

LICENSING ACT 2003 COMMITTEE

Wednesday, 22 January 2014

<u>Present:</u>	Councillor	WJ Davies (Chair)	
	Councillors	S Niblock	H Smith
		G Davies	M Sullivan
		T Norbury	E Boulton
		D Roberts	M Hornby
		J Salter	I Lewis
<u>Apologies</u>	Councillors	G Ellis	T Harney
		A Hodson	P Williams

5 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were asked to declare any disclosable pecuniary and non pecuniary interests in connection with any application on the agenda and state the nature of the interest.

Councillor Niblock declared a non pecuniary interest in respect of items 3 and 4, Draft Statement of Licensing Policy and Special Cumulative Impact Policy by virtue of being a Member of the Merseyside Fire and Rescue Authority, Chair of New Ferry Village Hall and an organiser of the Farmers Market.

Councillor Roberts declared a non pecuniary interest in respect of items 3 and 4, Draft Statement of Licensing Policy and Special Cumulative Impact Policy by virtue of being a Member of the Merseyside Fire and Rescue Authority.

6 MINUTES

Resolved – That the accuracy of the minutes of the meeting held on 22 May 2013 be approved.

7 DRAFT STATEMENT OF LICENSING POLICY

Councillor Niblock declared a non pecuniary interest in this matter (see minute 5 above).

Councillor Roberts declared a non pecuniary interest in this matter (see minute 5 above).

The Strategic Director of Regeneration and Environment submitted a report seeking Members' approval of the Draft Statement of Licensing Policy in order that it may be circulated for consultation.

The Licensing Manager reported that the Council's Statement of Licensing Policy had been subject to two reviews since its first publication in January 2005 and the most recent policy had been published in December 2010.

Members were advised that it is a requirement of the Licensing Act 2003 that the Licensing Policy be reviewed at least every five years and that it was appropriate that the current policy be reviewed and updated. The Draft Statement of Licensing Policy was attached to the report and included the proposed changes.

It was proposed that the period of consultation be six weeks closing on 7 March 2014 and that the outcome of the consultation be reported to the next meeting of this Committee scheduled to be held on 12 March 2014. Notification of the consultation would be published on the Council's website and the consultation would include the relevant bodies in accordance with Section 5(3) of the Licensing Act 2003.

Discussions took place regarding the consultation period.

Councillor Niblock listed a number of changes he believed should be made to the Draft Statement of Licensing Policy prior to the consultation taking place.

Resolved – That, subject to the amendments proposed by Councillor Niblock, the Draft Statement of Licensing Policy be circulated for consultation for a period of six weeks.

8 SPECIAL CUMULATIVE IMPACT POLICY

Councillor Niblock declared a non pecuniary interest in this matter (see minute 5 above).

Councillor Roberts declared a non pecuniary interest in this matter (see minute 5 above).

The Strategic Director of Regeneration and Environment submitted a report to advise Members of a request received to amend the Council's Statement of Licensing Policy to include a Special Cumulative Impact Policy for an area of Birkenhead.

The Licensing Manager advised Members that Merseyside Police had requested that a Special Cumulative Impact Policy be introduced for the Charing Cross area of Birkenhead. Members had been provided with a map and a list of premises within the area.

Sergeant Barrigan attended the meeting and delivered a presentation to Members. He outlined the effect of adopting a special policy and advised that in determining whether to adopt a special policy relating to cumulative impact Guidance issued under Section 182 of the Licensing Act 2003 sets out the following matters to be considered by the Licensing Authority:

- Identify concern about crime and disorder; public safety; public nuisance; or protection of children from harm.
- Consider whether there is good evidence that crime and disorder or nuisance are occurring, or whether there are activities which pose a threat to public safety or the protection of children from harm.
- If such problems are occurring, identify whether these problems are being caused by the customers of licensed premises, or that the risk of cumulative impact is imminent.
- Identify the boundaries of the area where problems are occurring (this can involve mapping where the problems occur and identifying specific streets or localities where such problems arise).

Sergeant Barrigan informed Members that Merseyside Police considered that there was good evidence to support the introduction of a Special Cumulative Impact Policy for the area identified on the map due to the level of crime and disorder and nuisance occurring in the area that was directly related to alcohol. He advised that the area was an anti social alcohol related hotspot and provided statistics of the number of crimes reported in the area.

The Licensing Manager reported that should Members consider that the evidence provided by Merseyside Police supported the introduction of a Special Cumulative Impact Policy, it was proposed that the consultation would be undertaken for a period of six weeks, closing on 7 March 2014.

Councillor Stapleton attended the meeting as Ward Councillor for the area and supported the request made by Merseyside Police.

Resolved – That the proposal to adopt a Special Cumulative Impact Policy for the area of Birkenhead outlined in the map circulated to Members be consulted upon for a period of six weeks.