
REPORT OF LICENSING AND GENERAL PURPOSES COMMITTEE

MEETING HELD ON 3 MARCH 2008

Chairman: * Councillor Mrs Lurline Champagnie

Councillors:	* Robert Benson	* Ashok Kulkarni
	* Don Billson	* Mrs Vina Mithani
	* Mrinal Choudhury	* John Nickolay
	* G Chowdhury	* Phillip O'Dell
	† Mano Dharmarajah	* Raj Ray
	* Thaya Idaikkadar	* Tom Weiss
	* Nizam Ismail	* Jeremy Zeid

* Denotes Member present

† Denotes apologies received

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES
64. Attendance by Reserve Members:

RESOLVED: To note that no Reserve Members were included in the Committee's membership.

65. Declarations of Interest:

RESOLVED: To note that there were no interests declared by Members present in relation to the business transacted at this meeting.

66. Arrangement of Agenda:

RESOLVED: That (1) Agenda Item 9 – Publication of Governance Compliance Statement – be taken immediately after Agenda Item 7 – Deputations;

(2) all items be considered with the press and public present.

67. Minutes:

RESOLVED: That the minutes of the meeting held on 27 September 2007 be taken as read and signed as a correct record.

68. Public Questions, Petitions and Deputations:

RESOLVED: To note that no public questions were put, or petitions or deputations received at this meeting under the provisions of Committee Procedure Rules 19, 16 and 17 (Part 4B of the Constitution) respectively.

69. Outline report on The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007, and to extend the existing zone to the whole of the borough – pre-consultation:

The Chairman reported that a press statement issued prior to the meeting and which had pre-judged the decision of the Committee, was inaccurate. The Committee agreed not to take the press statement into account when determining this item.

An officer explained the reasons why approval to the consultation with the public and relevant persons regarding a borough-wide alcohol exclusion zone was being sought. He stated that:

- the Council had implemented an existing alcohol exclusion zone, which covered the Town Centre, South Harrow and parts of Wealdstone;
- implementing an alcohol exclusion zone order gave the Police additional powers to deal appropriately with persons who were consuming alcohol and causing a nuisance. The request for a borough-wide alcohol exclusion zone had come from the Police;

- officers had recommended to the Council that a borough-wide alcohol exclusion zone be implemented when the existing order was agreed. However, legislation had prevented the Council from establishing this. The Government had now issued guidance on this aspect;
- neighbouring boroughs such as Brent and Hillingdon had enforced a borough-wide alcohol exclusion zone and as a result people from outside the borough were filtering into Harrow.

The officer explained that if the Committee did agree to the commencement of the consultation process, a letter would be sent to every premise with an alcohol licence. Letters would also be sent to residents and advertisements placed in newspapers.

The officer reported that the consultation period would last approximately 12 weeks and a report would be presented to the Committee detailing the results of the consultation and asking them to recommend that Council approve the alcohol exclusion zone. Subject to approval by the Council, the zone would be established before the summer period began.

During the discussion on this item, Members raised a number of issues where the officer responded as follows:

- the recommendation submitted to the Committee was perhaps not as clear as intended. The amendment suggested by a Member of the Committee would accurately state the recommendation proposed;
- that the concerns over the feasibility and enforceability of the scheme and requirement for evidence of alleged problems with the existing system would be noted;
- the £15,000 allocated to the alcohol exclusion zone would not cover costs relating to consultation and officer time. The cost quoted was primarily related to signage. Two types of signs were required and public notices in newspapers also be included in the price. It was expected that consultation costs would be absorbed within the current budget;
- once an order was made, the Council were duty bound to inform the Home Office. The Home Office maintained a record of all alcohol exclusion zones in the country;
- it was not anticipated that someone enjoying a glass of wine in the park would be in breach of the order. The key factor that the Police would consider was whether a nuisance was being caused as a result of or partly due to alcohol;
- that the comments relating to suggested ways to advertise notices such as sharing space with other applications and using Harrow People would be noted;
- the Council had an existing alcohol exclusion zone in the borough. The Council had not received any complaints from members of the public. The current zone appeared to have been effective;
- the request for an alcohol exclusion zone had come from the Police. It was also one of the Council's agreed flagship actions;
- if the borough-wide exclusion zone was approved then the existing zone would be revoked and all existing signs would be amended;
- it was understood that the Regulations stated that the exclusion zone would relate solely to alcohol. The feedback received by the Council indicated that residents were happy with the exclusion zone and that many had requested a borough-wide zone when the existing order was first introduced;
- the Safer Neighbourhood Teams were keen on the borough-wide alcohol exclusion zone. Additionally the Chief Officers of Police had provided guidance to their colleagues on how to implement the order;
- there had not been any arrests within the current order but drinks had been confiscated and disposed of.

A Member of the Committee proposed that officers should seek to increase publicity and consultation funding by £10,000 from the Government. The proposal was seconded and agreed by the Committee.

RESOLVED: That (1) in accordance with the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 the proposed consultation to extend the Alcohol Exclusion Zone to cover the whole of the Borough be approved;

(2) officers seek to increase publicity and consultation funding by £10,000 from the Government.

70. **Publication of Governance Compliance Statement which informed the Committee of the statutory requirement placed on local authorities to publish a Governance Compliance Statement:**

An officer introduced the report and explained that the Council had prepared the Governance Compliance Statement in a short period of time because recently enacted statutory provisions had required authorities to produce a statement by 1 March 2008. The Department for Communities and Local Government (CLG) had subsequently extended the deadline for the production of the statement to 1 June 2008. In addition to this, the Council were awaiting a final version of guidance to be provided by the CLG. Draft guidance had been produced last November. A further report would be presented to the Committee later in the year on an updated Governance Compliance Statement

A Member queried whether there would be any alterations to the Statement. The officer responded that changes would be made to address the areas in which the Council were non-compliant.

In response to a question in relation to the impact on the Council's Comprehensive Area Agreement as a result of non-compliance, the officer advised that the score would not be affected.

RESOLVED: That the report be noted.

(Note: The meeting, having commenced at 7.30 pm, closed at 8.30 pm).

(Signed) COUNCILLOR MRS LURLINE CHAMPAGNIE
Chairman