

HINCKLEY AND BOSWORTH BOROUGH COUNCIL
LICENSING COMMITTEE
13 NOVEMBER 2007 AT 6.35 P.M.

PRESENT: MRS. S. FRANCKS - CHAIRMAN
MR. C.G. JOYCE - VICE-CHAIRMAN

Messrs. P.R. Batty, J.C. Bown, M.B. Cartwright, D.M. Gould,
P.A.S. Hall, R. Mayne, K. Morrell, K. Nichols, L.J.P. O'Shea, and
B.E. Sutton.

In accordance with Council Procedure Rule 4.4 Mr. R. Ward also
attended the meeting.

Officers in attendance: Mr. Mark Brymer, Mrs. P.I. Pitt and Mr. T.M.
Prowse.

318 APOLOGIES

Apologies for absence were submitted on behalf of Mr. J.D. Cort, Dr. J.R.
Moore and Mr. A.J. Smith.

319 MINUTES (LC1)

On the motion of Mr. Bown, seconded by Mr. Batty, it was

RESOLVED – the minutes of the meeting held on 17 April 2007 be confirmed
and signed by the Chairman.

320 DECLARATIONS OF INTERESTS

Mr. Hall declared a personal interest in report no. LC3.

321 LICENSING ACT 2003 - STATEMENT OF LICENSING POLICY (LC2)

The Chairman introduced this and suggested that there now be
informal discussions between Members, followed by specific questions to
officers. The Committee's approval was sought to the suggested final draft of
the revised Statement of Licensing Policy prior to submission to Council for
adoption.

Reference was made to the incidence of crime and disorder and in
response to a Member's question as to the situation now and when the first
Statement of Licensing Policy was adopted in December 2004, the Chairman
indicated that it was intended that the Committee have a report covering this
in the new year, including Anti-Social Behaviour Orders and police statistics.
Discussion ensued with regard to CCTV provision. It was acknowledged that
this was a useful mechanism in the prevention/detection of crime and was an
asset to police and the community. The Director of Community and Planning
Services indicated that the revised Statement had been carefully drafted and
reworded as deemed appropriate. Although recognising the benefit of CCTV,

the installation of this needed to be justified in any specific case and the Authority could not insist on such provision as a blanket policy.

A lengthy debate ensued with regard to the introduction of the No Smoking legislation on 1 July 2007 and its correlation with liquor licences. Again the Chairman indicated that this was an issue which would be addressed by a report in the New Year. The Committee received advice from officers that the smoke-free legislation was covered under the Health Act 2006 and any contravention of this would not be deemed to be a breach of the licensing conditions. Noise nuisance was dealt with by officers by way of issuing a statutory notice under the Environmental Protection Act. It was anticipated that guidance would be forthcoming from LACORS on the relevance of noise and smoking contraventions to licensing decisions and the Principal Licensing Officer undertook to liaise with fellow licensing officers on the issues raised by the Committee. The call was made for the adoption of an alcohol-free zone borough-wide and the Principal Licensing Officer undertook to produce a report on this for Members' consideration, with a view to the Council being given the opportunity to consider adopting legislation to create designated alcohol-free zones.

On the motion of Mr. Nichols, seconded by Mr. O'Shea, it was

RECOMMENDED - Council be requested to adopt the revised Statement of Licensing Policy in accordance with Section 5 of the Licensing Act 2003.

322 GAMBLING ACT 2005 - SCHEME OF DELEGATION (LC3)

Further to minute 310 of 30 October 2007 consideration was given to the onward delegation of the registration of small society lotteries under the above legislation. Such delegation, if approved, would ensure that applications were dealt with in a timely manner. In response to a question as to whether Committee Members could view such registrations, the Principal Licensing Officer indicated that there was provision for this with the maintaining of a public register. Additionally, details were available on the Council's website and electronically.

It was moved by Mr. Cartwright, seconded by Mr. Bown and

RESOLVED - the determination of small lottery registrations under the provisions of the Gambling Act 2005 be delegated to the Council's Principal Licensing Officer and the scheme of delegation within the Constitution be amended accordingly.

(The meeting closed at 7.25 p.m.)