

Licensing Committee25 June 2007
(10.00am to 11.45am)

Present: Councillors Benstead, Blencowe, Boyce, Dixon (Chair), C Rosenstiel and Slatter

FOR THE INFORMATION OF THE COUNCIL**07/Lic/01 Minutes**

The minutes of the meeting held on 13 November 2006 were confirmed as a correct record.

07/Lic/02 Apologies

Apologies for absence were received from Councillors Bailey, Downham, McPherson, Smith, Stuart and Upstone

07/Lic/03 Declarations of Interest

Members noted that Councillor C Rosenstiel was a member of CAMRA and that he lived in one of the areas proposed by the Cambridgeshire Constabulary as one of the zones under the Cumulative Impact Policy.

07/Lic/04 Licensing Act 2003 – Public Consultation on the Review of the Statement of Licensing Policy and the Inclusion of a Cumulative Impact Policy**Police Representation**

Inspector Chris Porter and PC Peter Sinclair were present and invited to speak to the submission by the Cambridgeshire Constabulary requesting the inclusion of a cumulative impact policy within the Statement of Licensing Policy. As the Constitution did not deal with Public Questions at meetings of the Council's regulatory committees, other than specific applications, the Chair took the view that the Police representatives should be heard under the same conditions that applied to Scrutiny Committees.

Inspector Porter spoke to the submission by the Cambridgeshire Constabulary and indicated that the City centre was suffering a disproportionate amount of violent crime and Anti Social Behaviour (ASB) for its geographical size. Temporal analysis showed that this could be linked to the night time economy. A prospective Cumulative Impact area in the City Centre had been identified which incorporated 90% of ASB and violent crime.

In addition, the area around the Old Cattle Market should also be considered for a cumulative impact zone. The numbers of offences there were increasing and it was also suffering a disproportionate amount in comparison with its geographical size.

There was a significant link between the increasing number of offences and the consumption of alcohol. There was no intention, if the declaration of a Cumulative Impact Area was incorporated into the Council's policy, of a blanket refusal of further applications in the areas. Each application would be assessed on its merits by the Police in their role as one of the Responsible Authorities.

Members pointed out that the legislation required identification of premises which generated ASB and alcohol related offences, it was not clear how the declaration of Cumulative Impact Areas would help the Police. They also asked if the existing police powers did allow them to meet the current situation.

Inspector Porter said that the additional control offered by the declaration would assist in curbing the growth of offences. The existing Police powers were adequate, but it was the growth of licensed premises in the two areas identified that gave concern about future ability to provide effective policing. There was an inherent difficulty in linking offences to licensed premises.

Report by the Licensing Officer

The Licensing Officer said that the Licensing Act 2003 required each Council to keep its Statement of Licensing Policy under review and to review it at least every three years. The Council's current policy would expire on 6 January 2008. Consultation on the policy was required before its adoption and the Cabinet Office code of practice recommended a 12 week consultation period.

The purpose of the report was to inform the Committee about the redrafted policy as a part of the public consultation process and to obtain feedback on its content, prior to the drawing up of a final policy.

The consultation draft incorporated public consultation on a request from the Cambridgeshire Constabulary, attached as Appendix A to the report, for the inclusion of a cumulative impact policy within the Statement of Licensing Policy relating to two defined areas:

- the city centre,
- the Cambridge Leisure Park (the former Cattle Market site)

A draft of the Council's amended Statement of Licensing Policy was attached to the report as Appendix B.

Some members sought clarification of the status of the Police at the meeting. C Rosenstiel, in particular, expressed his view that, as the meetings of the Licensing Committee did not have the quasi-judicial role that applied in Sub-committees and, indeed, in meetings of Planning Committee, Police officers had a broader advisory role rather than the one set out in the Act.

The Chair reminded members that no decision on the suggested incorporation of an Accumulative Impact Policy was to be taken at this meeting. The proposals by the Police would be circulated as part of the consultation process and would form part of the documentation on which the public could comment.

The Licensing Officer outlined the procedure required of the Council in reviewing the Statement of Licensing Policy and the options open to the Committee and the Council.

The Policy was required to contain a section setting out the Council's approach to cumulative impact. This could either be that it did not, at present, have such a policy (as indicated in the existing policy dated January 2005) or that, having undertaken the steps identified in paragraphs 3.5 to 3.6 of the report, it was considered that a Cumulative Impact Policy should be included in the Statement of Licensing Policy. There was no presumption within the Act that a Cumulative Impact Policy should be in force.

In discussion the following points arose:

- that if accumulative impact zones were to be incorporated in the Council's policy, the decision to do so would have to be based on hard evidence;
- there were possible knock-on effects in other areas of the city to take into account if cumulative impact zones were to be incorporated in the two areas identified;
- in consulting the public for the sake of impartiality, it should be made clear that the recommendation for the incorporation of the cumulative impact zones was made by the Police;

Resolved that

- 1 the amended draft Statement of Licensing Policy appended to the report be approved for public consultation;
- 2 the consultation include the submission by the Police on the adoption of a cumulative impact policy;

- 3 the public be invited to make comments to the Licensing Officer by the close of the 12 week consultation period to take place between the end of June and mid September;
- 4 a meeting of the Licensing Committee be held in November to consider the results of the consultation and to make an appropriate recommendation to the Council meeting on 6 December in relation to the adoption of a Statement of Licensing Policy.