

MINUTES of a meeting of the LICENSING COMMITTEE held in the Board Room, Council Offices, Coalville on WEDNESDAY, 1 OCTOBER 2003.

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

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

Officers: Mrs J Cotton, Mr R Eaton, Miss M Lister and Mr J E Peters.

Representing Leicestershire Constabulary:

Inspector C Yallop (Ashby Local Policing Unit)

Inspector A Lee (Coalville Local Policing Unit)

There were no apologies for absence.

There were no declarations of interests.

#. SPECIAL SATURATION POLICY

The Chairman welcomed Inspectors Yallop and Lee. The two inspectors had been invited to the meeting to take part in a discussion relating to the desirability of adopting a special saturation policy in the area of North West Leicestershire.

Mr Eaton introduced the discussion by setting out the background and steps that a licensing authority had to take into account when considering whether to adopt a special saturation policy. He reminded members that the Council's Statement of Licensing Policy would be the key document when delivering the requirements of the Licensing Act 2003 however the policy could not be absolute and the District Council would need to consider each licence application on its individual merits.

Mr Eaton circulated an extract from draft guidance from the Department of Culture, Media and Sport to be issued under Section 182 of the Licensing Act 2003. He drew members' particular attention to paragraphs 3.14, 3.16 and 3.17 which highlighted the understanding and use of special saturation policies.

The police representatives were invited to comment on the current levels of crime and disorder in their Local Policing Unit areas and whether in their opinion the Council should be considering the adoption of a special saturation policy.

Inspector Lee did not feel that there was a serious crime and disorder concern in Coalville at the moment. However he recognised that situations did change and the time may come when there could be serious problems in Coalville which would necessitate the adoption of a special saturation policy.

Chairman's initials

Inspector Yallop stated that in her personal opinion there were sufficient licensed premises in Market Street, Ashby de la Zouch to cater for the public's needs and any increase in the number of licensed premises in that area could potentially lead to an increase in crime, disorder or nuisance. She supported her view by giving members the details of incidents of assault and disorder occurring in the vicinity of Market Street, Ashby de la Zouch over the last few years. The point had now been reached where she was having to consider extra weekend police patrols.

She reminded members of a dedicated police operation that had taken place several years previously to tackle exceptional problems of disorder and nuisance occurring in the area of Market Street, Ashby de la Zouch.

Members discussed the definition and understanding of the draft guidance terms relating to the steps to be followed in the adoption of a special saturation policy. It was noted that the draft guidance did not give a precise meaning to "serious and chronic concern" and it was unclear whether the guidance could be extended to village and town centres in addition to city centres.

Several members sought clarification on the type of public order offences committed in Ashby de la Zouch and acknowledged Inspector Yallop's point that the Market Street area may already be saturated with certain types of licensed premises.

In response to a question, Mr Eaton confirmed that the adoption of a special saturation policy by the District Council would allow it to refuse new licence applications because the area in question was already saturated with licensed premises, however this policy could not be absolute and the impact on an area would be different for premises with different styles and characteristics. It was also noted that the Council could not refuse an application on the grounds that an area had become saturated if it had not adopted a special saturation policy for that area.

Following further questions on the interpretation of the draft guidance, Mr Eaton stated that his reading was that the adoption of a special saturation policy was for use in areas experiencing exceptional problems of disorder, crime and nuisance. The identification of these problems needed to be based on clear evidence.

To assist members the two inspectors gave details about police resources available at Coalville and Ashby de la Zouch Local Policing Units on Fridays and Saturdays and the effect of serious crime and disorder on those resources.

A councillor made the point that the current draft guidance suggested that the licensing authority could identify the boundaries of an area where saturation had been identified. Furthermore, it was arguable that a small area containing a large number of licensed premises made its policing easier.

Mr Eaton reminded members of the consultation requirements under the Licensing Act 2003 for the development of the Council's statement of licensing policy and how any specific local circumstances needed to be reflected in the Council's version of the policy. Special saturation policies should be reviewed regularly and at least every 3 years to assess whether they had had the effect intended and whether they were needed any longer.

Chairman's initials

RESOLVED:

That the Head of Administration liaise with Leicestershire Constabulary to determine whether there was a serious and chronic concern in the area of North West Leicestershire which may lead to the need for a special saturation policy.

#. GENERAL PROGRESS – THE LICENSING ACT 2003

Mr Eaton gave a verbal report on a number of matters relating to the Licensing Act 2003.

Members noted that officers were aiming to submit the draft statement of licensing policy for consideration to the Licensing Committee meeting scheduled for Wednesday, 12 November 2003. After the policy's approval by the Licensing Committee, it would be considered by the Council's Policy Review and Development Board, Executive Board and at the Council meeting in December. Consultation on the policy would commence in 2004.

With regard to countywide consultation, it was noted that a number of Leicestershire authorities had moved away from the adoption of a generic policy statement and, therefore, a joint countywide consultation exercise was now improbable. However Leicester City Council and Charnwood Borough Council were still using the framework document previously agreed by all Leicestershire Councils and there was a possible opportunity to work with these two authorities on a joint consultation exercise.

Mr Eaton updated members on staff recruitment, the purchase of software package designed to meet the Act's requirements and the date of the next local licensing forum.

On the subject of training, officers were looking to arrange member training on the issue of the final guidance/regulations and on the workings of the Licensing Committee.

Finally Mr Eaton reported that the Licensing Act timetable was slipping. Final regulations/guidance was not expected until late October/early November 2003 which meant that the first appointed day and the start of the transitional period would not commence until May/June 2004.

Councillor D Howe left the meeting at 7.17pm.

The meeting terminated at 7.36pm.

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Chairman's initials