

REPORT OF THE REGULATORY COMMITTEE TO FULL COUNCIL ON 16 NOVEMBER 2020

Chair:
Councillor Sarah Williams

Vice Chair:
Councillor Gina Adamou

1. INTRODUCTION

1.1 This report to Full Council arises from consideration of the following report by the Regulatory Committee on the 29 October 2020:

- Licensing Act 2003 Review of Licensing Policy 2021-2026

2. SUMMARY OF CONSIDERATIONS

2.1 We received the report on the Licensing Act 2003 Review of Licensing Policy 2021-2026. The Regulatory Committee at its meeting on 6 July 2020 had agreed that amendments to the Statement of Licensing Policy (SOLP) should be consulted on. The consultation took place for an six-week period, which ended on 21 August 2020. Responses had been received from a local resident, a Responsible Authority and the O&S Committee. The report considered the responses to the consultation and their effects on the draft SOLP.

2.2 We asked the following questions of officers in consideration of the report attached marked as appendix 1:

- In response to a request for the Police to provide a short report to Licensing Sub-Committee meetings, responding to representations made, the Licensing Officer confirmed that regular meetings took place with Police colleagues and this matter would be raised with them.
- Page 3 – In response to a question regarding alcohol related data, it was explained that the way in which data was gathered had changed and the Council's analyst now gathered this data.
- Page 14 – the introduction from the Cabinet Member should be amended to reflect a more general Covid-19 update, given the changing circumstances surrounding the pandemic.
- Page 18 – the wording for schools ratings should be consistent.
- Page 19 – it was questioned whether the figures surrounding domestic abuse were correct. It was noted that these figures would be checked with Public Health.
- Page 21 – New pavement licence, it was questioned whether there was a statutory appeal process. In response, it was stated that Government guidance suggested that an appeal could be carried out.
- Page 22, paragraph 3.32, it was suggested that the first sentence be deleted.
- Page 25, paragraph 5.11, in response to a question regarding the 'Ask for Angela' campaign, it was explained that this was a campaign added to all licences. The wording would be looked at in the policy.

- Page 25, paragraph 3.13, Ms Barrett would check with Public Health what the second leading substance being referred to was.
- Page 30, paragraph 10.4 – in response to a question regarding a ‘relevant’ offence, it was confirmed that this was included in the information provided to personal licence holders.
- Page 38, paragraph 16.8 – in response to a question regarding what happens when an annual fee was not paid, it was confirmed that the licence would be suspended.
- Page 39, paragraph 16.9, the sentence was incomplete.
- Page 39, paragraph 16.10 – It was questioned whether reference could be added for adherence to the Challenge 25 scheme. In response, it was confirmed that a challenge 25 condition was added to every licence where alcohol was being supplied.
- Page 40, paragraph 16.13, it was felt that the wording of this paragraph was inconsistent with the message surrounding licensing conditions.
- Page 41, paragraph 17.7, it was suggested that this should be amended to refer to premises within a defined area during match days. Ms Barrett confirmed that she would look at this to ensure that it was clear.
- Page 41, paragraph 17.2, clarification was sought whether the idea of a cumulative impact policy would be considered.
- In response to a question regarding proxy buying of alcohol, it was explained that the Police used cadets for this operation, however this was currently stopped during the Covid-19 pandemic. Trading standards officers were aware of this issue.
- In response to concerns raised regarding alcohol and school children, it was explained that Public Health did carry out an alcohol campaign and provided talks in schools.
- Page 43, paragraph 18.7 – MS Barrett to look at whether the last bullet point regarding DVDs was now needed.
- Page 44, paragraph 18.11 – Ensure that GDPR was also referred to.
- Page 47 – more guidance was sought regarding how cheap, strong alcohol was defined. The Licensing Officer confirmed that this was a mandatory condition and that trading standards officers did carry out checks on this.
- Page 47, paragraph 9.15, it was suggested that persons who were alcohol-dependent may be drawn to particular premises if they were licensed to sell alcohol at earlier times than other premises. It was also felt that this could be the case for later opening times also.
- Page 48 – In response to a question regarding CCTV, it was confirmed that some premises kept the recordings for a period of 28 days also.
- Page 50, paragraph 20.4, it was confirmed that the code of practice was still under review.
- Page 69 – Ms Barrett would look at the list of addresses for the location of various teams within the council and ensure that they were correct.
- Page 75 – In response to a question regarding alcohol deliveries, given the changing environment, it was explained that the sale of alcohol was what was covered in the policy and that was what was being conditioned.
- In response to a request for clarification regarding the licensing and planning regimes, it was explained that although these were separate, there were

instances where the hours of operation within the planning permission were considered, to ensure these were aligned with the licensing conditions.

2.3 The Licensing Officer noted the comments made by the committee and would make the minor amendments to the policy, where necessary.

2.4 The Chair added that this was a live document which would be operational for the next 5 years and therefore there would be items added or amended during this time, where appropriate.

2.5 **the Committee RESOLVED**

1. **To accept the changes and proposed further amendments following the public consultation.**
2. **To refer the latest revision of the policy to Full Council for ratification.**

3. WE RECOMMEND

3.1 **Full Council adopt the attached Statement of Licensing Policy marked as Appendix 4. This incorporates the minor amendments outlined above at section 2.2 and responds to the Regulatory Committee resolution at 2.5.**

3.2 **Full Council delegate authority to the Director for Environment and Neighbourhoods in consultation with the Chair of Regulatory Committee to take forward required amendments as set out at paragraph 2.4.**