

Minutes of Licensing

Meeting Date: Tuesday, 15 June 2021, starting at 6.30 pm
Present: Councillor J Alcock (Chair)

Councillors:

R Bennett	R Newmark
I Brown	S O'Rourke
S Brunskill	J Rogerson
S Farmer	G Scott
S Hore	R Walsh
A Humpheys	

In attendance: Head of Legal and Democratic Services and Solicitor

Also in attendance: Planning and Licensing Enforcement Officer

68 APOLOGIES FOR ABSENCE

Apologies for the meeting were received from Councillors. S Rainford, M Robinson and D O'Rourke.

69 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 23 March 2021 were approved as a correct record and signed by the Chairman.

70 DECLARATIONS OF PECUNIARY AND NON PECUNIARY INTERESTS

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

71 PUBLIC PARTICIPATION

There was no public participation.

72 EXPIRY OF WHALLEY CUMULATIVE IMPACT ASSESSMENT

The Chief Executive submitted a report informing the Committee of the expiry of the Cumulative Impact Assessment (CIA) in respect of the Whalley and Painter Ward on 30 April 2022 and seeking Committee's approval for a review of the CIA.

Members were reminded that:

- Concerns were raised by Whalley residents on the impact the night-time economy had on the residential amenity, particularly in relation to the licensing objectives of prevention of public nuisance and prevention of crime and disorder.
- Due to the concerns, a preliminary survey of residents, businesses and other affected parties was conducted over the Spring of 2018, with 194 responses being received. The Council therefore embarked on a formal consultation process to create an evidence base. Only one response was received to the formal consultation and the Police made no representations.
- Following consideration of the evidence base and the outcome of the consultation, and recommendations by this Committee, Council approved the current CIA on 30 April 2019.

- Since the CIA has been in place only one location has applied for a new licence and subsequently varied it by extension of hours, and as no representations were received, the CIA was not engaged. Two further applications had been received where representation had been submitted but, on each occasion, the sub-committee was content with the steps taken to promote the licensing objectives and the applications had been granted subject to conditions.

The report noted that:

- Although a CIA forms part of the Council's Statement of Licensing Policy, due to the somewhat exceptional nature of a CIA, it is only effective for 3 years. At that time, the Council being the Licensing Authority must review whether a CIA is still required.
- In the unusual circumstances over the last 15 months, the night-time economy has been very quiet, and very few, if any issues have been reported. As a consequence, a number of Licensing Authorities at the time of review of their Statement of Licensing Policy, had dispensed with CIAs.
- In order to continue the CIA, a Licensing Authority needs to have evidence of the impact upon the licensing objectives such as local crime and disorder statistics, including statistics on specific types of crime and crime hotspots.

RESOLVED THAT COMMITTEE

1. Authorise the Head of Legal and Democratic Services to make enquiries of the responsible authorities to assess whether there is sufficient evidence to support a cumulative impact policy for the Whalley Ward and the area to which any policy would relate.
2. Authorise officers to consult informally with licensees in the Whalley Ward, the Parish Council and community groups.
3. Authorise officers to report back to this Committee with recommendations based on the responses received.

73

OUTCOME OF CONSULTATION ON REVISION OF TAXI LICENSING POLICY.

The Chief Executive Submitted a report informing Committee of the outcome of the consultation on amendment of the Council's Taxi and Private Hire Licensing Policy, and to seek Committee's views on the proposed amendments.

Committee were reminded that:

- Consideration of the Department for Transport Statutory Taxi and Private Hire Vehicle Standards ("Taxi Standards") took place at the meeting on 20 October 2020.
- At the meeting, the Committee considered the current policies and conditions for drivers, vehicles and operators, which for the most part conformed with the Taxi Standards.
- Where amendments might be needed to comply with the Taxi Standards, the Committee authorised the Head of Legal and Democratic Services to consult on the possible amendments.

The report noted that:

- Pursuant to the authorisation, the Council's Solicitor wrote to all relevant licence holders and interested parties. A copy of the consultation documents was enclosed with the report as Appendix 1.

- The Council received one response to the consultation, the response referenced the possible cost of installing CCTV as a licence condition.
- The Council is required to consult to establish if there are local circumstances indicating whether the installation of CCTV would have a positive or adverse net effect on the safety of taxi and private hire vehicle users, including children and vulnerable adults, whilst taking into account potential privacy and other issues.

RESOLVED THAT COMMITTEE

1. Authorise the Head of Legal and Democratic Services to amend the Taxi and Private Hire Licensing Policy as set out in Appendix 2 of the report and presented to this Committee on 20 October 2020, with the exception of the provisions regarding consultation on the installation of CCTV.
2. Authorise officers to consult as appropriate and prepare a Data Protection Impact Assessment and thereafter report back to this Committee on the issue of the introduction of a condition requiring the installation of CCTV in Hackney Carriages and Private Hire Vehicles.

74

LICENSING ENFORCEMENT - UPDATE

The Chief Executive submitted a report informing members of the current arrangements for licensing enforcement and ongoing issues.

The report noted that:

- Since the previous meeting, the part time Planning and Licensing Enforcement Officer had retired, and a replacement had yet to be appointed. Members were updated that the recent Personnel Committee had approved that the post become full-time.
- The licensed trade had been very quiet during lockdown and recovery and while some venues had continued to provide off-sales or delivery services, many premises had been closed.
- As reopening had taken place, the Council's enforcement officers have undertaken visits to premises, largely on a proactive basis to support and advise. Some of these visits have been in company with the Police, with whom there is close collaboration.
- While there had been complaints about licensed premises, these had mainly fallen within the powers of other agencies such as the Police or Environmental Health. Specific breaches of licence conditions had been relatively rare.
- Ongoing meetings are taking place with licensees, individually and collectively, on an informal basis and the reintroduction of a 'Pub Watch' type regime had been largely welcomed.

Members will recall that it had been hoped that the Council's recently appointed Planning and Licensing Enforcement Officer would attend the previous meeting, but circumstances unfortunately prevented his attendance. He was however in attendance at this meeting and provided a snapshot of the borough's night-time economy and an update of on-going and planned initiatives.

75

RE-OPENING OF LICENSED PREMISES - UPDATE

The Chief Executive submitted a report informing members of the steps taken by the Council to assist hospitality venues to reopen safely.

Members were reminded that:

- At the meeting on 23 March 2021, they were informed of the steps being taken by the Council to support hospitality businesses and the ongoing restrictions that were then in place.

The report noted that:

- The Council's enforcement team had been liaising with the Police and other local authorities to seek to ensure that a consistent approach relating to COVID-19 was taken throughout Lancashire.
- Material had been made available on the Council website, by electronic communication, and by delivery when officers had visited businesses and venues.
- The majority of site visits had been to assist businesses in making arrangements to open safely. Where there had been complaints, these had been investigated and the vast majority had been resolved by verbal advice.
- Most businesses had welcomed the support provided by the Council.
- Regarding the postponed Euro 2020 football tournament, Appendix 1 to the report showed the material that had been distributed by the Council to assist venues in operating successfully and safely.

76 REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from representatives on outside bodies.

77 EXCLUSION OF PRESS AND PUBLIC

None.

The meeting closed at 7.10 pm

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