused on receipt of a representation, the actual adoption of a presumption against grant would seem to be unnecessarily prescriptive in so far that it discourages such events from being planned.

It remains open to the licensing authority, and indeed it is proper for it to do so, to refuse applications where a risk the licensing objectives will be undermined and I do not see in the circumstances why any additional policy statement which might discourage a perfectly risk free application needs to be issued.

One would have thought that encouraging dialogue between the Licensing Authority, the responsible authorities and the applicant well in advance of any

event to minimise those risks would have been a more constructive approach and more in the spirit of what the games are seeking to achieve

- The proposed statement refers to issues of police, transport and emergency resources during the games and that "due consideration" will be given to representations from the police on the grounds that police and other emergency services resources are insufficient. If you do decide to adopt the policy statement, then the presumption against grant when a risk is identified should only relate to representations from the police.

I hope the above points have been of assistance.

Regards

Nigel Connor

Solicitor

Head of Legal

☎ Phone: 01923 477892

☎ Mobile: 07818 232529

✉ Email: nconnor@jdwetherspoon.co.uk

JD Wetherspoon PLC | Wetherspoon House | PO BOX 616 | Watford | Hertfordshire | WD24 4QL

 *Please consider the environment before printing this email.*

JD Wetherspoon plc,
Company registered in England number: 1709784
Registered Office:
Wetherspoon House, Reeds Crescent, Watford, Herts, WD24 4QL

Please note that we do not have visitor parking available and you may need to allow some extra time to walk to our offices. For further assistance please refer to the contact us section of our web site at <http://www.jdwetherspoon.co.uk/>

The information contained in this document is strictly private and confidential and may also be privileged. If you are NOT the person to whom this e-mail is addressed, please notify the sender immediately by reply. You should not copy the document or any of the attachments which may be contained herein or use it for any purpose or disclose its contents to any third parties.

Employees of J D Wetherspoon plc are expressly required not to make any defamatory statements or infringe, or authorise any infringements of, copyright or any other legal right by e-mail communications. Any such communication is contrary to company policy and outside the scope of the employment of the individual concerned. The company will not accept any liability in respect of such a communication, and the employee responsible must be personally liable for any damages or other liability which may arise from it.

J D Wetherspoon plc does not accept responsibility for changes made to this message, after it was sent.
