

LICENSING AND REGISTRATION COMMITTEE

**Meeting held in the Council Chamber, Council Offices, Urban Road,
Kirkby-in-Ashfield,**

on Wednesday 8th February, 2012 at 4.00 p.m.

Present: Councillor Mrs. E.A. Mays, in the Chair;
Councillors Mrs. M. Barsby, R. Buttery, S.T. Carroll,
T.J. Hollis, T. Keetley, I. Morrison and J.M.A. Wilmott.

Apology for Absence: Councillor K. Knight,

Officers Present: C. Booth, Mrs. L. Cain and Mrs. L. Ellis.

LR.5 Minutes

RESOLVED

that the minutes of the meeting of the Licensing and Registration Committee held on 2nd November, 2011 be received and approved as a correct record.

LR.6 Declarations of Personal or Prejudicial Interest

Councillor Mrs. E.A. Mays declared a personal interest in respect of any information relating to Selston Parish Council. Her interest arose from the fact that she currently holds office as a Parish Councillor for Selston.

Councillor T. Keetley declared a personal interest in respect of any information pertaining to Ashfield Homes Limited. His interest arose from the fact that he is currently a member of the Ashfield Homes Board.

LR.7 Regulation of Premises offering Laser Treatment

The Environmental Health Manager presented the report and informed the Committee that following a change in the law and the subsequent removal of responsibility (for the regulation of laser treatment) from the Quality Care Commission, the provision of laser treatment would now need to be regulated under the massage and special treatment provisions of the Nottinghamshire County Council Act 1985.

He took Members through the standard set of licensing conditions, as appended to the report, and advised the Committee that all other neighbouring authorities had been working towards the adoption of the same licensing conditions to ensure consistency across the County.

Members considered the alternative option of declining to adopt the proposed licence conditions. However this could potentially lead to a lack of consistency between Ashfield District Council and other District Councils across Nottinghamshire.

RESOLVED

that the license conditions for premises providing laser treatments within the Ashfield District, as detailed at Appendix A to the report, be approved and adopted.

Reason:

The Nottinghamshire County Council Act 1985 regulates the premises used for massage and special treatment throughout the County. Part IV, 11 (2) of the Act states that “the district council may, on the application of any person, grant or renew to him a licence under this Part on such terms and conditions as may be specified in the licence”.

LR.8 Designated Public Places Order (DPPO)

The Environmental Health Manager presented the proposal to make an order under Section 13(2) of the Criminal Justice and Police Act 2001 and the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007, designating public places within the Ashfield district for the purposes of the said Act.

He reminded the Committee of the consultation process that had been undertaken and concluded on 6th January, 2012. The 29 consultation responses were outlined at Appendix A of the report and it was acknowledged that all respondents were in support of the making of the order.

Following closure of the consultation it became apparent that the Council had previously declined to consider the inclusion of the Mill Lakes site at Bestwood believing the area of land fell within the Gedling Borough Council boundary. Having realised and acknowledged that the site actually fell within the Ashfield boundary, the rangers at the Park had been subsequently consulted as per the agreed process.

Having established that there was an ongoing alcohol related problem of anti-social behaviour at the Park, Committee were requested to agree to the inclusion of the site in the DPPO subject to approval from Nottinghamshire County Council as the landowner. A map was circulated at the meeting with the site delineated in green for Members' information.

(At this point in the proceedings, Councillor S.T. Carroll declared a personal interest in relation to this item due to him currently holding office as a Nottinghamshire County Councillor).

A short debate ensued whereby Members considered the following:-

- the cost of the consultation process;
- the ability to review and change the DPPO if required;
- the importance of monitoring the effectiveness of the DPPO on a regular basis;
- the benefits of publicising the making of the order;
- concerns surrounding the exclusion of some areas that are perceived crime

- and disorder hotspots;
- the problems associated with using crime data as evidence for the making of the order due to many lower level crimes not being reported.

Members considered the alternative option of declining to make the order. It was acknowledged that this course of action would result in the loss of a valuable tool for the Police and other authorised officers in tackling anti-social behaviour within the Ashfield District.

RESOLVED that

- (a) the Council makes an order under Section 13(2) of the Criminal Justice and Police Act 2001 designating public places within the Ashfield district as outlined in Appendix B to the report with the inclusion of the Mill Lakes site (as delineated in green on the map circulated at the meeting) subject to the approval of Nottinghamshire County Council as the current landowner;
- (b) the Environmental Health Manager be requested to submit an update report to the Committee in 12 months' time in respect of the DPPOs and their usage by the Police and authorised officers in tackling anti-social drinking and disorder within the Ashfield District.

Reason:

To enable the Police and other authorised officers to have greater control over anti-social drinking in the areas outlined in the report and to reduce nuisance, annoyance and disorder caused to members of the public by the consumption of alcohol in public places. To also enable the Council to fulfil its duty under the Crime and Disorder Act 1998.

The meeting closed at 4.50 p.m.

Chairman.