

MINUTES of a meeting of the LICENSING COMMITTEE held in the Board Room, Council Offices, Coalville on TUESDAY, 5 AUGUST 2003.

Present: Councillor P A Hyde (Chairman) (In the Chair)

Councillors R Blunt, J Collins, J G Coxon, R A Evans, P Holland, J B Webster and D H Wintle.

Officers: Mrs J Cotton, Mr R Eaton and Mrs C E Walters.

Apologies for absence were received from Councillors D Howe, D J Stevenson and G Tacey.

There were no declarations of interest.

**190. MINUTES**

... Consideration was given to the minutes of the meeting held on 9 July 2003 (copy previously circulated and retained with the official copy of the minutes).

RESOLVED:

That the minutes of the meeting held on 9 July 2003 be approved and signed as a correct record.

**191. APPOINTMENT TO HACKNEY CARRIAGE AND PRIVATE HIRE GROUP**

**(a) To appoint a member to the vacancy on the above group**

RESOLVED:

That Councillor J B Webster be appointed to serve on the Hackney Carriage and Private Hire Group.

**(b) Date of the Hackney Carriage and Private Hire Group's meeting with representatives of the hackney carriage and private hire trade**

RESOLVED:

That the date of the meeting of the Hackney Carriage and Private Hire Forum to be held on Monday, 22 September at 6.30pm in the Council Chamber, Council Offices, Coalville be noted.

Chairman's initials

## 192. STATEMENT OF LICENSING POLICY

Mr Eaton reported that since the date of the previous meeting the Licensing Act had now received Royal Assent and the Act was now law. It was now up to local authorities to decide how to implement the Licensing Act. Unfortunately the final detailed regulations would not be available until September/October and as these would give a clearer direction to local authorities detailed administrative arrangements for implementation of the Act could not be considered until then. However the implementation date of the legislation had been deferred from 1 January 2004 until 1 March 2004 and this extra period of time would give local authorities additional breathing space to ensure arrangements were in hand.

The draft licensing statement had previously been circulated on two occasions and Mr Eaton stated that arising from the last meeting he had been asked to explore the possibility of imposing a special saturation policy on a defined area in Ashby de la Zouch. The legislation allows for a saturation policy which means that within a particular defined area any further licensed premises would not be allowed and this could be written into the licensing policy. In terms of the act any application for additional premises would still have to be received and considered due to the differing nature of premises, for example cinema, public house, theatre. Mr Eaton had discussed this matter with the Council's own Community Safety Officers who had both offered the opinion that as far as crime and disorder issues in Ashby de la Zouch were concerned there were no longer the problems being encountered as there were in 1998/1999. Mr Eaton had also discussed this matter with LPU Commander, Inspector Yallop, at Ashby de la Zouch who had confirmed the reduction in incidents but who had also stated that if additional premises were allowed within the town centre this could be detrimental to the crime and disorder stance. This opinion from the police could relate to their own problems if further incidents were encountered due to a lack of manpower to deal with incidents. It was reported at the last meeting that a decision by Leicester City Council to refuse an application for a public entertainment licence had been allowed by the courts due to an objection by the police relating to lack of manpower available in responding to crime and disorder incidents. Mr Eaton stated that the committee may want to consider this matter in detail in view of the possible inclusion in the licensing statement and he suggested that LPU commanders be invited to a future meeting of this committee.

In answer to a question with regard to public consultation on the licensing policy, Mr Eaton stated that discussions were still ongoing for the possibility of a joint consultation exercise across the county as local authorities draft statements were very similar. The next meeting with the local licensing authorities was due to be held on 1 September and Mr Eaton would report further on this point at the next meeting.

A member asked whether once the licensing policy had been adopted would it be possible to include further special saturation policy defined areas. The Government guidelines stated that the statement of licensing policy should be kept under constant review and therefore local authorities would be at liberty to amend the licensing policy. Obviously if a further defined area was to be considered then formal consultation would need to be undertaken. Members felt it was important to endeavour to get the licensing policy right from the outset.

Chairman's initials

Another member felt that in introducing the special saturation policies it could give the impression that North West Leicestershire was "closed for business". The Government was actively promoting leisure and tourism and there had been talks regarding the introduction of 24 hour licensing being introduced. It was also felt that if a licensee wished to open a further bar in a defined area they must feel that there was a demand. In balance it was up to the Licensing Committee to consider the introduction of the legislation, including all the powers given to local authorities. Public consultation would be undertaken and if it was felt that the people of North West Leicestershire did require some protection which could be given from the imposition of special saturation policy then the local authority should act upon their wishes. Members agreed with the suggestion of the invitation of LPU commanders to the next meeting in order to discuss this matter further but it was important to invite all those covering North West Leicestershire area. Reference was also made to inviting the North Area Superintendent as well.

RESOLVED:

That Mr Eaton invite the Superintendent and the LPU commanders covering the district to the next meeting of this Committee.

### **193. ADMINISTRATIVE ARRANGEMENTS**

... The Chairman reported that he had been consulted by officers regarding a report detailing the administrative arrangements for the introduction of the Licensing Act. Due to the tight timescale it was felt that a report should be submitted to the Executive Board at the earliest opportunity and he had given his consent for a report to be considered by the Executive Board at its meeting on 29 July 2003. A copy of that report was circulated at the meeting (copy retained with the official copy of the minutes).

Mr Eaton stated that the first issue outlined on the report was the proposed partnership arrangements. This had been discussed at the previous meeting when it had been agreed that the suggestion of being part of a countywide partnership should not be taken up. This view was accepted by the Executive Board and it was agreed not to enter into a countywide arrangement. However the Executive Board did agree with officers being authorised to explore the joint working arrangements with Charnwood Borough Council which had also been discussed at the previous meeting. It was felt as the two authorities' boundaries were adjacent and were co-terminus with the police north area there would be benefit for joint working arrangements such as enforcement exercises, training etc. Mr Eaton reported that the relevant committee of Charnwood Borough Council were considering these proposals on 21 August 2003.

The last element of the report dealt with the proposed introduction of a separate licensing unit within the authority. The report outlined how this could be done. Currently there was one dedicated licensing officer and a further administrative officer spending 80% of their time on licensing. The new unit could be achieved by employing these two current officers and a further two officers on a temporary contract which would be reviewed following the transitional period.

Chairman's initials

In answer to a question Mr Eaton confirmed that the office accommodation for the additional two staff was already in place.

It was reported that the Executive Board had accepted these arrangements but had requested that an update report be presented to the Executive Board once the transitional process had been commenced.

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In order to facilitate the imposition of the new Licensing Act it would be necessary to acquire the necessary software in order to process the applications. The authority was already in possession of licensing software from LALPAC and officers had attended a roadshow which gave details of the new Licensing Act module. This module was already in existence based on the draft regulations at the moment. However officers were confident that the module would be able to cope with the Act on commencement. LALPAC did have the biggest market share amongst licensing authorities and the module was already in existence. A schedule of the proposed fees for the new module was circulated at the meeting (copy retained with the official copy of the minutes) and Mr Eaton confirmed that the costs of the module would be covered by the licence fees.

RESOLVED:

That option one outlined in the figures circulated at the meeting for the gold comprehensive package with LALPAC be approved.

**194. DATE OF NEXT MEETING**

RESOLVED:

That the next meeting of the Licensing Committee be held on Wednesday, 1 October 2003 at 6.30pm in the Board Room, Council Offices, Coalville.

The meeting terminated at 7.23pm.

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Chairman's initials