

NORTH LINCOLNSHIRE COUNCIL

LICENSING COMMITTEE

**LICENSING ACT 2003
EARLY MORNING ALCOHOL RESTRICTION ORDER**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To consider if the Licensing Authority should propose to make an order for the introduction of an Early Morning Alcohol Restriction Order for the area of Scunthorpe Town Centre which is already covered by a Cumulative Impact Zone.

2. BACKGROUND INFORMATION

- 2.1 Section 172A of the Licensing Act 2003 allows a Licensing Authority to make an order for an Early Morning Alcohol Restriction Order where it considers that it is appropriate for the promotion of the licensing objectives.
- 2.2 The Licensing Objectives under the Licensing Act 2003 are:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm
- 2.3 Should the Licensing Authority deem it appropriate to propose an order to support one or more of the objectives, then it would mean that any premises licence, temporary event notice, or club premises certificate would not have the effect of authorising the sale of alcohol during the period specified in the order.
- 2.4 An order may specify a period of time no earlier than midnight and no later than 06.00 am. If it is deemed appropriate, then members may wish to consider the restriction between 03.00 hours and 06.00 hours.
- 2.5 The Cumulative Impact Policy was introduced in 2008 to address issues of alcohol fuelled crime and disorder. The policy has been successful in this, however the policy does not mean that applicants cannot apply to extend their licence.

- 2.6 Should the Committee determine that it is appropriate to propose that an order is made, then the order would need to be processed in accordance with section 172B of the Licensing Act 2003.

3. OPTIONS FOR CONSIDERATION

- 3.1 Option 1 – Consider that it is appropriate to propose that an Early Morning Alcohol Restriction Order be made for the Cumulative Impact Zone.
- 3.2 Option 2 – Consider that it is not appropriate to propose that such an order is made.

4. ANALYSIS OF OPTIONS

- 4.1 Option 1 – If members consider it appropriate to propose such an order then it would be the start of the process, which would include defining the period to be covered, the area and the days it would have an effect. In addition, the procedural requirements defined in section 172B would need to be followed.
- 4.2 Option 2 – If members consider that it is not appropriate to propose that such an order is made, then no further action would be required.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 5.1 There are no additional resource implications from this report, save that additional work will be required to consider such an order. This additional work will be covered within the Licensing Team.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

- 6.1 Should it be deemed appropriate to propose such an order, then the statutory framework would need to be followed.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT

- 7.1 No Integrated Impact Assessment has been carried out. Should the Committee determine to propose an order then all material facts would be taken into account prior to any approval.

8. **OUTCOMES OF CONSULTATION**

8.1 Consultation would be carried out as part of the statutory process.

9. **RECOMMENDATIONS**

9.1 That the committee considers whether it is appropriate to propose and commence proceedings to introduce an Early Morning Alcohol Restriction Order between the hours of 03.00 hours and 06.00 hours within the Scunthorpe Town Centre Cumulative Impact Zone, and whether this would have the effect of promoting the Licensing Objectives as described in the report.

DIRECTOR OF PLACES

Church Square House
SCUNTHORPE
North Lincolnshire
DN15 6XQ
Author: Nick Bramhill
Date: 21 August 2014

Background Papers used in the preparation of this report - None