

LICENSING AND GAMBLING COMMITTEE

HELD:30 JULY 2013

Start: 7.30pm

Finish: 8.45pm

PRESENT: Councillor Kay (In the Chair)

Councillors: Owens (Vice Chair) Oliver
Mrs Baybutt Owen
Delaney Savage
Mrs C Evans Sudworth
Greenall West
Mrs Hopley Wilkie
Jones Wright

Officers: Assistant Director Community Services (Mr D Tilleray)
Commercial, Safety and Licensing Manager (Mr P Charlson)
Senior Licensing Officer (Mr A Denton)
Principal Solicitor (Mr L Gardner)
Member Services/Civic Support Officer (Mrs J Brown)

In Attendance Inspector Shorrock (Lancashire Constabulary)
Sergeant 1506 Bushell (Lancashire Constabulary)
Members of public

1. APOLOGIES

There were no apologies for absence received.

2. MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, the Committee noted the termination of membership of Councillors Mrs Stephenson, Mrs Kean, Ms Melling and Pye and the appointment of Councillors Mrs Baybutt, Greenall, Mrs Hopley and Savage for this meeting only, thereby giving effect to the wishes of the political groups.

3. URGENT BUSINESS

There were no items of urgent business.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. DECLARATION OF PARTY WHIP

There were no declarations of Party Whip.

6. MINUTES

RESOLVED: That the Minutes of the meeting held on 5 February 2013 be received as a correct record and signed by the Chairman.

7. MINUTES OF LICENSING SUB - COMMITTEES

The Minutes of the Licensing Sub – Committee held on 7 January 2013, 26 March 2013 and 17 April 2013 were submitted.

RESOLVED: That the above Minutes be noted.

8. LICENSING ACT 2003 - EARLY MORNING RESTRICTION ORDER

Consideration was given to the report of the Assistant Director Community Services as contained on pages 17 to 169 of the Book of Reports in respect of providing Members with preliminary evidence in respect of a proposed Early Morning Restriction Order for the Ormskirk area, including views of partner agencies and available alternative options.

The Commercial, Safety and Licensing Manager outlined the report and responded to questions from Members of the Committee.

RESOLVED: A. That, the Assistant Director Community Services be given delegated authority to agree the final wording for a proposed Early Morning Restriction Order (EMRO) for the Ormskirk area in consultation with the Chairman of the Licensing & Gambling Committee. The EMRO is to include the following proposed restrictions:

- i. The area of the EMRO is to be one mile radius from the Clock Tower in Ormskirk Town centre.
- ii. To operate from 00.30 hours on Tuesday, Wednesday, Thursday and Friday mornings.
- iii. To operate in the months of January to June and September to December each year with the exclusion of the period between 20 and 31 December and 1 and 4 January each year.

B. That the Assistant Director Community Services be given delegated authority to undertake a full consultation on the proposed EMRO for the Ormskirk area, subject to (C) below.

C. That Cabinet be asked to provide the funding for consultation, hearing and any ancillary work or advice required to undertake the EMRO adoption procedure.

In reaching its decision, the Committee considered the report of the Assistant Director Community Services, the attached representations and recommendation, together with further evidence presented by Councillor Owens as to telephone complaint logs, graphs and a petition from New Way Tenants and Residents Association. The Committee also recognised that this is a new piece of legislation and that there is a high risk of challenge to the procedure from interested parties.

- CHAIRMAN -