



**AGENDA ITEM: 8.**

**LICENSING & GAMBLING  
COMMITTEE: 28 July 2009**

---

**Report of: Executive Manager Community Services**

**Contact for further information: Mr P Charlson (Extn. 5246)  
(E-mail: paul.charlson@westlancs.gov.uk)**

---

**SUBJECT: INTERNAL OVERVIEW AND SCRUTINY COMMITTEE: ALCOHOL AND  
ASSOCIATED PROBLEMS REVIEW**

---

LG20

Wards affected: Borough wide

**1.0 PURPOSE OF THE REPORT**

1.1 To advise Members of the recommendations arising from a review of alcohol and its associated problems by the Council's Internal Overview and Scrutiny Committee.

**2.0 RECOMMENDATIONS**

2.1 That the content of the report be noted.

---

**3.0 BACKGROUND**

3.1 Members will be aware that the Council's Internal Overview and Scrutiny Committee have undertaken a review of the controls and policies in place to address alcohol and its associated problems.

3.2 This process involved numerous meetings and presentations from key stakeholders/partners who are involved in the control of, or are impacted upon by, the sale/consumption of alcohol. The key issues included:

- the impact of alcohol consumption on health
- young people and alcohol (including underage sales)
- alcohol licensing controls and enforcement
- the impact of alcohol on crime and safeguarding community safety

3.3 The purpose of the review was to gain an a greater understanding of the controls in place for the sale/supply of alcohol as well as what specific impact the consumption of alcohol has upon the residents and businesses of West Lancashire.

#### **4.0 CURRENT POSITION**

4.1 After its comprehensive review of the project, the Council's Internal Overview and Scrutiny Committee produced several recommendations that the Members of the Committee felt would have a positive impact upon the Community. These recommendations were aimed at:

- work that could be completed in conjunction with the Council's partner agencies
- representations made to central Government
- the Council's Licensing and Gambling Committee

#### **5.0 ISSUES**

5.1 Being responsible for licensing the sale/supply of alcohol under the Licensing Act 2003 (the Act), the Internal Overview and scrutiny Committee felt it appropriate that recommendations were made to this Committee. The recommendations should be borne in mind when the Committee, or Sub-Committee, is required to determine an application or review under the Act.

5.2 The recommendations are that the Licensing and Gambling Committee:

- be mindful of their ability to require training where evidence suggests this would be beneficial
- consider a stronger response to licensing breaches in relation to selling of alcohol underage.

#### **6.0 PROPOSALS**

6.1 That the recommendations are noted in respect of all future decisions made by the Committee or Sub-Committee.

#### **7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

7.1 The control of alcohol has the potential to impact upon many areas within the Community. These issues, therefore, have the following links with the Community Strategy: Community Safety (issues A, C and E); Economy and Employment (issue D); Health and Social Care (issue A).

#### **8.0 FINANCIAL AND RESOURCE IMPLICATIONS**

8.1 No additional financial or other resources are required.

#### **8.0 RISK ASSESSMENT**

8.1 Whilst the Council, acting as Licensing Authority, has a legal duty to determine applications (that have attracted representations) or reviews, it must determine each case on its individual merits. It must be mindful of the requirements of the Act, the Regulations, statutory guidance and the Council's Licensing Policy. Therefore the recommendations contained in this report are relevant only when the Committee (or Sub-Committee) is presented with evidence to suggest remedial action is required and that any action the Committee may take is

proportionate to the promotion of the licensing objectives. Any deviation could result in an appeal against the decision of the Committee to the Magistrates' Court and/or judicial review of the Council's licensing policy.

## **9.0 CONCLUSIONS**

- 9.1 It is the view of the Council's Internal Overview and Scrutiny Committee that these recommendations are made to this Committee. It is hoped that they will be noted when making all future decisions under the Licensing Act 2003.
- 
- 

### **Background Documents**

The following background documents (as defined in Section 100D (5) of the Local Government Act 1972) have been relied on to a material extent in preparing this Report.

- Report of Internal Overview and Scrutiny Committee: review of alcohol and its associated problems

### **Equality Impact Assessment**

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

### **Appendices**

None.