

## **LICENSING COMMITTEE**

### **Minutes of a meeting of the Licensing Committee held on Wednesday 13th March 2013 at 6.00 pm in the Wrekin Room, The Business Development Centre, Stafford Park 4, Telford**

#### **PRESENT**

Councillors: C Mason (Chair), R Picken, T Hope, A Mackenzie, L Murray, J Seymour, J Thompson, and C Turley.

Officers in attendance: Jonathan Eatough – Assistant Director: Law, Democracy and Public Protection, Lorraine Fowkes – Solicitor, Suzanne Fisher – Public Protection Team Leader and Wendy Buckley - Democratic Services Support Officer.

#### **LC - 31      MINUTES**

**RESOLVED** – that the minutes of the Licensing Committee meetings held on 16<sup>th</sup> January and 23<sup>rd</sup> January 2013 be confirmed and signed by the Chair.

#### **LC- 32      APOLOGIES FOR ABSENCE**

Councillors – R Scammell.  
Officers – J Revell.

#### **LC- 33      DECLARATIONS OF INTEREST**

None.

#### **LC – 34      THE POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011 AND CONSIDERATION OF THE LATE NIGHT LEVY AND EARLY MORNING RESTRICTION ORDER**

The Public Protection Team Leader informed Members about new licensing powers including the possible options to use Late Night Levy and Early Morning Restriction Orders. The Officers' recommendation was not to implement either within the Borough as Telford & Wrekin had no evidence of high level alcohol related crime and disorder issues. West Mercia Police and West Mercia Licensing Authorities have also stated that they would not support the introduction of a Late Night Levy.

The Late Night Levy is an annual charge that can be made by the Licensing Authority on premises which are licensed to sell alcohol between midnight and 6am. This includes all licensed outlets including supermarkets, small shops and off licences regardless of whether they contribute to problems in the late night economy. The Police would receive up to 70% of the proceeds with no restriction as to where the money was spent. The Local Authority would receive up to 30% to be spent on policing the night-time economy.

Members commented that the income raised by the Late Night Levy could assist with vital funding issues such as for taxi marshalls and it was thought that a one off fee would be accepted by premises.

The Public Protection Team Leader advised Members that the Late Night Levy, if Members recommended implementing, would be paid by all licensed premises that had a licence to sell alcohol after midnight. A Late Night Levy could potentially affect the smaller licensed premises incomes.

Solicitor to the Licensing Committee made reference to the statutory guidance on Late Night Levy. If a Late Night Levy was introduced without the support of the Police the chances of a legal challenge by way of a Judicial Review are increased. It was also confirmed to the Committee that if Members agreed not to implement the use of Late Night Levy or Early Morning Restriction Orders the matter was not required to be determined by Full Council.

**RESOLVED – that Members note the content of the Police Reform and Social Responsibility Act 2011 report and agree that, at the present time, this Authority does not implement the use of Late Night Levy or Early Morning Restriction Orders within the Borough.**

Meeting closed at 6.30pm.

Chairman:

Dated: