

LICENSING AND REGULATION COMMITTEE

7 June 2007

Attendance:

Councillors:

Mather (Chairman) (P)

Baxter
Bell (P)
Berry (P)
Cooper (P)
Howell (P)
Hammerton (P)
Izard (P)

Jackson (P)
Love
Sutton (P)
Read (P)
Wagner (P)
Weston (P)
Wright (P)

Other Members attending and speaking:

Councillor Maynard

1. **APOLOGIES**

Apologies were received from Councillors Baxter and Love

2. **APPOINTMENT OF VICE-CHAIRMAN FOR THE MEETING**

RESOLVED:

That in the absence of Councillor Baxter, Councillor Read be appointed as Vice-Chairman for this meeting.

3. **MEMBERSHIP OF SUB-COMMITTEES**

RESOLVED:

That Councillors Berry, Izard, Howell, Mather and Sutton be appointed to the Taxi Review Working Party for the 2007/08 Municipal Year.

4. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee held on 1 March 2007 be approved and adopted.

5. **PUBLIC PARTICIPATION**

Cllr Maynard spoke in support of the proposed Alcohol Consumption Designation Order (Report LR223 refers). He expressed disappointment that the Community Safety Partnership had been unable to fund the suggested outreach workers but that residents in his Ward still desired the expansion of the Zone due to disturbances caused by drinkers, predominantly during the summer months.

The Corporate Director (Policy), in his capacity as Chairman of the Community Safety Partnership (CSP), explained that funding for outreach support workers had been deliberated by the CSP Strategic Group at length, but it was felt that it was not possible to fund these posts at the current time given other demands. In discussion with the Police, it had been confirmed that they would be able to enforce the Zone and that the lack of these extra posts would not detract from its effectiveness. As a consequence, he supported the proposal to extend the Zone.

6. **MINUTES OF THE LICENSING SUB-COMMITTEE HELD 27 FEBRUARY 2007**

(Report LR224 refers)

The Committee considered the minutes of the meeting of the Sub-Committee held on 27 February 2007 (attached as Appendix A to the minutes).

RESOLVED:

That the minutes of the Licensing Sub-Committee held on 27 February 2007 (less exempt item) be received and noted.

7. **MINUTES OF THE LICENSING SUB-COMMITTEE HELD 6 MARCH 2007**

(Report LR225 refers)

The Committee considered the minutes of the meeting of the Sub-Committee held on 6 March 2007 (attached as Appendix B to the minutes).

RESOLVED:

That the minutes of the Licensing Sub-Committee held on 6 March 2007 be received and noted.

8. **MINUTES OF THE LICENSING SUB-COMMITTEE HELD 12 MARCH 2007**

(Report LR226 refers)

The Committee considered the minutes of the meeting of the Sub-Committee held on 12 March 2007 (attached as Appendix C to the minutes).

RESOLVED:

That the minutes of the Licensing Sub-Committee held on 12 March 2007 be received and noted.

9. **MINUTES OF THE LICENSING SUB-COMMITTEE HELD 22 MARCH 2007**

(Report LR227 refers)

The Committee considered the minutes of the meeting of the Sub-Committee held on 22 March 2007 (attached as Appendix D to the minutes).

RESOLVED:

That the minutes of the Licensing Sub-Committee held on 22 March 2007 be received and noted.

10. **MINUTES OF THE LICENSING SUB-COMMITTEE HELD 24 APRIL 2007**

(Report LR228 refers)

The Committee considered the minutes of the meeting of the Sub-Committee held on 24 April 2007 (attached as Appendix E to the minutes).

RESOLVED:

That the minutes of the Licensing Sub-Committee held on 24 April 2007 be received and noted.

11. **MINUTES OF THE LICENSING SUB-COMMITTEE HELD 10 MAY 2007**

(Report LR229 refers)

The Committee considered the minutes of the meeting of the Sub-Committee held on 10 May 2007 (attached as Appendix F to the minutes).

RESOLVED:

That the minutes of the Licensing Sub-Committee held on 10 May 2007 (less exempt item) be received and noted.

12. **EXTENSION OF THE ALCOHOL CONSUMPTION DESIGNATION ORDER**

(Report LR211 refers)

The Head of Legal Services explained that the consultation period was now over and that several representations had been received, both for and against the proposed extension. He reiterated that the Order would not ban drinking within the Zone but that it provided the Police with an extra enforcement tool should they require it.

The Community Safety Officer reported that an Alcohol Exclusion Zone (AEZ) sub-group had been set up by the Community Safety Partnership to look into funding for the support workers. In the interim, training for Police Community Support Officers (CSOs) and Accredited Community Safety Officers (ACSOs) would be provided, to assist them in dealing with issues caused by street drinking.

Responding to questions from Members, the Community Safety Officer explained that the University of Winchester had two areas that were designated as public areas. The University had concerns over the designation order preventing its students from fully enjoying those facilities. Although they had been advised that the effect of the order was not to ban alcohol consumption in the Zone, the University still wished to maintain its objection. The Head of Legal Services added that the Zone could actually assist the University's own policing of their land and that they should not be disadvantaged in any way.

During debate, the Committee was informed that the CSOs and ACSOs were still in training and that they would be working in shifts to cover the District, although shift patterns were not yet known for the CSOs. On Thursday, Friday and Saturday nights they would work until midnight. Although they would not have powers of arrest, CSOs

would be able to hold someone for up to 30 minutes until a police officer arrived on scene and would have the ability to give out fixed penalty notices.

Responding to concerns raised by the Committee, the Community Safety Officer explained that street drinkers could be directed towards support services (such as the night shelter and the Trinity Centre) by the Police. They were also referred to organisations such as Spencer House for alcohol related support services, as well as to the City Council if they were homeless. It was also explained that it remained the Police's role to enforce the law and that anyone, including street drinkers, could be arrested if they did not comply with requests made by the Police.

The Community Safety Officer continued that, in the summer of 2006, the Council had applied for injunctions to deal with street drinking problems. Officers had taken the advice of Hampshire Constabulary who were satisfied that they had the resources necessary to enforce the proposed area. The Community Safety Officer had spoken to the rural police inspector and he felt that he did not have a significant problem with alcohol issues. As such, he had the necessary powers to deal with any issues.

During discussion, the possibility of rolling the Zone out across the whole District was suggested. The Head of Legal Services explained that, in order to enact this legislation, the Council would have to be satisfied that there was a nuisance in the area that could be improved by an extension to the Order. Unless and until a particular problem arose, it was felt that this would not be necessary and that an extension as currently proposed was sufficient for the time being.

Members discussed some concerns over the use of the word 'exclusion', stating that some members of the public may get confused over this terminology. The Head of Legal Services commented that the majority of people had seen and understood the signage used to inform the public of the existing Zone. The Police would be expected to continue to use their discretionary powers under the new order, so as to allow those people drinking sensibly and not causing a nuisance to carry on doing so.

RESOLVED:

That the Head of Legal Services be authorised to make an extension of the designated order under Section 13 of the Criminal Justice and Police Act 2001 for the following areas:-

- Part of St John and All Saints Ward (that part of the Ward to the west of the M3)
- Part of Itchen Valley Ward (that part to the south east of A34)
- Part of Kings Worthy Ward (that part between the southern ward boundary, the A34 and Worthy Road)
- Part of Littleton and Harestock Ward (that part between the ward boundary, Andover Road North and Harestock Road)
- The whole of St Bartholemew, St Barnabas, St Michael, St Paul Ward, St Luke Ward, Olivers Battery and Badger Farm Wards

- Part of Compton and Otterbourne Ward (that part north of Badger Farm Road and the Hockley Link)
- Part of Colden Common and Twyford Ward (north of the M3)

13. **EXEMPT BUSINESS**

RESOLVED:

1. That in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

2. That the public be excluded from the meeting during the consideration of the following items of business because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

<u>Minute Number</u>	<u>Item</u>	<u>Description of Exempt Information</u>
##	Exempt Minute of Licensing Sub-Committee held 27 February 2007) Information relating to any individual. (Para 1 Schedule 12A refers)
##	Exempt Minute of Licensing Sub-Committee held 10 May 2007) Information which is likely to reveal the identity of an individual. (Para 2 Schedule 12A refers)
) Information relating to the financial or business affairs of any particular person (including the authority holding that information). (Para 3 Schedule 12A refers)

14. **EXEMPT MINUTES**

RESOLVED:

That the exempt minutes of the Licensing Sub-Committees held 27 February and 10 May 2007, be received and noted.

The meeting commenced at 6.30pm and concluded at 7.30pm

Chairman