

MINUTES of a meeting of the LICENSING COMMITTEE held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 21 NOVEMBER 2018

Present: Councillor R Ashman (Chairman)

Councillors J Clarke, N Clarke, J G Coxon, D Everitt, T Eynon, J Hault, K Merrie MBE, P Purver, V Richichi, A C Saffell, S Sheahan, N Smith, M Specht and M B Wyatt

Officers: Mrs L Arnold, Mr A Cooper, Mr L Mansfield and Mrs M Meredith

**6. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor L Goacher

**7. DECLARATIONS OF INTEREST**

Councillor M B Wyatt declared a pecuniary interest in item 4 – Review of Licensing Act 2003 Statement of Licensing Policy / Cumulative Impact Policy, due to the potential impact upon his local business.

Councillor T Eynon declared a non-pecuniary interest in 4 – Review of Licensing Act 2003 Statement of Licensing Policy / Cumulative Impact Policy, as a member of the Musicians Union and as a volunteer at Hermitage FM.

**8. MINUTES OF PREVIOUS MEETING**

Consideration was given to the minutes of the meeting held on 3 October 2018.

It was moved by Councillor J G Coxon, seconded by Councillor J Clarke and

RESOLVED THAT:

The minutes of the meeting held on 3 October 2018 be approved and signed by the Chairman as a correct record.

**9. REVIEW OF LICENSING ACT 2003 STATEMENT OF LICENSING POLICY / CUMULATIVE IMPACT POLICY**

Having declared a pecuniary interest, Councillor M B Wyatt left the meeting prior to consideration of this item and took no part in the discussion or voting thereon.

The Environmental Health Team Manager presented the report to members, highlighting the requirements for review of the statement of licensing policy and the cumulative impact policy.

The Environmental Health Team Manager outlined the changes made to the existing statement of licensing policy having had regard to the national statutory guidance issued by the Home Office and to reflect the local profile of the district.

The Environmental Health Team Manager advised members that the assessment undertaken in respect of the cumulative impact policy had shown that alcohol related crime in Ashby de la Zouch had stabilised since 2012, however it had been concluded that granting further licences would not be conducive to the promotion of the licensing objectives and therefore it was recommended to retain the cumulative impact policy. He outlined the various issues that could be covered by a cumulative impact policy, such as operating times, types of premises or types of licence. He advised that it was recommended to apply the policy to all types of premises, as being prescriptive could lead

Chairman's initials

to being unable to apply the policy as intended. It was also recommended that the policy should apply only in licensed premises between 8pm and 6am as the data showed a spike in crime between those times. Finally it was recommended to retain the existing geographical area for the cumulative impact policy. Leicestershire Police had suggested that the area be extended to include the Wetherspoons public house, however after having considered the crime statistics which showed that there were 14 crimes associated with the premises in 6 years, officers were of the opinion that the premises was well managed and therefore it would be wrong to extend the area to include that public house.

In response to a question from Councillor T Eynon, the Environmental Health Team Manager advised that there were less than a handful of late night levies in operation and these had not proven to be successful, even in areas such as Manchester and London. He added that the Police had not expressed a desire to implement a late night levy and cumulative impact policies were more targetted in that they did not penalise premises which were not contributing to the negative impact.

In response to questions from Councillor J Clarke, the Environmental Health Team Manager explained that he could not comment on police resourcing. He advised that Wetherspoons had not yet responded to the email seeking their comments on the request to extend the cumulative impact zone. He outlined the process that would be followed should there ever be any cause for concern regarding the premises.

In response to questions from Councillor V Richichi, the Environmental Health Team Manager advised that in terms of compliance, it could be difficult to attribute a crime to specific premises. The highest number of crimes were found where there was the highest concentration of people. He added that no premises were consistently breaching their licensing conditions and action would be taken if this was the case.

Members felt that the existing policy worked well and saw no reason to include the Wetherspoons public house at this time.

It was moved by Councillor J Hault, seconded by Councillor J G Coxon and

RESOLVED THAT:

- a) The statement of licensing policy be recommended to Council for approval at its meeting on 26 February 2019.
- b) The retention of the cumulative impact policy relating to Ashby de la Zouch town centre be recommended to Council for approval at its meeting on 26 February 2019.

#### **10. NATIONAL REGISTER OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE REVOCATIONS AND REFUSALS (NR3)**

The Licensing Team Leader presented the report to members.

In response to a question from Councillor N Smith, the Licensing Team Leader advised that Uber drivers would be included on the register, providing that the local authority with which the Uber driver was licensed had signed up to it.

Members welcomed the report and the introduction of a register.

In response to a question from Councillor M Specht, the Licensing Team Leader advised that some work had already commenced in terms of signing up to the scheme, and once approved, existing drivers would need to be notified. As soon as the register was

implemented, all drivers who had had their licences refused or revoked would be included on the register. It was anticipated that this process would take approximately 8 weeks.

In response to questions from Councillor S Sheahan, it was clarified that the right of appeal in the existing process would not change.

It was moved by Councillor J G Coxon, seconded by Councillor V Richichi and

RESOLVED THAT:

- a) The national register of taxi licence revocations and refusals and the guidance produced by the local government association and national anti-fraud network be adopted;
- b) The Environmental Health Team Manager be given delegated authority, following consultation with the Portfolio Holder to amend the council's hackney carriage and private hire driver fit and proper person policy to reflect the adoption of the national register.

Councillor M B Wyatt left the meeting at 6.34pm prior to the consideration of item 4 – Review of Licensing Act 2003 Statement of Licensing Policy / Cumulative Impact Policy.

Councillor A C Saffell entered the meeting at 6.39pm during the presentation of item 4 – Review of Licensing Act 2003 Statement of Licensing Policy / Cumulative Impact Policy.

The Chairman closed the meeting at 7.11pm.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.11 pm

Chairman's signature