

**Special Meeting of Licensing and Safety Committee – 29<sup>th</sup> June, 2006**

**Report of the Director of Law and Property**

**Proposals for the Introduction of a Special Liquor Licensing Policy regarding the Cumulative Impact of Licensed Premises in Stourbridge Town Centre -**

**Purpose of Report**

- 1 To consider the proposals for the introduction of a special policy regarding Cumulative Impact in respect of Stourbridge Town Centre.

**Background**

- 2 On the 18<sup>th</sup> April 2006, a meeting was held at Stourbridge Police Station to discuss Licensed Premises and the attendant problems that are currently being experienced in Stourbridge Town Centre. Present at that meeting were Inspector Mark Thomas, Sergeant Kerr Ross, Ms. Lisa –Marie Smith Deputy Force Solicitor, Councillor Angus Adams, Mathew Caddick Stourbridge Town Centre Manager, Peter Vangeersdaele Senior Engineer Traffic and Transport, Philip Tart Assistant Director Legal and Democratic Services and Janet Elliott Licensing and Service Improvement Officer.
3. From the discussion and information presented by the police at that meeting, it became clear that policing problems in Stourbridge Town Centre were directly linked to the licensing objectives of prevention crime and disorder and public nuisance caused by the number of licensed premises; the addition of yet more licensed premises could only exacerbate the situation. It was agreed by all present that the police and the council should consider the evidence in more detail to ascertain whether proposals to introduce a special policy regarding Cumulative Impact could be formally submitted to the Licensing and Safety Committee.
4. On the 9<sup>th</sup> June 2006, Ms. Smith and Mr. Tart met to consider the information and concluded that there was sufficient strength of evidence to present, for consideration, to the Licensing and Safety Committee proposals to introduce a Special Policy regarding Cumulative Impact for Stourbridge Town Centre within the Ring Road. The purpose of such a policy will be to create a rebuttable presumption that applications for a new premises licence or club premises certificates, or material variations will normally be refused if relevant

representations are received unless it can be demonstrated that the operation of the premises involved will not add to the cumulative impact

5. At this meeting Mr. Tart will give a presentation, which will explain the background, criteria and consultation process in respect of the introduction of such a policy. This will be followed by a presentation given by Acting Chief Superintendent Freail and Ms. Smith of the evidence, which supports the proposals.
6. There will be hard copies of both presentations available to Members at this meeting together with a detailed map showing both the specified area under consideration and the placement of all licensed premises within that area.
7. Attached to this report as appendix 1 is a draft Special Policy Regarding Cumulative Impact for Stourbridge Town Centre within the Ring Road.
8. This application falls within the Council's recent responsibility for liquor licensing which has a direct link to the Council's key corporate priority that safety matters.

### **Proposal**

9. That the Committee consider whether the proposals for the introduction of a special policy regarding Cumulative Impact in Stourbridge Town Centre should be put out for consultation to the relevant consultees, in accordance with the liquor licensing legislation and associated guidance.

### **Finance**

10. If the proposals are approved there are the financial implications of producing copies of the draft policy and the costs incurred during the consultation process. These costs will be met out of the Licensing Budget.

### **Law**

11. The law relating to the introduction of a Special Policy regarding Cumulative Impact is governed by Guidance issued under section 182 of the Licensing Act 2003.
12. Pursuant to Section 3.18 of that Guidance the steps to be followed in considering whether to adopt a special policy for cumulative impact within the statement of licensing policy are: -
  - Identification of concern about crime and disorder or public nuisance
  - Consideration of whether it can be demonstrated that crime and disorder and nuisance are arising and are caused by the customers of licensed

premises, and if so identifying the area from which problems are arising and the boundaries of that area; or that risk factors are such that the area is reaching a point when a cumulative impact is imminent;

- Consultation with the following:-
  - West Midlands Police;
  - West Midlands Fire Service;
  - Representatives of holders of existing Premises Licences;
  - Representatives of holders of Club Premises Certificates;
  - Representatives of Business' and residents;
  - (All within the proposed area)
- subject to that consultation, inclusion of a special policy about future premises licence or club premises certificate applications from the area within the terms of the Guidance in the statement of licensing policy. Such policy will be approved by the Licensing and Safety Committee and the full Council
- publication of the special policy as part of the statement of licensing policy required by the 2003 Act.

### **Equality Impact**

13. This report takes into account the Council's policy on equal opportunities.
14. A Special Policy Regarding Cumulative Impact will impact on children and young persons through their attendance at licensed premises.
15. There will be consultation and involvement of children and young people in developing these proposals, as part of the consultation process.

### **Recommendation**

16. That the Committee consider the proposals outlined in this report and in the presentations to be given to the meeting by Assistant Director Legal and Democratic Services, Acting Superintendent Freail and Ms. Smith The Deputy Force Solicitor.

*John Poyce*

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DIRECTOR OF LAW AND PROPERTY

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### **List of Background Papers**

None