

# **MINUTES OF LICENSING COMMITTEE MEETING - WEDNESDAY, 25 MAY 2016**

## **Present:**

Councillor Hutton (in the Chair)

Councillors

Cox	Humphreys	Owen	Scott
Elmes	Maycock	Roberts	Singleton
Hobson	Mitchell	Ryan	L Taylor

## **In Attendance:**

Sharon Davies, Head of Licensing Service

Bernadette Jarvis, Senior Democratic Governance Adviser

Mark Marshall, Licensing Health and Safety Enforcement Manager

## **1 DECLARATIONS OF INTEREST**

There were no declarations of interest on this occasion.

## **2 MINUTES OF THE LAST MEETING HELD ON 1 MARCH 2016**

**Resolved:** That the minutes of the last meeting held on 1 March 2016 be approved and signed by the Chairman as a correct record.

## **3 FORMATION OF A PUBLIC PROTECTION SUB-COMMITTEE**

The Committee considered the constitution of a Public Protection Sub-Committee for the forthcoming Municipal Year. Members also considered whether to appoint the Chairman and Vice-Chairman of the Public Protection Sub-Committee at this meeting.

### **Resolved:**

1. To agree to the constitution of a politically balanced Public Protection Sub-Committee with a membership of 7 (5 Labour and 2 Conservative)
2. To note the membership of the Public Protection Sub-Committee as Councillors Hutton, Mitchell, Owen, Singleton, L Taylor, Maycock and Robertson BEM.
3. That the functions assigned to the Public Protection Sub-Committee continue to be those as set out in Part 3 of the Council's Constitution.
4. To agree to appoint the Chairman and Vice-Chairman of the Public Protection Sub-Committee at this meeting.
5. To appoint Councillor Hutton as Chairman of the Public Protection Sub-Committee.
6. To appoint Councillor L Taylor as Vice-Chairman of the Public Protection Sub-Committee.

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### **4 SEX ESTABLISHMENT LICENSING POLICY REVIEW**

The Committee considered the draft revised Sex Establishment Policy.

Mrs Davies, Head of Licensing Service, reported that the existing Sex Establishment Policy had been in place since its development in 2011 and as such was due for a review. The draft Policy had been attached to the Agenda for Members' consideration and did not contain any significant changes to the existing Policy.

Mrs Davies confirmed that she had already considered amending the draft Policy to provide further clarity on the information relating to the number of sex establishments permitted in Bloomfield, Claremont and Talbot wards and the rights and grounds for appeal against the refusal to grant or impose conditions on a licence. The Committee endorsed the suggested amendments.

Following concerns raised by a Member of the Committee relating to the draft Policy allowing an exception to the prohibition of physical contact between performers and customers, namely the leading of a customer by the hand, Mr Marshall, Licensing Health and Safety Enforcement Manager, confirmed that it was common practice to allow an element of reasonable interaction between customers and performers and that the aim of the draft Policy was to prevent inappropriate contact. Following a general discussion, Members agreed that no changes should be made to this aspect of the draft Policy prior to consultation, should the Committee be minded to approve a period of consultation on it.

Responding to questions from a Member of the Committee, Mrs Davies confirmed that although the draft Policy sought to limit the number of sex establishments, each application would be considered on its merits.

**Resolved:** To approve a public consultation on the draft Sex Establishment Policy including the agreed amendments, for a period of six weeks from 31 May 2016.

**NOTE:** Councillor Singleton entered the meeting part way through the discussion on this item but did not take part in the voting.

### **5 REVIEW OF STATEMENT OF LICENSING POLICY**

Mrs Davies reminded the Committee that at its meeting on 15 September 2015, it had agreed to accept the recommendations from the Night Time Economy Working Group. She reported on the recommendations that would require changes to the Statement of Licensing Policy which included the creation of zones in the town centre with the aim of encouraging different types of applications and a review of the existing Town Centre Saturation Area to ascertain its impact on investment in the area.

A further recommendation asked for the Licensing Committee to endorse an accreditation scheme for licensed premises in Blackpool to reward good operators and encourage improvements in others. Mrs Davies reported on a compliance manual that had been distributed to all Business Improvement District (BID) members.

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Responding to questions from the Committee, Mrs Davies confirmed the intention for the accreditation scheme to be based on star ratings following an inspection of the premises.

Members of the Committee discussed concerns regarding the safeguarding of children in licensed premises. It was noted that protecting children from harm was a Licensing Objective and as such would be considered in the granting, renewal or variation of licensing applications. It was also noted that legislation dictated that Licensing Panels could only consider applications that had received relevant objections based on the Licensing Objectives. Mrs Davies confirmed that all Councillors were notified of all licensing applications with full details provided to Councillors for applications within their ward.

### **Resolved:**

1. To approve the review of the Statement of Licensing Policy and informal consultation with the Responsible Authorities.
2. To endorse the creation of a licensing premises accreditation scheme and request that a copy of the proposed scheme be brought to the next meeting of the Licensing Committee for consideration.

### **6 LATE NIGHT LEVY**

The Committee considered the option of implementing a Late Night Levy for Blackpool.

Mrs Davies, Head of Licensing Service, explained the reasons for the recommendation not to proceed with the implementation of a Late Night Levy at this time which included the current lack of flexibility in how it could be applied and Home Office guidance suggesting that businesses that contributed to the Business Improvement District (BID) should be exempt which would result in a significant reduction in the amount of funding received. She advised the Committee of the possibility of a future amendment to the Late Night Levy to provide the Council with greater discretion on its application.

Mrs Davies circulated additional information that had been received from the Association of Licensing Multiple Retailers supporting the recommendation not to proceed with a Late Night Levy at this time.

The Committee was advised of the estimated revenue that could be realised from the Levy and the impact of any exemptions and reductions on the potential income. The significant up-front costs of implementing the Late Night Levy were also outlined to the Committee.

During an in-depth discussion, Members acknowledged the significant problems that continued to exist within the town centre and expressed concern at the apparent lack of progress in tackling the problems since the Council's decision not to proceed with the implementation of the Early Morning Restriction Order (EMRO).

The Committee agreed that action needed to be taken to address the problems but were mindful of the costs associated with implementing the Late Night Levy. The Committee noted the review currently being undertaken by Government which could result in

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changes to the Levy with greater discretion being given to Councils and whilst it agreed that a Late Night Levy was not a suitable option for Blackpool at this time it requested the opportunity to review the situation in six months time, taking into account any amendments to the legislation.

**Resolved:** That a Late Night Levy was not a suitable option for Blackpool at this time and to request that a report to review the situation be brought back to Committee in six months time.

### **Chairman**

(The meeting ended 6.53 pm)

Any queries regarding these minutes, please contact:  
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