

LICENSING COMMITTEE

10 SEPTEMBER 2020

Present: Councillor Mackie(Chairperson)
Councillors Sattar, Bowen-Thomson, Derbyshire, Ford,
Goddard, Jacobsen, Dianne Rees and Wood

1 : APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Kelloway.

2 : DECLARATIONS OF INTEREST

No declarations of interest were received.

3 : REVIEW OF STATEMENT OF LICENSING POLICY

Under the Licensing Act 2003 each licensing authority must produce a Statement of Licensing Policy (SLP) outlining their approach to licence applications and the processes used to address associated issues. The SLP must be reviewed on a 5-year basis in consultation with a number of stakeholders.

The Policing and Crime Act 2017 introduced 'Cumulative Impact Assessments' (CIAs) into the Licensing Act 2003. Home Office guidance required that CIAs are reviewed every 3 years and therefore it is necessary to review the current SLP and publish a CIA as a separate document.

Members were advised that a public consultation was undertaken between 4 November and 24 December 2019. The SLA and CIA were amended to reflect the views of consultees. The revised policy and the responses to the consultation were appended to the report.

The Committee received representation from Mr Matthew Phipps representing members of the licensing trade. Mr Phipps raised concerns around the principal of the adoption of the policy. Mr Phipps accepted that the representations received during the consultation process were considered at the time at which they were made. However, he did not consider that the policy should be adopted today as the Covid-19 pandemic has profoundly changed the way we live. The consultation exercise was undertaken almost 12 months ago and a significant period has elapsed. The responses provided to the consultation are out of date; the consultation and subsequent dialogue are out of date; and the evidence on which the policy is based is out of date.

Mr Phipps considered that maintaining the status quo in terms of the SLP is not the right approach for the city at this time. The CIA needs to be based on evidence that is current and this is not the position the Committee is being asked to approve. The evidence from South Wales Police related to the period February to November 2018. The City Centre is profoundly different now and the policy needs to reflect that.

Mr Phipps highlighted some of the problems within the hospitality trade in the City Centre as a result of the Covid-19 pandemic. He also made comments regarding the CCTV evidence used to support the CIA.

Mr Phipps suggested that the policy needed a rethink to ensure the vibrancy of the City.

Responding to the comments from a Member of the Committee, the Licensing Manager stated that the Coronavirus Regulations sit outside the Licensing Act regime as a separate function. The issues around Covid-19 stray into public health areas and public health is not one of the licensing objectives. The Licensing Manager suggested that it is necessary to make reference to Covid-19 / Coronavirus in the SLP because those powers and the measures taken are separate. The Coronavirus regulations are 'fast-moving' and change regularly and therefore any reference made to them in the policy would soon be out of date.

The Committee also received representation from Sgt Justin Hardwicke of South Wales Police. Sgt Hardwicke considered that the policy was vital and it would allow the authority to maintain control over the licensing trade in the City Centre.

The Committee debated the report.

RESOLVED – That Committee commend the amended Statement of Licensing Policy to the Council for approval prior to its publication.

4 : URGENT ITEMS (IF ANY)

No urgent items were received.

The meeting terminated at 12.00 pm