

LICENSING AND REGULATION COMMITTEE

9 October 2007

Attendance:

Councillors:

Mather (Chairman) (P)

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

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

1. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee held on 7 June 2007 be approved and adopted.

2. **MINUTES OF THE LICENSING SUB-COMMITTEE HELD 21 MAY 2007**

(Report [LR246](#) refers)

The Committee considered the minutes of the meeting of the Sub-Committee held on 21 May 2007 (attached as Appendix A to the minutes).

RESOLVED:

That the minutes of the Licensing Sub-Committee held on 21 May 2007 be received and noted.

3. **MINUTES OF THE LICENSING SUB-COMMITTEE HELD 12 JUNE 2007**

(Report [LR247](#) refers)

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

RESOLVED:

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

4. **MINUTES OF THE LICENSING SUB-COMMITTEE HELD 22 JUNE 2007**
(Report [LR248](#) refers)

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

RESOLVED:

That the minutes of the Licensing Sub-Committee held on 22 June 2007 (less exempt item) be received and noted.

5. **MINUTES OF THE LICENSING SUB-COMMITTEE HELD 26 JUNE 2007**
(Report [LR249](#) refers)

The Committee considered the minutes of the meeting of the Sub-Committee held on 26 June 2007 (attached as Appendix D to the minutes).

RESOLVED:

That the minutes of the Licensing Sub-Committee held on 26 June 2007 be received and noted.

6. **MINUTES OF THE LICENSING SUB-COMMITTEE HELD 13 JULY 2007**
(Report [LR250](#) refers)

The Committee considered the minutes of the meeting of the Sub-Committee held on 13 July 2007 (attached as Appendix E to the minutes).

RESOLVED:

That the minutes of the Licensing Sub-Committee held on 13 July 2007 be received and noted.

7. **MINUTES OF THE LICENSING SUB-COMMITTEE HELD 9 AUGUST 2007**
(Report [LR251](#) refers)

The Committee considered the minutes of the meeting of the Sub-Committee held on 9 August 2007 (attached as Appendix F to the minutes).

RESOLVED:

That the minutes of the Licensing Sub-Committee held on 9 August 2007 (less exempt item) be received and noted.

8. **MINUTES OF THE LICENSING SUB-COMMITTEE HELD 31 AUGUST 2007**
(Report [LR252](#) refers)

The Committee considered the minutes of the meeting of the Sub-Committee held on 31 August 2007 (attached as Appendix G to the minutes).

RESOLVED:

That the minutes of the Licensing Sub-Committee held on 31 August 2007 (less exempt item) be received and noted.

9. **MINUTES OF THE LICENSING SUB-COMMITTEE HELD 10 SEPTEMBER 2007**
(Report [LR253](#) refers)

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

RESOLVED:

That the minutes of the Licensing Sub-Committee held on 10 September 2007 be received and noted.

10. **MINUTES OF THE LICENSING SUB-COMMITTEE HELD 17 SEPTEMBER 2007**
(Report [LR262](#) refers)

The Committee considered the minutes of the meeting of the Sub-Committee held on 17 September 2007 (attached as Appendix I to the minutes).

RESOLVED:

That the minutes of the Licensing Sub-Committee held on 17 September 2007 (less exempt item) be received and noted.

11. **PRESENTATION ON THE ALCOHOL CONSUMPTION DESIGNATION ORDER**
(Oral Report)

The Chairman welcomed to the meeting Inspector Kevin Baxman (Hampshire Constabulary) and invited him to address the Committee about the current experience of the Police in enforcing the above Order.

Inspector Baxman reported that the extended zone had been working well since it was implemented earlier in the year and that, over the summer months, no complaints of street drinking had been received. He explained that it was not an offence to drink within the zone, and an offence was only committed where a person continued to drink having been told to stop by a police officer. Discretion was used and each case dealt with individually and the Order was a useful tool that the Police could use if necessary. There was also no evidence to suggest that the expansion had resulted in displacement of street drinkers to other areas of the District.

Inspector Baxman responded to questions from the Committee, explaining that there were concerns over the impact that temporary events could have on areas within the Zone. The disorder caused by the consumption of alcohol had to be considered but, if organisers liaised with the Police in advance of an event, then any issues could usually be satisfactorily dealt with and the event allowed to proceed from their viewpoint. The Head of Legal Services explained that the Council could not impose any conditions on a Temporary Event Notice under the legislation and that the Police could only object on crime and disorder grounds.

Members discussed some concerns over the use of the word 'exclusion', stating that some members of the public had become confused over this terminology. Inspector Baxman confirmed that, to his knowledge, this had not been an issue and reiterated that the Zone was working well. He concluded by inviting Members to go out on patrol with the police to see enforcement of the Order in action.

RESOLVED:

1. That Inspector Baxman be thanked for his attendance and presentation regarding the current experience of the Police with regard to the enforcement of the Alcohol Consumption Designation Order.

2. That any Member of the Committee who wishes to join the Police on patrol, as mentioned above, should contact the Head of Democratic Services in the first instance.

12. **REVIEW OF THE LICENCING POLICY**

(Report [LR260](#) refers)

The Head of Legal Services reported that no representations or suggested amendments had been received on the proposed revised Policy during the consultation period. Responding to questions, he confirmed that tournaments run by sports clubs as competitive matches (rather than as entertainment for spectators) were not classed as entertainment and would therefore not require a licence. The provisions in the Licensing Policy which suggested that an appropriately qualified medical practitioner should be present at various sporting events would not therefore apply to such tournaments.

RECOMMENDED:

THAT THE AMENDED POLICY, AS SET OUT IN APPENDIX 1 TO REPORT LR260, BE AGREED AND ADOPTED AS THE CITY COUNCIL'S LICENSING POLICY FOR THE THREE YEAR PERIOD FROM 7 JANUARY 2008.

13. **REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2007**

(Report [LR245](#) refers)

The Corporate Director (Governance) explained that the above legislation required all local authorities to conduct a formal review of all polling districts and polling places by 31 December 2007, and to conduct further reviews at least every four years thereafter. He continued that, in the Winchester District, problems which had arisen in the past had been dealt with at the time, after consultation with relevant groups. Some of the changes made in recent years were outlined in the report.

Comments on the current review had been invited from relevant individuals and groups, including all Members, the seven County Councillors representing the District, parish councils and political parties. The Corporate Director (Governance) reported that particular concerns had been raised over the location of the polling places in St Luke Ward all being in the South of the Ward. Consequently, an additional polling place at the Tower Arts Centre had been investigated as it was situated at the northern end of the Ward. Unfortunately, due to the uncertainty of the future of the Centre (currently the only viable alternative for a polling place) it was agreed that the existing polling places should remain and that the situation be kept under review.

The report also identified certain polling places in the Itchen Valley and Wonston & Micheldever Wards which presented particular access difficulties. In the absence of any practical alternatives in each case, it was again agreed that they should be retained, pending any further comments in the second stage of the review process.

RESOLVED:

1. That, having considered the information and for the reasons explained in the report, the polling districts and polling places as set out in Appendix A to Report LR245 be approved for further consultation.

2. That, with regard to the provision of a polling place in the northern part of St Luke Ward, the situation with regard to the availability of the Tower Arts Centre continue to be monitored, having noted that any decision is very unlikely to be possible within the timescale of this review.

14. **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 22 June 2007) Information relating to any individual (Para 1 Schedule 12A refers)
##	Exempt Minute of Licensing Sub-Committee held 9 August 2007) Information which is likely to reveal the identity of an individual (Para 2 Schedule 12A refers)
##	Exempt Minute of Licensing Sub-Committee held 31 August 2007) Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Para 3 Schedule 12A refers)
##	Exempt Minute of Licensing Sub-Committee held 17 September 2007) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings (Para 5 to Schedule 12A refers)

15. **EXEMPT MINUTES**

RESOLVED:

That the exempt minutes of the Licensing Sub-Committees held on 22 June 2007, 9 August 2007, 31 August 2007 and 17 September 2007, be received and noted.

The meeting commenced at 6.30pm and concluded at 7.30pm

Chairman