

Minutes of a meeting of a remote meeting of the **Licensing & Regulatory Committee** held via video link on **Thursday 5 November 2020** at **9:30am** when there were present:

Cllr S Gurney – Chairman

Cllr A Adams

Cllr D Harrison

Cllr D King

Cllr S Catchpole

Cllr C Karimi-Ghovanlou

Cllr K Leggett MBE (for
part of the meeting)

Cllr R Foulger

Cllr K Kelly

In attendance were Mr D Lowens (the Committee's Legal Advisor), the Governance Manager, the Licensing & Enforcement Officer (SH) and the Democratic Services Officers (LA and JH).

8 DECLARATIONS OF INTERESTS UNDER PROCEDURAL RULE NO 8

No declarations of interest were received.

9 APOLOGIES FOR ABSENCE

No apologies for absence were received.

10 LICENSING ACT 2003 – REVIEW OF LICENSING POLICY

The Licensing and Enforcement Officer presented the report regarding a review of Licensing Policy. Members noted that in accordance with the Act, the Council was required to publish a statement of Licensing Policy and to review the Policy every five years. The report included responses to consultations on the revised Policy.

Members queried why comments made by the Environmental Excellence Portfolio Holder (Cllr J Leggett) were not included in the consultation response at Appendix 2. The Licensing & Enforcement Officer advised Members that the Portfolio Holder was informally consulted on the amended Policy before it went out for the formal consultation, and she assured Members that her comments had been incorporated into the amended Policy.

In response to concerns regarding the low level of response to the consultation, in particular the lack of a response from Child Protection or Safeguarding, the Licensing & Enforcement Officer commented that that this was a review of policy required by law, and these reviews did not often lead to significant changes. The Legal Advisor added that it was rare for Child Protection and Safeguarding to respond to these type of Policy updates, as Local Policies could not conflict with the National Policy.

In response to concerns raised by the Legal Advisor, Members voted in favour of recommending to Council that paragraph 2.19 of the Policy be amended as follows:

- Bullet point 3 (on page 14 of the report) be amended to state “Each page must include a relevant representation”.
- Bullet point 7 (on page 15 of the report) be removed, as current legislation states that it is the Licensing Authorities responsibility to contact each signatory and not the responsibility of the lead signatory.
- The final sentence of paragraph 2.19 (on page 15 of the report) be removed.

Also in response to concerns raised by the Legal Advisor, Members voted in favour of recommending to Council that paragraph 2.7 on page 12 of the report be amended to read “Conditions may be imposed on a licence following the receipt of relevant representations.”

In response to Members’ concerns that the proposed policy would remove the requirement of the presence of an appropriate number of adult staff, at paragraph 7.11 (on page 22 of the report), Members voted in favour of recommending to Council the following:

- Paragraph 7.11 be reinstated into the policy with the revised wording of “Where entertainment requiring a licence is specifically presented for children, the licensing authority may require the presence of an appropriate number of adult staff to ensure public safety and their protection from harm”
- Paragraph 7.12 be reinstated into the policy.
- Paragraph 7.13 be reinstated into the policy.

Having considered the schedule of responses received as a result of the consultation, and comments made by Members and Officers at the meeting, Members supported the proposed amended Policy, subject to the Committee’s recommendations, and it was

RESOLVED

TO RECOMMEND THAT COUNCIL adopts the amended Licensing Policy, subject to the amendments agreed above.

The meeting closed at 10:17am