

# Public Document Pack

## LICENSING ACT 2003 COMMITTEE

Wednesday, 13 November 2019

<u>Present:</u>	Councillor	A Hodson (Chair)	
	Councillors	C Cooke A Corkhill T Cottier WJ Davies G Davies I Lewis	D Mitchell T Norbury L Rowlands J Stapleton KJ Williams G Wood
<u>Apologies</u>	Councillors	M Collins	P Stuart

### 8 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 J Stapleton declared a personal interest in item 4 – Draft Statement of Licensing Policy by virtue of being a Ward Councillor for Birkenhead and Tranmere ward (minute 11 refers).

### 9 MINUTES

**Resolved – That the accuracy of the minutes of the meeting held on 22 May and the special meeting held on 25 July 2019 be approved.**

### 10 MINUTES OF LICENSING ACT 2003 SUB-COMMITTEES

**Resolved – That the accuracy of the minutes of the Licensing Act 2003 Sub-Committees held on 25 April, 8 May, 22 May, 14 June and 22 August 2019 be approved.**

### 11 DRAFT STATEMENT OF LICENSING POLICY

The Director of Governance and Assurance submitted a report requesting the Committee to consider whether there should continue to be a Cumulative Impact Assessment applied to the area of Birkenhead which was currently referenced in the Statement of Licensing Policy.

The report also sought the Committee's approval of the Draft Statement of Licensing Policy set out within Appendix 1 to the report in order that it may be presented to Council for approval on 9 December 2019.

The Licensing Manager informed Members that there was a statutory requirement under Section 5 of the Licensing Act 2003 for the Licensing Authority to prepare and

publish a statement of Licensing Policy at least every five years and that since the first publication of the Policy in January 2005 it had been subject to three reviews, the last one being in December 2014.

Members were advised that on 5 January 2017 Merseyside Police had requested that the Licensing Authority consider adopting a Special Cumulative Impact Policy (SCIP), for an area within Birkenhead. The request had been made due to the level of crime and disorder, public nuisance, littering, street drinking, under-age drinking and anti-social behaviour believed to be resulting in part from the number of off-licence premises located in the area and this had been supported by Ward Councillors. Further to a comprehensive consultation the Licensing Authority had been satisfied that there was evidence that the number of premises in Charing Cross, Grange Road West, Grange Mount, Oxtan Road and the boundary of the Town Centre licensed under the Licensing Act 2003 for the sale by retail of alcohol for consumption off the premises were cumulatively giving rise to significant problems of public nuisance and crime and disorder.

The Licensing Authority therefore resolved to introduce a Special Cumulative Impact Policy limited to Charing Cross, Grange Road West, Grange Mount, Oxtan Road and the boundary of the Town Centre with effect from 10 July 2017 to apply to Premises licensed for the sale by retail of alcohol for consumption off the premises only.

The Licensing Manager reported that it was a requirement of the Licensing Act 2003 that the Licensing Policy be reviewed at least every five years and that any Cumulative Impact Assessment included within the Policy be reviewed every three years. Further to consultation four responses had been received and the comments were included within the report.

A report had been submitted by Merseyside Police providing evidence to support the retention of the Special Cumulative Impact Policy contained within the current policy. Inspector Minnery from Merseyside Police attended the meeting and addressed Members. She advised that although the Cumulative Impact Assessment had had a positive effect, street drinking was still a significant problem in Birkenhead.

Members were informed that the cumulative impact of the number of premises selling alcohol for consumption off the premises in the SCIP area supported a high level of street drinking in the area and that street drinking continued to be a major policing issue within the SCIP area. Evidence was provided relating to the impact of street drinking on individuals and businesses, the level of alcohol related violence and alcohol related domestic violence in and directly around the SCIP area.

The statistics within the report provided by Merseyside Police highlighted the level of alcohol related violence in the areas of Birkenhead and Tranmere which immediately surround the SCIP area. The statistics showed an increase in alcohol related domestic violence. Merseyside Police had advised that there had been a drive towards the better and more effective recording of data since 2016 and that this had been a contributing factor to a higher level of recorded incidents since 2016.

A Statement was provided within the report from a Police Officer with 12 years of experience working within Birkenhead Town Centre who advised that the number of off licences in the SCIP area contributed to the opportunities provided for street drinkers to obtain alcohol. A survey undertaken by a local PCSO highlighted the

concerns of local residents, businesses and Ward Councillors relating to the impact of street drinking in the area.

Members expressed their concerns in respect of the problems in Birkenhead Town Centre which included street drinking, fighting, homeless people and drug abuse. They believed that the Cumulative Impact Assessment should remain within the Statement of Licensing Policy.

Members discussed how the problem could be further addressed. The Licensing Manager advised that officers from the Licensing Department would be visiting premises to carry out inspections and subsequent to this would be holding a meeting with premises in the area to reiterate their responsibilities. Members agreed to hold an informal meeting in the new year to investigate any ways these issues may be addressed.

**On a motion by Councillor L Rowlands and seconded by Councillor D Mitchell it was -**

**Resolved -**

**That:**

**(1) The Committee recommend to Council that there should continue to be a Cumulative Impact Assessment applied to the area of Birkenhead currently referenced in the Statement of Licensing Policy; and**

**(2)The Draft Statement of Licensing Policy be recommended to Council for approval.**

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