

SPECIAL MEETING OF LICENSING AND SAFETY COMMITTEE

Tuesday, 24th February 2009 at 6.00 p.m.
in Committee Room 3, The Council House, Dudley

PRESENT:-

Councillor Ryder (Chairman)
Councillor D Blood (Vice Chairman)
Councillors Mrs Ameson, Mrs Aston, Cotterill, Mrs Coulter, Mrs Cowell, A
Finch, Mottram, Nottingham, Taylor, Tyler, Vickers and Woodall

Officers

Interim Director of Law and Property, Licensing Officer and Mr J
Jablonski (all Directorate of Law and Property)

12 **APOLOGY FOR ABSENCE**

An apology for absence from the meeting was submitted on behalf of
Councillor Mrs Dunn.

13 **DECLARATIONS OF INTEREST**

No member made a declaration of interest in accordance with Members'
Code of Conduct.

14 **MINUTES**

RESOLVED

That the minutes of the Special Meeting of the Committee held on
8th December, 2008, be approved as a correct record and signed.

15 **ALCOHOL CONSUMPTION IN PUBLIC PLACES – BRIERLEY HILL
TOWN CENTRE**

A report of the Interim Director of Law and Property was submitted on the
consultation undertaken and the publishing of a notice in a local
newspaper arising from the decision of this Committee at its meeting held
on 8th December, 2008, to approve, in principle, the introduction of a
Designation Order for Brierley Hill Town Centre where the consumption
of alcohol would be prohibited other than within the curtilage of licensed
premises.

Appendix 1 to the report submitted was a copy of a plan indicating the original proposed designated area, as previously reported to the Committee. A further plan boldly delineating the area was also circulated at the meeting. Attached as Appendix 2 to the report was the report submitted to the Council on 9th October, 2008, from West Midlands Police summarising the problems associated with the consumption of alcohol in and around Brierley Hill Town Centre

Paragraphs 6 to 9 of the report submitted detailed the action taken arising from the decision made at the last meeting of the Committee and in particular referred to the 23 representations that had been received arising from the publishing of the notice, and other steps taken to publicise this matter, all of which supported the proposal.

Paragraph 7 of the report also indicated that the Brierley Hill Area Committee supported the proposal and that the cost of supplying and installing the necessary signage would be met from the capital allocations fund of that Committee subject to part funding by West Midlands Police.

Appendix 4 to the report submitted was a copy of the draft Designation Order, which, if approved by the Committee, and following the carrying out of all necessary action connected with the making of the Order would then come into force.

Arising from the consideration given to this matter, it was

RESOLVED

That the Brierley Hill Town Centre (Alcohol Consumption in Designated Public Place) Order 2009 be approved and that the Interim Director of Law and Property be authorised to take all necessary action connected with the making of the Order as indicated in paragraphs 11 and 12 of the report submitted.

Arising from the consideration of the foregoing matter and comments made at the last Special Meeting of the Committee held on 8th December, 2008, relating to the possible implementation of a borough wide alcohol ban, the Interim Director of Law and Property reported on the content of a letter received by a neighbouring authority from the Home Office on this matter.

The letter indicated that the legislative powers were not intended to introduce blanket restrictions or to apply to areas where there was no alcohol related nuisance. Furthermore the powers should be used to stop anti-social drinking in designated areas and give the Police further powers to stop persons from drinking when they were requested to do so.

However, whilst it was not within the spirit of the legislation, a blanket restriction could be permitted if an area was experiencing problems from anti-social drinking and the appropriate consultation, advertising and signage had all been carried out and implemented. The Council's own legal officers would need to be satisfied that this approach could be adopted.

The position was therefore that Dudley had been approaching this matter in the correct manner by the designation of specific areas where anti-social drinking had been identified as a problem by the Police but that if there was clear evidence of anti-social drinking on a borough wide basis and the necessary consultation, advertisement and signage could be undertaken and implemented across the borough then it was the case that, subject to overcoming the various practical issues involved, the tackling of anti-social drinking on a broader basis could possibly be undertaken.

In considering the information reported, members cited a number of localities where action could possibly be taken, particularly those adjacent to designated areas and those experiencing displacement, subject to the necessary evidence being provided by the Police, and ways in which this matter might be progressed. It was also considered that in addition to any joint action by the Council and the Police, parents needed to be involved.

RESOLVED

That, in order to further assist in the tackling of anti-social drinking:-

- (1) The Interim Director of Law and Property be requested to write to the four Members of Parliament for the Borough and the Home Office highlighting in particular the need for legislative changes.

- (2) The Licensing Officer be requested to include on the agenda for the next meeting with Police Superintendents Dyer and Johnson, on licensing matters, to be held in May, 2009, issues raised by members and in this connection members were asked to inform her of those localities in their wards where problems were being experienced so that these could be passed on to the Police with the request that they carry out the necessary investigations with a report back to members in due course.
- (3) The Chairman of the Select Committee on Community Safety and Community Services be requested to consider, at a future meeting of his Committee, a request that Police Superintendents Dyer and Johnson be invited to attend a meeting of the Committee to discuss issues relating to anti-social drinking in the Borough and to the sending of a letter to the four Members of Parliament for the Borough on similar lines to the letter referred to in resolution 1 above.

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REVISION OF LICENCE FEES

A joint report of the Interim Director of Law and Property and the Director of Finance was submitted on the proposed revision of fees for licenses and consents (other than those where the fees were imposed by statute in respect of liquor licensing and lotteries and amusements).

RESOLVED

That approval be given to a 12% overall increase for licenses and consents (other than those where the fees were imposed by statute in respect of liquor licensing and lotteries and amusements) with effect from 1st April, 2009, being 5% on street trading and 15% on betting and gaming as set out in paragraph 5 and Table A of the report submitted.

The meeting ended at 6.45 pm

CHAIRMAN