

Licensing Committee**16:30 to 17:45****26 November 2020**

Present: Councillors Stutely (chair), Fulton-McAlister (E)(vice chair), Ackroyd, Brociek-Coulton, Giles, Grahame, Huntley, Maxwell, Oliver, Price, Ryan and Youssef

Apologies: Councillor McCartney-Gray

1. Declarations of interest

There were none.

2. Public Questions/Petitions

There were none.

3. Minutes

To approve the accuracy of the minutes of the meeting held on 5 August 2020.

4. Statement of Licensing Policy

The chair introduced the report and explained that the purpose of the report was to approve the draft Statement of Licensing Policy for consultation. The committee would have an opportunity to review the consultation responses and the revised policy before the final version of the revised Statement of Licensing Policy was referred to council for adoption.

The environmental health and public protection manager presented the report and reassured members that the committee would consider a cumulative impact assessment (CIA) at the appropriate time in the future.

The public protection (licensing) team leader highlighted to the committee the other changes in the draft licensing policy, made in line with changes to legislation and guidance to ensure that the licensing policy was up-to-date. The statutory consultees would be consulted on the draft licensing policy and any omissions or changes in legislation that had not been covered would be raised in response to the consultation.

During discussion, the committee agreed a number of changes to the draft licensing policy for consultation. Members were asked to advise officers of any typographical errors outside the meeting. The changes included: further text to clarify the definition of an application and who had the ability to apply for a licence; provisions for facilities on the highway in accordance with the appropriate legislation; text to protect vulnerable people and children and provide controls where appropriate; stating the intention that a CIA would be produced at the appropriate time and to review this position 6 months after the policy has been approved; and, requesting the provision of gender neutral toilet facilities, where there were three or more toilets at a premises.

RESOLVED to:

- (1) authorise the environmental health and public protection manager to consult on the draft Statement of Licensing Policy, subject to the following amendments:
 - (a) 3. **Applications for licences** – [Insert here what is the definition of an application and who has the ability to make an application Sec 16 LA]
 - (b) 18.3 (additional text, shown in italics) Applicants should be aware that the provision of facilities (including tables, chairs barriers etc.) on the public highway require a separate permission in accordance with the Highways Act 1980 *or any other relevant legislation that might be in force at the time.*
 - (c) 20.3 (additional bullet point):
 - *protecting people from the risk of harassment and abuse, including sexual harassment, and protecting vulnerable adults from harm*
 - (d) 20.4 (additional bullet point):
 - *protecting people from the risk of harassment and abuse, including sexual harassment, and protecting vulnerable adults from harm*
 - (e) 26.7 (additional bullet point):
 - *where children are employed in the premises*
 - (f) 26.9 (additional bullet point):
 - *Measures to ensure children employed as staff are protected from harm*
 - (g) 29.3 (additional/amended text): Due to the current Covid-19 pandemic and the changing restrictions on licensed premises, it is not possible to carry out an *appropriate* cumulative impact assessment at this time. *It is the intention of this authority to perform a cumulative*

impact assessment at an appropriate time. This committee will review the possible introduction at a six monthly interval from the introduction of this policy.

- (h) 31.1 (additional/amended text): The applicant should provide an appropriate number of suitably designed and maintained toilet facilities together with hand-washing facilities *to be provided separately for use by male and female patrons at all licensed premises where patrons will be consuming food or drink on the premises, or where regulated entertainment is being provided. Generally, where there are three toilets within a premise one should be indicated as being gender neutral. This is to improve accessibility, comfort and the public safety of individuals who prefer not to use gendered toilets.* Generally, these facilities shall be separate to those provided for use by staff, though an exception may be considered in respect of small premises (capacity less than 50 persons including staff). The criteria are attached at Appendix 1.
- (2) note that the committee will consider the outcome of the consultation at a future meeting before recommending the Statement of Licensing Policy to council for adoption.

CHAIR