

LICENSING COMMITTEE

Date: 9 March 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30 pm

Present: Councillors:- Glenn Harwood MBE (Chairman)
Anna Sauntson (Vice Chairman)

Pauline Bradberry
Richard Gell
Glenvil Greenwood-Smith
Andy Mercer
Gill Mercer

Brian Northall
Rupert Reichhold
Ron Silver

Also present (for item 6) – Sergeant Ian Fletcher (Northamptonshire Police)

423. MINUTES

The minutes of the meeting held on 6 October 2010 were confirmed and signed by the chairman as a correct record, subject to the deletion of “2009” at the end of the resolution in minute 199 and the substitution of “2010”.

424. APOLOGIES FOR ABSENCE

Councillors Sylvia Hughes and Peter MacGovern sent their apologies.

425. DECLARATIONS OF INTEREST

There were no declarations of interest.

426. QUESTIONS BY MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions.

427. LICENSING ACTIVITY

The committee received and noted details of applications received under the Licensing Act 2003 between August 2010 and January 2011, broken down into new premises licences and licence variations, reviews, variations and removals of Designated Premises Supervisors (DPS), transfers, Interim Authority Notices, Temporary Event Notices (TENs), personal licences and changes to details.

428. LICENSING ACT 2003 - CRIME STATISTICS FOR LICENSED PREMISES

Further to minute 353 (12 March 2008), the committee received and noted an analysis of

criminal activity relating to licensed premises in East Northamptonshire, covering the period February 2010 to January 2011 and monthly crime volumes supplied by the police covering the period April 2010 to December 2010.

The following points and comments were made during the discussion on this item:-

- There was an excellent partnership between the Council's Licensing Enforcement Officer and the Police Licensing Unit and members paid tribute to the work undertaken
- The Pubwatch schemes for Rushden, Higham Ferrers, Raunds and Irthlingborough were working very well
- The police were now deploying more resources to meet the demands of the public with twice as many officers working shifts and attention was drawn to Operation Nightsafe. The level of violence had dropped to the lowest it had ever been and this was principally due to effective resourcing and partnership working
- The police had also targeted underage and sales to drunken people and only one incident had been highlighted in East Northamptonshire, which was by far the best local authority area in terms of fewer offences
- There had been an improvement in responsible licensees
- The Rose and Crown, Oundle now had a permanent manager and should not feature in future statistics.

The Committee welcomed the trend and thanked both the Licensing Enforcement Officer and Sergeant Fletcher for the initiatives that were being followed.

429. PROPOSED CHANGES TO PART 5.7 OF THE CONSTITUTION

The committee was reminded that an issue which had featured in discussion at licensing seminars hosted by this Council was the practice, in some councils, in allowing ward members to serve on licensing panels constituted under the Licensing Act 2003.

Legal advice had now been obtained. Provided a ward member served on the Licensing Committee, and certain conditions were met, there was merit in including ward members on panels. These conditions related to the absence of a prejudicial interest and observance of the rules of natural justice to ensure that ward members had an open mind before the hearing and did not prejudge the issue.

The Code of Practice for Licensing Procedures (part 5.7 of the constitution) did not currently allow the use of Licensing Committee ward members and it was now proposed to rectify this. Suggested wording to paragraphs 6 and 19 of the code was put forward for endorsement. The proposed changes would be considered by the Policy and Resources Committee on 14 March.

Members welcomed the report and it was

UNANIMOUSLY RESOLVED:

That the proposed changes to part 5.7 of the Constitution be endorsed.

430. SEMINAR ON LICENSING ISSUES

Members received the notes of the seminar held at East Northamptonshire House on 23 October 2010, set out in the appendix to these minutes at pages 735 to 739. The next seminar would be held in June 2011.

The chairman drew attention to changes in the government's approach to licensing as outlined in a Home Office publication and there was a brief discussion. This had followed consultation with interested parties and the response was welcomed.

Chairman