

**LICENSING AND SAFETY COMMITTEE
16 DECEMBER 2020
6.00 - 7.00 PM**



Present:

Councillors Porter (Chairman), Brossard (Vice-Chairman), Allen, Atkinson, Dr Barnard, Brunel-Walker, Finch, Ms Gaw, Gbadebo, Mrs Ingham, Kirke, Leake and Tullett

Apologies for absence were received from:

Councillors Brown and Mrs McKenzie-Boyle

Also Present:

Councillor Temperton

15. Declarations of Interest

There were no Declarations of Interest.

16. Minutes

RESOLVED that the minutes of the meeting held on 22 October 2020 be approved as a correct record.

17. Urgent Items of Business

There were no Urgent Items of Business.

18. Notice of Public Speaking

There were no requests for public speaking.

19. Statement of Licensing Policy

Members considered the draft Statement of Licensing Policy which had been out to consultation. The consultation period had included the Council's Executive decision-making process. Comments had been received from members of the Licensing & Safety Committee and Executive.

The main amendments proposed to the Policy were a comprehensive scheme of delegation, removal of the word Council in preference of Licensing Authority throughout, the addition of Counter Terrorism Risk Assessment information and intoxication logs, wording around Brexit, and some paragraphs had been reworded for clarity.

Licensing Officers had sent the draft Policy to James Button, Licensing Solicitor who had suggested the following further amendments:

- Amend the approach to explain club premises and Temporary Event Notices (TEN) (Paragraph 2.1)
- Amend wording to refer to 'large scale event rather than 'large event' (Paragraph 3.5)

- Clarify the fact that only the Police can object to change of Designated Premises Supervisor (DPS)
- Clarify the fact that only the Police and Environmental Health can object to Temporary Event Notices (TENs)
- Amend the Neighbourhood Notification process to remove the phrase 'Licensing Officers will use judgement in circumstances'

Members discussed the proposed Policy, and the following points were noted:

- Members requested that the formatting and numbering in the document be checked before going to Council.
- It was suggested that paragraph 8.10 should be amended to read 'aged at least 16 or 17'
- The Terrorism Risk Assessment would be led by the Police, if it was felt appropriate for the venue in question.
- Intoxication logs should require enough data to identify the individual who had been refused. Large businesses were likely to have their own processes for collecting this information, but the Public Protection Partnership could offer templates and support to businesses requiring advice.
- It was suggested that Swiss photocard driving licences may also be considered acceptable proof of age under paragraph 8.6b, as Switzerland was not in the European Economic Area.
- It was clarified that the Neighbourhood Notification Policy had been retained.
- Members felt that the disclaimer beginning 'this is not an exhaustive list...' used throughout the Policy was clear enough.
- The terrorism risk assessment would depend on a number of factors, including local and national threat levels and the nature of the application. It was suggested that 'in consultation with Police and other agencies' be added to 5.5.
- It was agreed that clarity on what constituted 'proper' staff training be added, and members agreed that the following area be added to align with the condition on standard licences, Refusal of Sales. Knowledge of Licensing Objectives, Signs of intoxication, Conflict Management, Safeguarding Vulnerable Persons and Proxy Purchasing.
- Officers agreed to seek advice on whether applications could be refused where there were outstanding concerns on an existing licence with the same applicant.
- Members were reminded that the Policy would be held in conjunction with statutory guidance and the Licensing Act which must be adhered to.

Members supported the Policy with proposed revisions, and subject to the final sign off from the Chairman and Vice-Chairman it was

RESOLVED that the Licensing & Safety Committee endorse the policy for submission to full Council.

CHAIRMAN