

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

LICENSING COMMITTEE

28 FEBRUARY 2012 AT 6.00 PM

PRESENT: Mr K Nichols - Chairman

Mr PR Batty, Mr SL Bray, Mr MB Cartwright, Mr MT Mullaney, Mr LJP O'Shea,
Mrs J Richards, Mrs H Smith and Mrs S Sprason

Officers in attendance: Mark Brymer

406 CHAIRMAN

In the absence of the Chairman, the Vice-Chairman took the Chair at this point.

407 MINUTES

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

RESOLVED – the minutes of the meeting held on 26 October 2011 be approved and signed by the Chairman.

408 DECLARATIONS OF INTEREST

No interests were declared at this stage.

409 POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011

Members received a report which outlined amendments to be made to the Licensing Act 2003 as a result of the Police Reform and Social Responsibility Act 2011 and informed Members of the likely impacts of the changes.

Mr Batty arrived at 6.07pm.

An important change was highlighted as the possibility for the authority to set its own fees to cover the cost of the licensing function, which would be considered in due course. It was also reported that Licensing Officers would be able to make representations on behalf of the Licensing Authority.

Mr Nichols arrived at 6.10pm and took the chair at an appropriate point in the proceedings.

With reference to paragraph 6.4 in the report, Members supported the suggested change to enable the Licensing Authority to add 'appropriate' conditions rather than only 'necessary' conditions. It was noted that this would give more scope and that negotiations would take place early in the process to encourage applicants to agree conditions. It was also noted that the meaning of 'appropriate' would need to be defined.

With regard to Temporary Event Notices, it was reported that the number allowed per calendar year would remain the same (12 per year), but the maximum time period for the events would increase from 15 days in a calendar year to 21 days.

It was acknowledged that the Constitution would need to be amended with any changes.

On the motion of Mr Cartwright, seconded by Mr Mullaney it was

RESOLVED – the views on the proposals be noted.

410 HOME OFFICE CONSULTATION ON EARLY MORNING RESTRICTION ORDERS (EMRO) & LATE NIGHT LEVY (THE LEVY)

Members were advised of the consultation on secondary legislation for the late night levy and early morning restriction orders (EMROs) which sought to extend times during which an additional charge could be imposed to help fund policing requirements resulting from late night or early morning drinking.

Members expressed concern that imposing more charges would damage the night-time economy particularly in Hinckley, which had already suffered from reduced business in the evening over the last few years.

With regard to premises exempt from EMROs or the Levy, concern was expressed about the definitions contained within the appendix, for example a 'restaurant' must serve 'substantial table meals', however the meaning of 'substantial' may be somewhat subjective.

In discussing those premises which could be exempt from the Levy, it was suggested that as businesses within the Business Improvement District (BID) already paid a BID Levy, consideration should be given to exempting them from paying an additional sum. At this juncture, Councillor Bray declared a personal interest as Chair of the Town Centre Partnership.

It was noted that, of the income from the Levy, 70% would go to the Police and 30% to the Local Authority. It was explained that it would be a decision for the authority at what time the Levy started, and figures to show the income levels at different start times would be drafted soon as an indication of possible income.

The status of Members' Clubs was discussed and reference was made to page 38 of the agenda which stated that in these premises 'Alcohol cannot generally be supplied for profit or to the general public'. The Committee was informed that whether to impose the Levy on such establishments would be a local decision for the authority to take in due course.

Concern was expressed that the legislation was designed more for cities and not for towns with a small night-time economy.

RESOLVED – the views of Members be noted.

(The Meeting closed at 7.00 pm)

CHAIRMAN