

CHESHIRE EAST COUNCIL

Minutes of a meeting of the
Cabinet Member for Safer and Stronger Communities
held on Monday, 6th September, 2010 at Fred Flint Room, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor Rachel Bailey, Cabinet Member for Safer and Stronger Communities

In attendance

Councillor Brian Dykes

Officers

Kate Khan, Legal Services
Paul Mountford, Democratic Services

Apologies

Councillors Andrew Knowles and Paul Whiteley

1 DECLARATIONS OF INTEREST

No interests were declared.

2 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present.

3 HOME OFFICE CONSULTATION - "REBALANCING THE LICENSING ACT"

The Cabinet Member for Safer and Stronger Communities considered a report in relation to a Home Office consultation on proposed changes to the Licensing Act 2003. The report invited the Cabinet Member for Safer and Stronger Communities to consider a response to the consultation.

The Licensing Act 2003 had come into force on 24th November 2005 and had introduced a new system of licensing in relation to the sale of alcohol, the provision of 'regulated entertainment' and late night refreshment.

In the Coalition Agreement, the Government had made a number of commitments in relation to licensing, which included a commitment to "overhaul the Licensing Act to give local authorities and the police much stronger powers to remove licences from, or refuse to grant licences to, any premises that are causing problems."

On 28th July 2010 the Home Office had published a consultation document entitled “Rebalancing the Licensing Act – a consultation on empowering individuals, families and local communities to shape and determine local licensing.” The consultation document, which was appended to the report, sought views on proposals to deliver the Government’s commitments on alcohol as outlined in the Coalition Agreement.

This matter had been considered by the Chairman and Vice-Chairman of the Licensing Committee in consultation with other members of that Committee. A proposed response to the consultation document had been drafted which incorporated the views of Licensing Members, and this had been submitted to the Portfolio Holder for consideration.

Councillor Brian Dykes, the Vice-Chairman of the Licensing Committee, attended the meeting to discuss with the Cabinet Member the views of Licensing Members as set out in the proposed response.

The Portfolio Holder also had regard to additional comments submitted by Councillor A Knowles, Cabinet Member for Health and Wellbeing.

RESOLVED

That the proposed response submitted at the meeting be approved, subject to the addition of the following in response to questions 7 and 8, for submission as the Council’s response to the Government’s consultation paper “Rebalancing the Licensing Act”.

The Cabinet Member supports the comments made by the Cabinet Member for Health and Wellbeing (set out below) in relation to the inclusion of public health bodies as responsible authorities and the inclusion of health harm as a licensing objective. In so doing however, she wishes to highlight the importance of accurate data being available in relation to health harm and the data sharing commitment described within the consultation document being rolled-out.

The Cabinet Member for Health and Wellbeing submitted that health bodies could bring expert analysis of the health and wellbeing of an area and its relevancy on how either an additional alcohol licence or additional hours would impact on the health of that location. It is concluded that the benefits of including health harm as a licensing objective would be that both individual application decisions and licensing policy will not be made at the cost of the health of the local people.

The meeting commenced at 3.30 pm and concluded at 4.00 pm

Councillor R Bailey