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LICENSING COMMITTEE

Monday, 30 January 2006 at 6.30 pm
Civic Centre Conference Room

Contact: Stephen Addison
Committee Secretary
Direct: 020-8379- 4097
Tel: 020-8379-1000
Ext: 4097
Fax: 020-8379-3177
Textphone: 020 8379 4419
E-mail: Stephen.addison@enfield.gov.uk
Council website: www.enfield.gov.uk

Councillors: Boast (Chairman), Zinkin (Vice Chairman), Heathwood (Vice Chairman), Buckland, Bond, Charalambous, Constantinides, Dreblow, Egan, Ford, Giladi, Hayward, Mattingly, Pearce and T Smith

AGENDA – PART 1

1. WELCOME AND INTRODUCTIONS

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST (Pages 1 - 2)

Members of the Committee are invited to identify any personal or prejudicial interests relevant to items on the agenda.

4. MINUTES (Pages 3 - 6)

To receive the Minutes of the meeting held on the 19th April 2005.

5. EXTENSION OF CONTROLLED ALCOHOL ZONES (Pages 7 - 18)

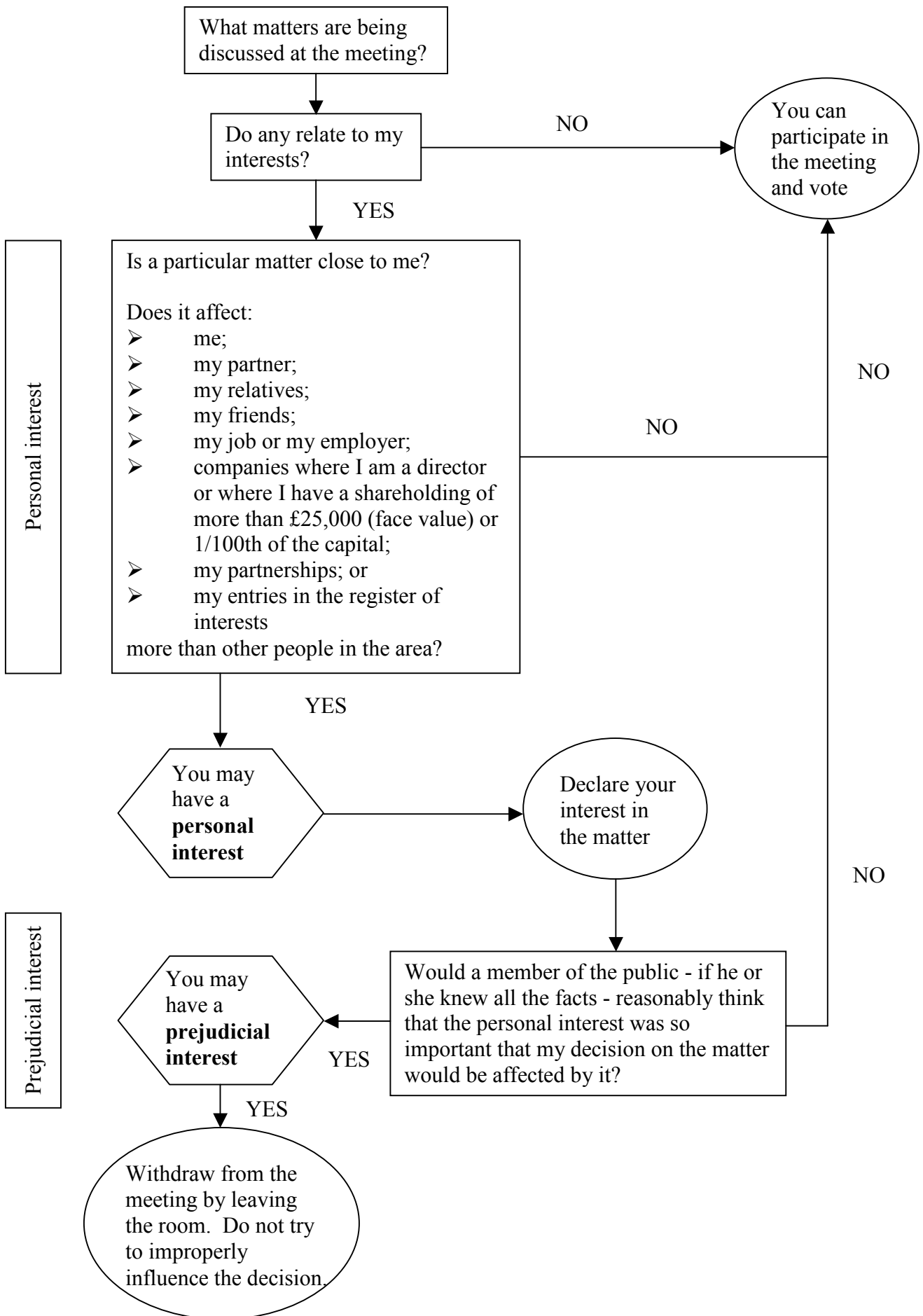
To receive the Director of Environment, Street Scene and Parks Proposed Extension of Controlled Alcohol Zones Report. (Report No.288)

6. MONITORING THE COUNCILS LICENSING FUNCTIONS (Pages 19 - 30)

To receive the Director of Environment, Street Scene and Parks Report, Monitoring the Council's Licensing Functions. (Report No. 289)

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DECLARING INTERESTS FLOWCHART - QUESTIONS TO ASK YOURSELF



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LICENSING COMMITTEE**19 APRIL 2005**

MEMBERS: Councillors: **Boast** (Chairman), *Price* (Vice Chairman), *Adams*, *Buckland*, *Brett*, *Charalambous*, *Costello*, **Dreblow**, **Ford**, **Giladi**, **Heathwood**, *Mattingly*, *Schofield*, **T. Smith** and **Zinkin**

OFFICERS: **Ray Brewer**, Head of Trading Standards and Licensing, **Angie Allin**, Senior Licensing Admin Officer, **Dave Murphy**, Metropolitan Police, **Dominic Stagg**, Licensing Team Leader, **Stephen Addison**, Democratic Services, DCI Raffaele D’Orsi, Metropolitan Police and Adam Cox, Metropolitan Police.

Italics denote absence

1281**APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Adams, Brett, Buckland, Costello, Mattingly, Price, Schofield and Zinkin.

1282**DECLARATION OF INTERESTS**

None.

1283**MINUTES**

NOTED that because of the recent changes to the Council’s Constitution, the minutes of the Licensing Panel meetings would in future be agreed by the Panel.

1284**LICENSING ACT 2003 – PROGRESS REPORT**

NOTED

1. the report of the Head of Licensing and Trading Standards (No.329) updating on the implementation of the new licensing regime and confirming that as of 6 April 2005, the Council had received 32 applications for personal licences and 4 applications for conversions to premises licences.

2. that the low level of applications was reflected across all Licensing Authority areas.

3. the letter, dated 30th March 2005, from members of the DCMS Stakeholder Group sent to the Minister Rt. Hon. Richard Caborn MP outlining concerns about the lack of applications during the transition period and requesting Government action.

4. the action taken by the Licensing Team detailed in the report to inform licensees and encourage the early submission of applications.
5. that two licensing surgeries were being held to help and advise applicants wishing to convert their existing licence.

1285

LICENSING ACT 2003 – PROCEDURE TO BE FOLLOWED AT HEARINGS OF THE LICENSING SUB - COMMITTEE

RECEIVED the report of the Head of Licensing and Trading Standards (No.330) highlighting that the Council as Licensing Authority under the Licensing Act 2003, was required to determine the procedure to be followed at hearings of the Licensing Sub-Committee. The power to determine this procedure is delegated to the Licensing Committee.

NOTED that the Committee would be able to review the procedure at a later date in the light of experience at meetings.

RESOLVED that the procedure set out in the appendix to the report be adopted for the purposes of regulation 21 of the Licensing Act (Hearings) Regulations 2005.

1286

EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED in accordance with the principles of Section 100(A) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in as defined in Paragraphs 7 and 14 of Part 1 of Schedule 12A to the Act.

1287

LICENSING ENFORCEMENT AND POLICE CRIME STATISTICS AFFECTING LICENSED PREMISES

NOTED

1. the presentations regarding joint Council and Police enforcement activity affecting licensed premises (codename operation LEMA) and an analysis of police crime statistics affecting licensed premises.
2. that Under the Licensing Act 2003, the Committee had a responsibility to receive reports on crime and disorder and to ensure that this was properly reflected in Committee decisions.
3. that there had been a 50% reduction in reported crime associated with licensed premises since 2002/03.

4. the comments of the Chairman regarding the need for the Metropolitan Police Service, where appropriate, to raise objections and highlight concerns for the applications submitted to the Committee.
5. that officers would establish if it was appropriate and or helpful for the Chairman of the Licensing Committee to be a member of the Crime and Disorder Partnership Sub Committee on alcohol.
6. that Operation Lema I ran from November 04 – January 05, during which time 278 visits were made to licensed premises. Operation Lema II was run as part of the Responsible Licensee Scheme and 47 premises had been audited.

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MUNICIPAL YEAR 2005/2006 REPORT NO. **288**

MEETING TITLE AND DATE:

Licensing Committee
Monday 30th January 2006

REPORT OF:

Director of Environment, Street
Scene and Parks

Agenda – Part: 1

Item:

Subject: Proposed Extension of
Controlled Alcohol Zones

Wards: All

Cabinet Member consulted:
Councillor Neville

Contact officer and telephone number: Charlotte Palmer 0208 379 3965 or
Sue McDaid, Head of Service 0208 379 3680

E mail: charlotte.palmer@enfield.gov.uk, sue.mcdaid@enfield.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 This report concerns designated controlled alcohol zones. These are public places where the consumption of alcohol is controlled.
- 1.2 It is proposed that new controlled alcohol zones be introduced covering all parks / open spaces, railway and London Underground stations in the borough.
- 1.3 The Licensing Committee has delegated power to agree to extend designated controlled alcohol zones, subject to a statutory consultation process.

2. RECOMMENDATIONS

- 2.1 Controlled alcohol zones be extended to include all London Underground / railway stations and all parks / open spaces in the borough as shown in Appendix 1.
- 2.2 It is recommended that due to the large number of parks / open spaces in the borough the controlled alcohol zones be introduced in 5 phases, as set out below:
- Phase 1**
All Railway and London Underground Stations
- Phase 2**
Wards: Ponders End, Highlands, Southbury, Jubilee, Cockfosters
- Phase 3**
Wards: Haselbury, Grange, Chase, Bush Hill Park, Palmers Green
- Phase 4**
Wards: Turkey Street, Southgate Green, Enfield Lock, Edmonton Green, Enfield Highway.
- Phase 5**
Wards: Winchmore Hill, Southgate, Bowes, Lower Edmonton, Town, Upper Edmonton.
- 2.3 That the controlled alcohol zones around stations also extend to areas in the vicinity of licensed premises.
- 2.4 Where a station is situated on a road that is already partly in an existing controlled alcohol zone it is recommended that the new controlled alcohol zone should link with the existing area so that the whole road is covered. This will make the zones simpler for the public to understand and easier to police.
- 2.5 That the boundaries of the areas covering parks / open spaces be the current boundaries of these areas and that one controlled alcohol zone sign be placed at every entrance point. Some open spaces are not gated/fenced and access can be gained along a wide frontage. In this instance it is recommended that signage be placed adjacent to any footpaths into the sites or spaced equidistant along the boundary.
- 2.6 That officers undertake the statutory consultation with;
- a) The Borough Police Commander;
 - b) The Police Commanders for Barnet and Haringey
(only is designated areas adjacent);
 - c) Barnet and Haringey Councils; (only is designated areas adjacent)
 - d) The licensee of any licensed premises who may be affected by the designation.
 - e) Friends of the Parks Group, cafes lessees and other relevant commercial operators.
- This will include the statutory notice published in a local paper
- 2.7 That officers make the necessary arrangements to implement the extension of controlled alcohol zones, subject to any minor amendments following consultation to be agreed with the Chairman of the Licensing Committee.

3. BACKGROUND

- 3.1 Sections 12-16 of the Criminal Justice and Police Act 2001 came into force on 1st September 2001. These provide local authorities with an adoptive power to restrict anti-social public drinking and they provide the police with the power to enforce this restriction. The penalty is a maximum fine, currently £500.
- 3.2 A local authority may only designate a public place in their area if they are satisfied that:
- a) Nuisance or annoyance to members of the public or a section of the public; or
 - b) Disorder has been associated with the consumption of intoxicating liquor in that place.
- 3.3 Also on 1st September 2001, the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001 came into force. These Regulations set out the procedures to be followed by Local Authorities in designating public places for this purpose.
- 3.4 The London Borough of Enfield currently has ten areas designated under this legislation.
- 3.5 On 29th April 2002, Enfield's Licensing Committee granted an Order designating Enfield Town as a controlled alcohol zone, which became effective on 1st June 2002.
- 3.6 On 4th September 2002, Enfield's Licensing Committee granted an Order designating Edmonton as a controlled alcohol zone, which became effective on 1st October 2002.
- 3.7 On 10th November 2004, Enfield's Licensing Committee granted orders designating Bush Hill Park Enfield Town Extension, Enfield Wash, Ponders End, Southgate, New Southgate, Green Lanes and Winchmore Hill as controlled alcohol zone, which became effective on 1st June 2005.
- 3.8 Occasional events take place in parks where alcohol is available or likely to be consumed. Conditions will be placed upon these events by the Parks Service to ensure all rubbish is collected and that behaviour of participants is monitored.
- 3.9 Properly licensed premises and areas within their boundary are disappplied as designated public places.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Designating 100 Metre Areas
A number of factors have determined the exact location of the proposed zones around stations. Originally it was intended for zones to cover a 100m radius around every station. However this sometimes meant that a zone

ended next to licensed premises. The zones have therefore been stretched so that they cover licensed premises in their vicinity.

4.2 Prioritising Certain Geographical Areas

Research indicates that the 5 wards most in need of a controlled alcohol zone are: Ponders End, Highlands, Southbury, Jubilee and Cockfosters and that tube stations are worse than railway stations and parks. Police information suggests that the following areas should be considered when looking at future controlled alcohol zones: Broomfield Park, Brimsdown Railway Station, Enfield Lock Railway Station, Cockfosters ward and the Grange ward. An alternative would be to just target these areas but it is believed having different rules in different parks / stations will be too complicated for the public to understand and more difficult to police.

4.3 Making the whole borough a controlled alcohol zone

Legislation does not permit the Council to do this without evidence to prove that nuisance and annoyance is caused by alcohol consumption in all public places.

5. REASONS FOR RECOMMENDATIONS

5.1 Over a period of five weeks (18th April – 19th May 2005) 12 railway stations, 2 tube stations and 24 parks / open spaces were visited so see if alcohol consumption was creating a social problem in these areas. Evidence of alcohol consumption in the form of empty cans, bottles and other litter was found at all of the stations and 93% of the parks visited.

5.2 Whilst grounds maintenance personnel are required to inspect all grass areas prior to cutting operations, cans and bottles are sometimes caught up in cutting machinery - this results in both damage to the machinery and sharp shards of both glass and metal being left on the grass, which can cause harm both park users and wildlife

5.3 Many visitors to the Borough arrive by train or tube and a station littered with cans and bottles of alcohol creates a poor impression. It also contributes to continuing disregard for the area, leading to further littering.

5.4 Alcohol is known to affect balance and judgement. According to a Transport for London article (www.tfl.gov.uk - The 5 most numerous customer injuries) alcohol was the cause of 934 incidents in the last two years. This shows that there are significant safety issues relating to alcohol and tube/rail use. Alcohol can also make people louder and sometimes aggressive which can be intimidating for commuters.

5.5 Controlled alcohol zones could potentially reduce the number of alcohol related accidents, improve the Boroughs appearance, decrease vandalism and damage to vehicles and personal injury as well as making the public feel safer. If people feel safe they will make greater use of these facilities.

- 5.6 The police provided information regarding CAD calls (calls such as 999 calls that go through to the police control room) and crime reports that refer to drunkenness within a 400m radius of train stations. Excluding stations that are already in an existing controlled alcohol zone the stations with the highest number of CAD calls were Brimsdown and Enfield Lock. In the same 12-week period drunkenness was mentioned in 40 completed crime reports. The wards with the highest number of these crime reports were Cockfosters and Grange.

6. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS

6.1 Financial Implications

The Legislation makes no provision for cost recovery and therefore any costs of introducing additional areas will fall upon Environment Street Scene and Parks, revenue budget, and can be met within 2005/06 provision.

Estimated costs are:

Schedule of street / maps		£2,000
Staff time		£3,500
Newspaper notices		£3,500
Signage	Stations (147)	£808.50
	Parks (272)	£1496.00
		£2304.50
Total		£10404.50

6.2 Legal Implications

Sections 12-16 of the Criminal Justice and Police Act 2001 came into force on 1st September 2001. These provide local authorities with an adoptive power to restrict anti-social public drinking and they provide the police with the power to enforce this restriction. The penalty is a maximum fine, currently £500.

A local authority may only designate a public place in their area if they are satisfied that:

- a) Nuisance or annoyance to members of the public or a section of the public; or
- b) Disorder has been associated with the consumption of intoxicating liquor in that place.

7. PERFORMANCE MANAGEMENT IMPLICATIONS

- 7.1 The controls are likely to contribute towards improving the appearance of the Borough in the designated areas and thereby contribute to Best Value Performance Indicator 199.

8. PUTTING ENFIELD FIRST

- 8.1 The Policy seeks to support 'Putting Enfield First' and will specifically impact upon Community safety and quality of life.
- 8.2 The Policy recognises the importance of protecting local residents and businesses, whose lives can be seriously affected by disturbance and anti-social behaviour which may arise from irresponsible alcohol consumption.

BACKGROUND PAPERS

Report from Charlotte Palmer of evidence for extension of designated alcohol control zones.

Letters dated 13 and 18 January 2006 from members of the Grange Park Residents Association.

APPENDIX 1

Designated Drinking Control Areas – Phase 1

SCHEDULE OF PUBLIC PLACES REFERRED TO

Angel Road Station

1) PUBLIC HIGHWAY - ROADS

All that which is Public Highway includes:

CONDUIT LANE (from junction with Montagu Road to junction with Meridian Way)

Note: This proposed DDCA abuts the existing Edmonton DDCA

Brimsgate Station

1) PUBLIC HIGHWAY - ROADS

All that which is Public Highway includes:

GREEN STREET (from the common boundary of nos.332 and 334 Green Street to the junction with Mollison Avenue)

JUTE LANE

MOLLISON AVENUE (from junction with Millmarsh Lane to the junction with Braithwaite Road)

Bush Hill Park Station

1) PUBLIC HIGHWAY - ROADS

All that which is Public Highway includes:

DRYDEN ROAD

FIRST AVENUE (from the junction with Park Avenue to and including the junction with St. Marks Road)

QUEEN ANNES PLACE

PARK AVENUE (from the junction with First Avenue to the junction with Wellington Road)

ST. MARKS ROAD

Crews Hill Station

1) PUBLIC HIGHWAY - ROADS

All that which is Public Highway includes:

CATTLEGATE ROAD (from the junction with Theobalds Park Road to a point 100 metres west of the western bridge parapet at Crews Hill Station)

Cockfosters Tube Station

1) PUBLIC HIGHWAY - ROADS

All that which is Public Highway includes:

COCKFOSTERS ROAD (from the common boundary of nos.2 and 4 Bramley Road to the north-western kerbline of the southern east to west arm of Chalk Lane)
To include all service roads adjacent to Cockfosters Road and those known as STATION PARADE and HEDDON COURT PARADE

Enfield Chase Station

1) PUBLIC HIGHWAY - ROADS

All that which is Public Highway includes:

WINDMILL HILL (... to the junction with The Ridgeway and Slades Hill)

Note: This proposed DDCA abuts the existing Enfield Town DDCA

Enfield Lock Station

1) PUBLIC HIGHWAY - ROADS

All that which is Public Highway includes:

ORNANCE ROAD (western arm - ... to the junction with Mollison Avenue)

Note: This proposed DDCA abuts the existing Enfield Wash to Ponders End DDCA

Gordon Hill Station

1) PUBLIC HIGHWAY - ROADS

All that which is Public Highway includes:

LAVENDER HILL (... to the common boundary of nos.158 and 160 Lavender Hill)

Note: This proposed DDCA abuts the existing Enfield Town DDCA

Grange Park Station

1) PUBLIC HIGHWAY - ROADS

All that which is Public Highway includes:

CHEYNE WALK
THE GRANGEWAY
VERA AVENUE (from the junction with The Grangeway to the north-western kerbline of Cheyne Walk
NESTOR AVENUE

Hadley Wood Station

1) PUBLIC HIGHWAY - ROADS

All that which is Public Highway includes:

CRESCENT EAST
CRESCENT WEST

Note: Bartrams Lane is currently Unadopted Highway

Oakwood Tube Station

1) PUBLIC HIGHWAY - ROADS

All that which is Public Highway includes:

BRAMLEY ROAD (from the south-western kerblineline of South Lodge Drive to the north-eastern kerblineline of Reservoir Road)
To include all service roads adjacent to Bramley Road, known as BRAMLEY PARADE and OAKWOOD PARADE

Ponders End Station

1) PUBLIC HIGHWAY - ROADS

All that which is Public Highway includes:

ALMA ROAD (from the junction with South Street to the north-eastern kerblineline of Napier Road)
NAPIER ROAD
SOUTH STREET (to include service road adjacent to the north-eastern kerblineline, serving nos.98 to 142)

3) OPEN SPACES MANAGED BY L.B.E.

To include all open areas of land that are not adopted public highway that serve Curlew House, Merlin House, Cormorant House and Kestrel House

Note: This proposed DDCA abuts the existing Enfield Wash to Ponders End DDCA

Southbury Station

1) PUBLIC HIGHWAY - ROADS

All that which is Public Highway includes:

SOUTHBURY ROAD (the eastern arm – from the eastern kerblineline of Great Cambridge Road to ...)

Note: This proposed DDCA abuts the existing Enfield Wash to Ponders End DDCA

Turkey Street Station

1) PUBLIC HIGHWAY - ROADS

All that which is Public Highway includes:

TURKEY STREET (the south-eastern arm – from the south-eastern kerbline of Great Cambridge Road to ...)

Note: This proposed DDCA abuts the existing Enfield Wash to Ponders End DDCA

Created: 19th January 2006

Phase 2

WARD	PARK
Ponders End	-
Highlands	Boxers Lake Open Space (7) Slades Close (1) Worlds End Lane Open Space (2)
Southbury	Enfield Playing Fields (9) St. George's Field (3)
Jubilee	Boundary Ditch (3) Cuckoo Hall Recreation Ground (1) Jubilee Park (7) Lee Road Open Space (1) Turin Road (2)
Cockfosters	Bramley Road Sports Ground (5) Christchurch Cockfosters Churchyard (1) Cockfosters Sports Ground (5) Covert Way Field (4) Hood Avenue Open Space (2) Hadley Wood (5)

Phase 3

WARD	PARK
Haselbury	Churchfields Recreation Ground (3) Church Street Recreation Ground (3) Riverside Walk (1) St. David's Park (1)
Grange	Bush Hill Gardens (3) Cheyne Walk Open Space (2) Gladbeck Way (1) Hounsdon Spinney (2) Riverdale Court (1) Riverside Park (2)
Chase	Bulls Cross Field (1) Forty Hall Park (5) Gough Park (1) Hillyfields (10) North Enfield Recreation Ground (6) The Dell (2) The Warren Footpath (1) Whitewebbs Golf Course (4) Whitewebbs Park (5)
Bush Hill Park	Bury Lodge Gardens (3) Church Street Tennis Courts (2) Delhi Gardens (3) Firs Farm (5) King George Field (2) Land R/O Bury Lodge Nursery (1)
Palmers Green	Hazelwood Recreation Ground (6) Tatem Park (6)

Phase 4

WARD	PARK
Turkey Street	Aylands Link (1) Aylands Open Space (2) Elsinge Golden Jubilee Park (4) Hoe Lane Open Space (3) Holmesdale Tunnel Open Space (6) Waltham Gardens (4)
Southgate Green	Arnos Park (6) Broomfield Park (10) Minchenden Oak Gardens (1) High Road Open Space (3)
Enfield Lock	Painters Lane Open Space (6) Prince of Wales Field (3) Soham Road Recreation Ground (4) Warwick Fields Open Space (2)
Edmonton Green	All Saints Church Yard (4) Kenninghall Open Space (3) Montagu Recreation Ground (3)
Enfield Highway	Alma Road Open Space (2)

Phase 5

WARD	PARKS
Winchmore Hill	Brackendale (1) Clowes Sports Ground (1) Grovelands Park (9) Housden Gutter (1) Woodcroft Sports Ground (1)
Southgate	Bournside Sports Ground (1) Conway Road Recreation Ground (3) Ivy Road Open Space (3) Oakwood Park (6)
Bowes	Boundary Playing Fields (4) The Strays (3) Tile Kiln Lane Open Space (1) Tottenham Sports Ground (2)
Lower Edmonton	Forest Road Golden Jubilee Park (4) Montagu Recreation Ground Annex (1)
Town	Riverfront (1)
Upper Edmonton	Ladysmith Road Open Space (3) Weir Hall Recreation Ground (2) Wilbury Way Open Space (4)

The figures shown in brackets indicates the number of entrances into each park/open space.

MUNICIPAL YEAR 2005/2006 REPORT NO. 289

MEETING TITLE AND DATE:

Licensing Committee
30 January 2006

REPORT OF:

Director of Environment, Street
Scene and Parks

Agenda – Part:	Item:
Subject: Monitoring Report on the Council's Licensing Functions	
Wards: All	
Cabinet Member consulted:	

Contact officer and telephone number:

Sue McDaid 0208 379 3680

E mail: sue.mcdaid@enfield.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 This report provides information and identifies activities undertaken to discharge the Council's licensing functions for the period 1 January 2005 to 31 December 2005.

2. RECOMMENDATIONS

- 2.1 That the Licensing Panel notes the report;
- 2.2 That a further report be brought to a future meeting identifying
- (1) the categories, opening times and geographical distribution of premises licences granted under the Licensing Act 2003;
 - (2) the impact upon crime and disorder, live music and dancing.

3. LICENCES ISSUED BY THE COUNCIL JANUARY TO DECEMBER 2005

3.1 The Licensing team have processed 2472 licences between 1 January and 31 December 2005.

3.2 A summary of the licences issued is provided in Appendix 1.

4. LICENSING ACT 2003

4.1 Premises Licences and Club premises certificates

4.1.1 The Licensing Act 2003 was enacted on 6 February 2005 and came into force on 24 November 2005. It brought together a number of licensing regimes. Previously, separate licences were required for the sale of alcohol, late night refreshment and various entertainments. The Act requires the licensing of premises for the:

- Provision of alcohol,
- Provision of late night refreshment; namely the supply of hot food or hot drink between 2300 and 0500 hours, and
- Regulated entertainment namely:
 - the performance of a play
 - an exhibition of a film
 - an indoor sporting event
 - boxing or wrestling entertainment
 - a performance of live music
 - any playing of recorded music
 - a performance of dance
 - or entertainment of a similar description to live music, recorded music or dance

4.1.2 Licensing authorities must carry out their functions with a view to promoting four licensing objectives. These are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

4.1.3 Licensing authorities must decide applications in connection with premises licences and club premises certificates on the basis of the steps it considers necessary to promote these objectives having considered any representations made by the responsible authorities (such as the Police, Fire Brigade, Trading Standards, Environmental Health, Planning and Child Protection Services) and interested parties (residents and businesses in the vicinity).

4.1.4 A summary of the applications which have been received to 31 December 2005 is as follows:-

- 689 Premises applications have been received
- 226 applications were scheduled to be heard at panel of which 132 applications were heard by the panel and 94 were withdrawn/determined under delegated powers before they went to panel
- 97% of applications (128) had been subject to responsible authority representations
- Approximately 50% have been subject to interested party representations (over 1000 individuals)
- Of the 132 applications heard by panel
 - Approximately 10% have been substantially rejected
 - Approximately 15% granted in full
 - Approximately 75% granted in part

4.1.5 Appendix 2 provides details an analysis of the hours granted for 161 of the premises licences applications.

4.1.6 There have been 19 appeals against the licensing panel's decisions been lodged to date. Of which:-

- 2 have been heard. One was upheld but modified and the decision of the other is pending
- 3 have been withdrawn by the applicants
- 14 are scheduled to be heard between January and March 2006.

4.2 Personal Licences

4.2.1 The Licensing Act establishes a regime for the granting of personal licences to individuals to supply, or to authorise the supply of alcohol. All premises authorising the supply of alcohol must have an identified personal licence holder known as the designated premises supervisor. This person will usually be responsible for the day-to-day running of the premises. All supplies of alcohol under a premises licence must be made by or under the authority of a personal licence holder.

4.2.2 The Police are statutory consultees and if they consider that there is a risk to the prevention of crime and disorder licensing objective they can make a representation and the matter is referred to the Licensing Panel to determine. The Licensing Panel has heard 4 cases regarding personal licences where the Police raised a representation and 3 applications were rejected and 1 was granted.

4.3 Temporary Events

4.3.1 These are small-scale, temporary events of which licensable activities form part, that are allowed to take place without the need for a premises licence or club premises certificate. The event organiser (who must be over 18 years) has to notify the licensing authority, by giving a "temporary event notice" (TEN). There are certain limitations imposed on this system. These include:

- No more than 499 people (including staff/organisers) attending at any one time
- An individual is limited to giving 5 TENs in a calendar year, unless they are a personal licence holder for the sale of alcohol, in which case they can give 50
- A limit of 12 temporary event notices may be given in respect of any particular premises in a calendar year
- An event may last for no more than 96 hours
- The maximum aggregate duration of the periods covered by temporary event notices at any individual premises of 15 days.

4.3.2 The Police are statutory consultees and if they consider that there is a risk to the prevention of crime and disorder licensing objective they can serve a counter notice and the matter is referred to the Licensing Panel to determine. The Licensing Panel has heard 2 cases regarding temporary events and it transpired that 1 was a private party and therefore a TEN was not required and the other was granted.

4.4 SPECIAL ORDER EXEMPTIONS

4.1 Under the previous licensing regime (Licensing Act 1964) occasional permissions known as Special Orders Exemptions (SOEs) were granted by Police. Between 1 January and 23 November 2005 there were 925 SOEs granted.

4.5 FIREWORKS LICENSING

4.5.1 The Manufacture and Storage of Explosives Regulations 2005 introduced revised registration and licensing requirements for the storage of fireworks. The Trading Standards Team and other staff in Environmental Health and Regulation undertook firework patrols between 26 October to 6 November 2005. There were 168 firework calls received which was a 26% decrease from 2004.

4.5.2 There was an increase in enforcement:

- 7 Fixed Penalty Notices were served for letting off fireworks
- 5 arrests for a firework related incident
- 1 business had fireworks seized for selling without a licence and is subject to legal proceedings.

4.5.3 One business was refused a licence because the storage arrangements for fireworks were unsafe.

4.6 AGE RESTRICTED SALES

4.6.1 These are planned test purchase of products such as alcohol, tobacco, solvents, fireworks and video recordings with child volunteers working under the strict Home Office guidelines and the supervision of Trading Standards staff.

4.6.2 The results for the period January to December 2005 are as follows:-

Total Number of attempts to test purchase: 172

Total percentage overall of sales made: 19% (33)

Age restricted products sales	No. of Sales	Percentage sales
Alcohol	23	23%
Cigarettes	1	5%
Knives	6	25%
Lighter Fuel	1	50%
Video/Games	2	22%
Fireworks		0
Total	33	19%

4.6.3 The number of sales have decreased from the previous period January to December 2004 when the total percentage overall of sales made was 25%. The advice and enforcement campaigns of the Trading Standards Team and the work of the 'Safer Business Safer Streets' Project Co-ordinator will have contributed to this.

4.7 AMUSEMENT WITH PRIZES PERMITS

4.7.1 The responsibility for the issuing of these permits was transferred from magistrates courts to Licensing Authorities on 24 November 2005.

4.7.2 Amusements with prizes machines (AWP machines), more commonly known as fruit or slot machines, were authorised by permits for individual premises, granted under Section 34 of the Gaming Act 1968. Local authorities were already responsible for issuing these permits for lower value AWP machines in amusement arcades.

4.7.3 The Licensing Act 2003 transferred the additional responsibility of authorising AWP machines in alcohol-licensed premises to local authorities. The main type of AWP machine covered by the change is the "all cash" fruit machine, which has a maximum stake of 30p and a maximum prize of £25.

4.7.4 The Council has received 6 applications to date.

4.8 ENFORCEMENT

4.8.1 Age related sales of alcohol, public entertainment and late night cafes

Appendix 3 details enforcement action taken in respect of age related sales, public entertainment and late night cafes between 1 January 2005 and 31 December 2005.

4.8.2 Licensing Act 2003

Enforcement visits commenced soon after 24 November 2005. Approximately 110 visits have been made out of hours between November 2005 to date to undertake observations, enforcement visits and to investigate complaints about licensed premises. In the first weekend of enforcement, a premises agreed to close as they were not compliant with the conditions attached to their licence which granted the premises extended trading hours (beyond 23:00).

There were a very small proportion (0.5%) of premises that were unlicensed on 24 November 2005 and are the subject of investigations with a view to formal action. There are also a number of premises that are the subject of investigation for suspected breaches of their licence conditions with a view to formal action.

4.8.3 Enforcement campaigns concerning licensed premises

Operation Lema I and II:

Operation Lema II ran between February and March 2005 and the purpose was to promote Enfield's 'Responsible Licensee Scheme' amongst liquor licensed premises. This involved 63 visits to 'On-licensed' premises and 70 visits to 'Off-licensed' premises.

Operation Leo/Pridian:

This ran between June and July 2005 and was a joint operation with the Police to target 'high risk/problem' liquor licensed premises. This involved 57 visits to premises resulting in a number of observations concerning noise, antisocial behavior etc. and 3 fixed penalty notices were issued for underage drinking/sales to minors, 2 for drinking in alcohol control zones and 8 doormen were reported for not displaying their identification badges. There were 2 arrests.

AMEC 4 Campaign:

The Home Office/Police AMEC (Alcohol Misuse Enforcement Campaign) campaign ran in December 2005. This campaign was regarding age related sales, drink-drive, antisocial behavior around licensed premises. Some joint visits were undertaken between the Police and Trading Standards and the

police and licensing enforcement staff. The results of this campaign are not yet available.

4.8.4 Special Treatment Licence enforcement

One premises is under investigation with a view to formal action for suspected breaches of its special treatment licence.

4.9 DESIGNATED ALCOHOL CONTROL ZONES

4.9.1 The London Borough of Enfield currently has ten areas designated under this legislation.

4.9.2 In addition to the existing alcohol control zones of Enfield Town and Edmonton, the orders granted on 10 November 2004 by Enfield's Licensing Committee became effective on 1 June 2005 for the following areas: Bush Hill Park, Enfield Town Extension, Enfield Wash, Ponders End, Southgate, New Southgate, Green Lanes and Winchmore Hill.

4.9.3 The Safer Neighbourhoods Parks Unit have statistics for enforcement taken in the alcohol control zones in the Town Park and Pymmes Park and 53 verbal warnings and 17 fixed penalty notices have been issued for alcohol between 1 July and 31 December 2005.

4.10 FORTHCOMING LEGISLATION:

4.10.1 Gambling Act 2005:

This will be implemented in September 2007. The Licensing Authority will become responsible for gambling premises only and the Gambling Commission will license operators and individuals.

4.10.2 Charities Act:

This will transfer the responsibility for the licensing of street and house collections from the Police to local authorities.

4.10.3 Animal Welfare Bill/Act:

The implementation date for this is not yet known but may be this year. The Act will extend the scope of premises that will need to be licensed, inspected and enforced for animal welfare purposes.

BACKGROUND

Not applicable

4. ALTERNATIVE OPTIONS CONSIDERED

Not Applicable

5. REASONS FOR RECOMMENDATIONS

Not Applicable

6. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS

6.1 Financial Implications

Not Applicable

6.2 Legal Implications

Not Applicable

6.3 Property Implications

Not Applicable

7. PERFORMANCE MANAGEMENT IMPLICATIONS

Not Applicable

8. PUTTING ENFIELD FIRST

Background Papers

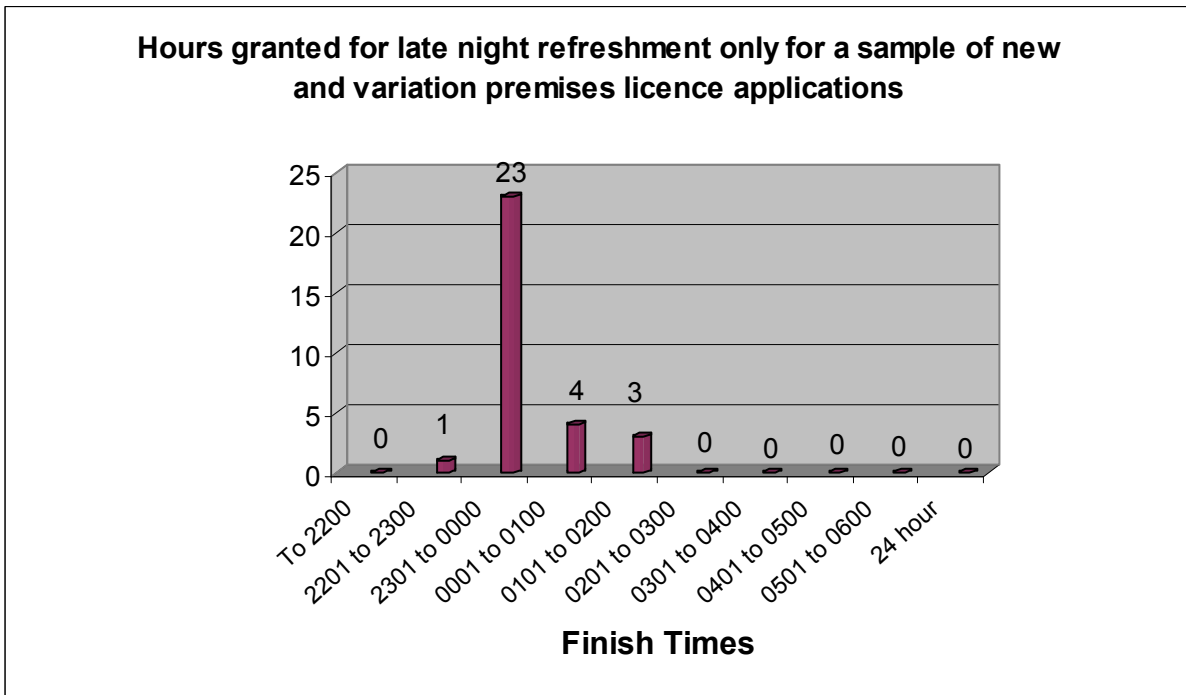
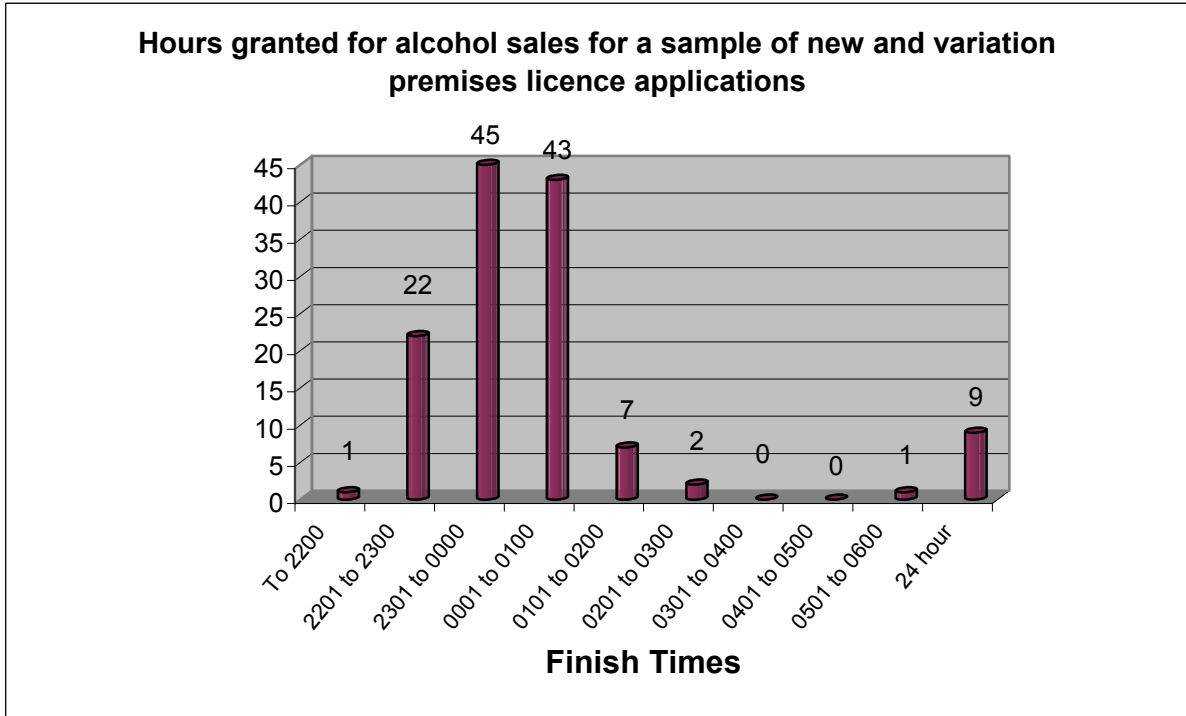
None

Appendix 1: Licences issued between January 2005 to December 2005

Licence Type	Number Issued
Animal Boarding	2
Annual PEL	45
Butchers	23
Civil Marriage Venue	1
Dangerous Wild Animals	3
Explosives: Annual Licence	3
Registration	90
Game Dealers	4
Hairdressers	8
Late Night Café	15
Launderette	13
Lottery	113
Occasional PEL	71
Personal	1256
Pet Shop	12
Pool Promoter	1
Premises	575
Riding Establishments	3
Special Treatment	106
Street Trading	5
Temporary Event Notice	123
TOTAL	2472

Appendix 2: Analysis of a sample of premises licence applications

Please note: that this is analysis of 161 of the new and variation applications for premises licences. Data entry of this is ongoing and therefore does not yet allow a full analysis of all applications received.



Appendix 3: Enforcement Actions**Age Related Sales of Alcohol enforcement actions**

Address	Result/Date	Penalty	
Costcutter Express, 33-35 Warwick Road, New Southgate, London	27/01/05 Guilty	Fine	£500.00
		Costs	£117.50
Costcutter Express, 33-35 Warwick Road, New Southgate, London	27/01/05 Guilty	Fine	£500.00
		Costs	£117.50
Shah Off Licence, 127 Green Lanes, London N13 4SP	24/02/05 Guilty	Fine	£200.00
		Costs	£200.00
Alpha Wines, 84 Fore Street, Edmonton N18 2SL	24/03/05 Guilty	Fine	£500.00
		Costs	£135.00
Alpha Wines, 84 Fore Street, Edmonton N18 2SL	24/03/05 Guilty	Fine	£500.00
		Costs	£135.00
Enfield Food & Wines, 45 Kempe Road, Enfield EN1	14/07/05 Guilty	Fine	£500.00
		Costs	£299.00
Enfield News, 818 Hertford Road, Enfield EN3 6UE	28/07/05 Guilty	Fine	£250.00
		Costs	£150.00
Silver Bottle, 81a Silver Street, Edmonton N18 1RP	25/08/05 Guilty	Fine	£400.00
		Costs	£320.00
J&J News, 111 Ordnance Road, Enfield EN3 6AG	08/09/05 Guilty	Fine	£100.00
		Costs	£327.00
First Choice Supermarket, 55-55a Turkey Street, Enfield	08/09/05 Guilty	Fine	£100.00
		Costs	£189.50
First Choice Supermarket, 55-55a Turkey Street, Enfield	08/09/05 Guilty	Fine	£100.00
		Costs	£189.50
Aksu Supermarket, 10-12 Church Street Edmonton N9	09/09/05 Guilty	Fine	£150.00
		Costs	£100.00
Aksu Supermarket, 10-12 Church Street Edmonton N9	09/09/05 Guilty	Fine	£150.00
		Costs	£100.00
Aksu Supermarket, 10-12 Church Street Edmonton N9	09/09/05 Guilty	Fine	£150.00
		Costs	£100.00
Hammond Wines, 177 Montague Road Edmonton N18	08/12/05 Guilty	Fine	£500
		Costs	£482.50
Edmonton £1 Centre, 166 Fore Street, Edmonton, N18	16/12/05 Guilty	Fine	£400.00
		Costs	£200.00
Edmonton £1 Centre, 166 Fore Street, Edmonton, N18	16/12/05 Guilty	Fine	£400.00
		Costs	£200.00

Please Note: Where a premises is listed more than once this means that there was more than one person prosecuted

In addition, there were 7 formal cautions issued to persons selling alcohol to underage children.

Public Entertainment and late night refreshment enforcement actions

Address	Offence	Result
Has Kebab Centre, 776 Green lanes, London N	Trading without a late night cafe licence contrary to Section 15(1) of the London Local Authorities Act 1990	Prosecution 27/01/05 fined £400 plus £200 costs

There were also a number of premises which were/are still being investigated with a view to formal action as follows:-

- 1 case under investigation for failure to be licensed as a butchers shop
- 1 case under investigation for suspected breaches of their public entertainment licence and sale of alcohol after their permitted hours
- 2 cases for suspected breaches of their late night cafe licence was not proceeded as the licence was not granted
- 1 case for suspected breaches of their public entertainment licence resulted in a written warning.