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Ribble Valley
Borough Council

www.ribblevalley.gov.uk

Dear Councillor

The next meeting of the **LICENSING** will be held at **6.30 pm** on **TUESDAY, 23 MARCH 2021** by **ZOOM**.

I do hope you can be there.

Yours sincerely

M. H. Scott

CHIEF EXECUTIVE

AGENDA

1. **APOLOGIES FOR ABSENCE**
2. **TO APPROVE THE MINUTES OF THE PREVIOUS MEETING** (Pages 3 - 4)
3. **DECLARATIONS OF PECUNIARY AND NON PECUNIARY INTERESTS**

Members are reminded of their responsibility to declare any pecuniary or non-pecuniary interest in respect of matters contained in the agenda.

4. **PUBLIC PARTICIPATION**

ITEMS FOR DECISION

None.

ITEMS FOR INFORMATION

See below.

5. **LICENSING ENFORCEMENT - UPDATE** (Pages 5 - 6)
Report of Chief Executive – Enclosed.
6. **LICENCE APPLICATIONS - UPDATE** (Pages 7 - 10)
Report of Chief Executive – Enclosed.
7. **RE-OPENING OF HOSPITALITY VENUES** (Pages 11 - 14)

Report of Chief Executive – Enclosed.

8. **REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES**

9. **EXCLUSION OF PRESS AND PUBLIC**

ITEMS FOR DECISION

None.

ITEMS FOR INFORMATION

None.

Electronic agendas sent to members of Licensing – Councillor Ged Mirfin (Chair), Councillor Jan Alcock JP, Councillor Richard Bennett, Councillor David Berryman (Vice-Chair), Councillor Rosemary (Rosie) Elms, Councillor Bridget Hilton, Councillor Stuart Hirst, Councillor Simon Hore, Councillor Allan Knox, Councillor Richard Newmark, Councillor Donna O'Rourke, Councillor Simon O'Rourke, Councillor Sarah Rainford, Councillor Mary Robinson and Councillor Gary Scott.

Contact: Democratic Services on 01200 414408 or committee.services@ribblevalley.gov.uk

Minutes of Licensing Committee

Meeting Date: Tuesday, 26 January 2021, starting at 6.30 pm
Present: Councillor G Mirfin (Chair)

Councillors:

J Alcock	A Knox
R Bennett	R Newmark
D Berryman	D O'Rourke
R Elms	S O'Rourke
B Hilton	M Robinson
S Hirst	G Scott
S Hore	

In attendance: Head of Legal and Democratic Services and Solicitor

955 APOLOGIES FOR ABSENCE

Apologies for the meeting were received from Councillor Rainford.

956 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 20 October 2020 were approved as a correct record and signed by the Chairman.

957 DECLARATIONS OF PECUNIARY AND NON PECUNIARY INTERESTS

There were no declarations of pecuniary or non-pecuniary interests.

958 PUBLIC PARTICIPATION

There was no public participation.

959 REPORT ON ANNUAL FEES AND CHARGES

The Chief Executive submitted a report to determine the annual fees for hackney carriage, private hire, scrap metal and sex establishment licences. Members were reminded of the legislative provisions relating to setting fees for each licence and the proposed increase in fees.

RESOLVED THAT COMMITTEE:

1. Agreed to set fees for Hackney Carriage and Private Hire Licences for the year 2021/2022 as those set out in Appendix 1.
2. Agreed to set fees for Scrap Metal Dealers Licences for the year 2021/2022 as those set out in Appendix 2.
3. Agreed to set fees for Sex Establishment Licences for the year 2021/2022 as those set out in Appendix 3.

960 REPORT ON TAXI OPERATION

The Chief Executive submitted a report to inform Committee of the results of taxi enforcement operations which took place on 4 December 2020 with the police, the Vehicle and Operations Services Agency (VOSA) and the Council's Taxi Enforcement

Officer. The Council's Enforcement Officer inspected 8 vehicles. Of those 5 were found to be of the required standard.

Members were also informed that the Council has issued a press release notifying the public of the results of the operation.

961

REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from representatives on outside bodies.

The meeting closed at 6.41 pm

If you have any queries on these minutes please contact the committee clerk, Mike Hill on 01200 414485 or email mike.hill@ribblevalley.gov.uk.

**RIBBLE VALLEY BOROUGH COUNCIL
 REPORT TO LICENSING COMMITTEE**

meeting date: TUESDAY, 23 MARCH 2021
 title: LICENSING ENFORCEMENT UPDATE
 submitted by: MARSHAL SCOTT – CHIEF EXECUTIVE
 principal author: STEPHEN BARKER - SOLICITOR

1 PURPOSE

1.1 To inform Committee of the current arrangements for enforcement in respect of the Council’s responsibilities under the Licensing Act 2003.

1.2 Relevance to the Council’s ambitions and priorities:

- Community Objectives – }
- Corporate Priorities – } Consideration of these issues will promote the Council’s aim to be a well-managed Council.
- Other Considerations – }

2 BACKGROUND

2.1 Members will recall approval of the Council’s Statement of Licensing Policy 2021-2026 by Full Council on 15 December 2020. Included within that statement is a brief section on enforcement, emphasising the importance of partnership with the Police and other statutory bodies, and seeking to adopt a targeted approach in relation to high risk premises, and providing for a lighter touch in relation to low risk premises.

2.2 The Council’s establishment was increased in 2020 in relation to planning and licensing enforcement from the equivalent of 1 full time post to 1½ full time posts. The Council was successful in recruiting a full time Planning and Licensing Enforcement Officer with vast experience of licensing in the local area. The other officer in post also has extensive experience of regulatory work.

3 ISSUES

3.1 The volume of licensing enforcement work has been relatively low during the Covid-19 pandemic. However, it is anticipated that this will alter as hospitality venues re-open with the incremental relaxation of the lockdown. This increased volume is likely to coincide with spring, which is a time when the number of planning enforcement complaints also tends to increase.

3.2 With the increase in the establishment, it is envisaged that there will be the opportunity for increased liaison with licence holders, to endeavour to educate them at an early stage and to try to reduce the need for formal action. However, such action is taken where necessary, if evidence is available of breach of conditions or a failure to uphold the licensing objectives. Where appropriate, enforcement staff will work in conjunction with the police, trading standards and environmental health officers to investigate issues.

3.3 A number of initiatives are under consideration, including:-
 a) reintroduction of Pubwatch (with virtual meetings and less emphasis on banning individuals)
 b) increased working relationship with the Police and liaison in relation to available legislation.

- c) closer working relationship with the Security Industry Authority and with SIA registered door staff
- d) closer working relationship with LCC Trading Standards with regard to allegations of underage sales including test purchasing
- e) evening visits to and checks at licensed premises including late night refreshment establishments
- f) additional structured meetings with licence holders of new premises before they open and with new DPSs where responsibilities and expectations can be discussed and agreed.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – No implications identified.
- Technical, Environmental and Legal – No implications identified.
- Political – No implications identified.
- Reputation – No implications identified.
- Equality & Diversity – No implications identified.

CONCLUSION

5.1 Committee is asked to note the content of the report.



STEPHEN BARKER
SOLICITOR



MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

None.

For further information please ask for Stephen Barker extension 3216.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

meeting date: TUESDAY, 23 MARCH 2021
 title: LICENCE APPLICATIONS - UPDATE
 submitted by: MARSHAL SCOTT – CHIEF EXECUTIVE
 principal author: STEPHEN BARKER - SOLICITOR

1 PURPOSE

1.1 To inform Committee of the number of licences of various types issued and any trends which have been identified.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives – }
- Corporate Priorities – } Consideration of these issues will promote the Council's aim to be a well-managed Council.
- Other Considerations – }

2 BACKGROUND

2.1 Under the authority of this Committee, the Council is responsible for issue and administration of a variety of different licences, and for taking appropriate enforcement action where a licence holder is alleged to be in breach of a licence or its conditions. Certain aspects of licensable activity have been affected by the consequences of the Covid-19 pandemic, and there has been a significant impact on the hospitality industry, and on the hackney carriage and private hire trade.

3 ISSUES

3.1 The Council's Administration and Licensing (Alcohol and Entertainment) Officer has compiled a record of applications received under the Licensing Act 2003 from 1 March 2020 to 28 February 2021, a copy of which is attached at Appendix 1. Where the system permits, an indication on any trend is highlighted. Unfortunately, it is not possible to extrapolate any trend in respect of premises licences, due to the way in which the system collates the information. Members will note the vastly reduced number of Temporary Event Notices received during the pandemic.

3.2 Applications received under other legislation include one Gaming Machine Notification and 8 new small society lotteries under the Gambling Act 2005 and renewal of one scrap metal mobile collector's licence under the Scrap Metal Dealers Act 2013. During the period 1 March 2020 to 28 February 2021, one application was made for a Temporary Pavement Licence under the Business and Planning Act 2020; it is likely that there will be further venues seek to apply for such licences when they re-open following the current lockdown.

3.3 The Council's Administration Assistant (Licensing) has prepared a record of Hackney Carriage and Private Hire related applications for the four quarters of 2020 and the first two months of 2021. This is attached at Appendix 2. Applications and renewals have fluctuated to some extent, with numbers being lower during periods of lockdown.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – No implications identified.
- Technical, Environmental and Legal – No implications identified.
- Political – No implications identified.
- Reputation – No implications identified.
- Equality & Diversity – No implications identified.

5 CONCLUSION

5.1 Committee is asked to note the content of the report.



STEPHEN BARKER
SOLICITOR



MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

None.

For further information please ask for Stephen Barker extension 3216.

Licensing Act 2003

Details of applications received 1 March 2020 to 28 February 2021

Personal Licences

New applications – 41 (28 issued for the period 01.03.19-28.02.20 – upward trend)

Change of name / address – 16

Lost / stolen – 1

Premises Licence with Alcohol

New Applications – 17

Full Variations – 5

Minor Variations – 5

Transfers – 10

Vary DPS – 31

Cancellation / Surrender – 7

Premises Licence no Alcohol

Transfers - 2

Cancellation / Surrender – 1

Temporary Event Notices with Alcohol

New – 31 (217 for the period 01.03.19-28.02.20 – downward trend)

Withdrawn – 3

Temporary Event Notices no Alcohol

New - 2 (3 for period 01.03.19-28.02.20)

January – March 2020

Licence Type	Amount
Hackney Carriage Driver	9
Private Hire Driver	8
Hackney Carriage Vehicle	14
Private Hire Vehicle	13
Private Hire Operator*	26

April – June 2020

Licence Type	Amount
Hackney Carriage Driver	9
Private Hire Driver	10
Hackney Carriage Vehicle	8
Private Hire Vehicle	12
Private Hire Operator*	2

July – September 2020

Licence Type	Amount
Hackney Carriage Driver	22
Private Hire Driver	24
Hackney Carriage Vehicle	6
Private Hire Vehicle	26
Private Hire Operator*	2

October 2020 – December 2020

Licence Type	Amount
Hackney Carriage Driver	15
Private Hire Driver	27
Hackney Carriage Vehicle	28
Private Hire Vehicle	35
Private Hire Operator*	0

January 2021 – February 2021

Licence Type	Amount
Hackney Carriage Driver	7
Private Hire Driver	8
Hackney Carriage Vehicle	21
Private Hire Vehicle	15
Private Hire Operator*	24

*Please note, all Private Hire Operator Licences expire on the 31st January every year, and so renewals for this usually take place in January of every year.

INFORMATION

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

meeting date: TUESDAY, 23 MARCH 2021
title: RE-OPENING OF HOSPITALITY VENUES
submitted by: MARSHAL SCOTT – CHIEF EXECUTIVE
principal author: STEPHEN BARKER - SOLICITOR

1 PURPOSE

- 1.1 To inform Committee of the steps intended to be taken by the Council to assist hospitality venues to re-open safely.
- 1.2 Relevance to the Council's ambitions and priorities:
 - Community Objectives – To support local businesses and other providers of hospitality to progress towards safe and successful resumption of trade following closure and restrictions.
 - Corporate Priorities – To seek to ensure compliance with the requirements of Licensing legislation and Covid-19 legislation.
 - Other Considerations – None.

2 BACKGROUND

- 2.1 Members will be aware of the enforced closure of or substantial restrictions placed upon the hospitality industry since March 2020. The most recent restrictions have been in place since the introduction of the amendments to the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 which came into force on 6 January 2021. These amendments required closure of hospitality venues (both licensed and unlicensed) subject to certain exceptions for delivery of goods which had been remotely pre-ordered and takeaway provision of food and non-alcoholic drink.
- 2.2 On 22 February 2021 the Government issued its Covid-19 response for Spring 2021, which included a "Roadmap" to the relaxation of restrictions. This is a phased programme of steps to seek to restore society to a more normal existence. Whilst the Government has identified the order in which certain restrictions will be eased, there is no definite timescale for any steps to be taken. Instead, Government has announced the earliest dates from which certain restrictions will be eased. The actual date of implementation will be assessed depending on four factors, being:
 - 1. the successful continuation of the vaccine deployment programme;
 - 2. evidence confirming that vaccines are sufficiently effective in reducing hospitalisation and deaths;
 - 3. infection rates not risking a surge in hospitalisations which would put unsustainable pressure on the NHS; and
 - 4. assessment of the risks not being fundamentally changed by new Variants of Concern.

Subject to an assessment of the four tests, Government proposes to announce steps to ease restrictions about one week in advance of implementation.

- 2.3 As matters stand, it is contemplated that step 2, which would include the re-opening of outdoor hospitality venues, will take place no sooner than 12 April 2021. This would

require table service. Indoor hospitality (with table service required) would be part of step 3, taking place no earlier than 17 May 2021. Step 4, which would include the re-opening of nightclubs, would take place no earlier than 21 June 2021, at which time it would be intended to remove all legal limits on social contact and re-open all remaining closed settings.

3 ISSUES

3.1 The Secretary of State for Housing, Communities and Local Government wrote to all local authorities on 5 March 2021 encouraging authorities to take steps to support the re-opening of outdoor hospitality. A copy of the letter is attached at Appendix 1. The letter also includes announcements on the extension of temporary relaxations of licensing and planning requirements which had been introduced in 2020.

3.2 The Council's Licensing staff will be contacting hospitality venues in the coming weeks to seek to establish their intentions and any intended date of re-opening, and to remind them of the restrictions which are anticipated to remain at the time of re-opening. Final guidance and any required changes to the legislation is only likely to be published in the week before any stage in the Roadmap comes into effect.

3.3 Licensing staff will also endeavour to respond to queries raised by venues and operators on steps that can be taken, although some aspects will not be capable of definitive advice until the publication of the relevant legislation or regulations. It is anticipated that queries may be raised in relation to the use of outdoor areas for consumption of food and drink, including the need for variation of the licence to permit any extension of the area to be used for licensable activities. There have already been a number of enquiries with regard to the temporary pavement licence regime, enabling service of food and drink on permitted parts of the highway (although Members will note that many town centre premises in the Ribble Valley may encounter difficulty in this respect due to the dimensions of pavements).

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – Resources will be required to: liaise with businesses; respond to queries; carry out any necessary visits.
- Technical, Environmental and Legal – Increased advice to businesses should result in greater compliance with legislation and regulation, and fewer complaints of breach.
- Political – No implications identified.
- Reputation – Improved support and advice to business will enhance the Council's reputation.
- Equality & Diversity – No implications identified.

CONCLUSION

5.1 Committee is asked to note the content of the report.



STEPHEN BARKER
SOLICITOR



MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

None.



Ministry of Housing,
Communities &
Local Government

Rt Hon Robert Jenrick MP
*Secretary of State for Housing, Communities & Local
Government*

**Ministry of Housing, Communities & Local
Government**

Fry Building
2 Marsham Street
London
SW1P 4DF
Tel: 0303 444 3450
Email: robert.jenrick@communities.gov.uk

www.gov.uk/mhclg

5 March 2021

Dear Leader,

Supporting the reopening of outdoor hospitality

On 22 February the Prime Minister published a roadmap for easing the lockdown restrictions and set out that in step two, which will be no earlier than 12 April, hospitality venues will be allowed to serve people outdoors. I am writing to you today to highlight the measures in place to support the safe re-opening of hospitality businesses and to urge you to do everything possible to help these businesses reopen safely and prosper again.

All of us in Government are looking forward to seeing pubs, cafes and restaurants open again, and, as Communities Secretary, I'm determined that we don't let red tape to get in the way of a great British summer. Last summer we introduced several measures to support hospitality businesses to reopen safely, enabling business across the country to continue to serve their local communities. The planning changes we put in place last year have been a lifeline to many businesses and they're here to stay for the summer of 2021.

To that end, I am pleased to announce that we will be extending pavement licences for a further 12 months, making it easier and cheaper for pubs, restaurants and cafes to continue to make al fresco dining a reality with outside seating, tables and street stalls to serve food and drinks. We are also continuing to support local communities hold popular outdoor events like summer fairs, car-boot sales, and markets, without the need for planning permission.

The automatic right to provide takeaways and do deliveries we created at the start of the pandemic is going to continue, as will the right for pubs to have marquees and awnings without planning permission for up to two months.

To remind you of the freedoms we have put in place, I have set out all of the measures that we introduced below:

Al fresco dining

We introduced a simplified route for pubs, restaurants and cafes to obtain a temporary pavement licence to place furniture including outdoor tables and seating on the highway, allowing them to increase their outdoor capacity quickly and at a low cost. We introduced these pavement licence provisions on 22 July 2020 in the Business and Planning Act 2020. They include a capped application fee of £100 and a 10-working day consultation and determination period.

We have made clear in the pavement licence guidance that we expect local authorities to grant licences for 12 months or more unless there are good reasons not to, such as plans for future changes in use of road

space. Therefore, unless there are very good reasons, we would expect licences granted under these provisions to continue to apply into this summer so that businesses do not have to reapply or be charged a further application fee when they are able to re-open to serve customers outdoors. These temporary provisions are currently due to expire on 30 September 2021, but to give further certainty to businesses I will be introducing secondary legislation to extend these provisions for a further 12 months, subject to Parliamentary approval.

Given the continuing importance of the outdoors to reduce transmission of the virus, I strongly encourage you to plan for outdoor dining and make all necessary changes to local high streets, squares and the public realm so this is as convenient as possible for businesses and members of the public.

Freedom to use land for community events and outdoor hospitality

Last year we provided greater flexibility for businesses to hold outdoor events such as summer fairs or motorsports on land without the need for a planning application, while events such as car-boot sales, or people or businesses such as pubs wishing to set up marquees will also be exempt. We have increased the number of days allowed for such temporary events from 28 to 56, and in November extended this provision until 31 December 2021.

Outdoor markets

We have also introduced a new temporary right, extended to March 2022, that allows local authorities, either by themselves or by others on their behalf, to use land to hold a market without having to apply for planning permission.

Takeaways

Finally, we also introduced measures to support restaurants, drinking establishments such as pubs and cafes to serve takeaway food when they were otherwise closed due to coronavirus restrictions. These measures will continue to apply until March 2022.

We introduced these changes to provide much needed support to hard-hit hospitality businesses. It is vital that local authorities use these measures in a pragmatic way to help support the high street, businesses and jobs, once restrictions allow them to do so.

Thank you for all you have done in your local community to help businesses prepare for a safe reopening. As we emerge from this incredibly challenging period – let's not let bureaucracy get in the way of a great British summer for the hospitality industry.

A handwritten signature in black ink that reads "Robert Jenrick". The signature is written in a cursive style with a long horizontal line underneath the name.

RT HON ROBERT JENRICK MP