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Blackpool Council

14 May 2021

To: Councillors Baker, Brookes, Mrs Callow JP, G Coleman, Collett, Cox, Critchley, Farrell, Hunter, Hutton, Matthews, O'Hara, Roberts, D Scott and Wilshaw (subject to confirmation at Annual Council on 24 May)

The above members are requested to attend the:

LICENSING COMMITTEE

Tuesday, 25 May 2021 at 6.00 pm
in the Council Chamber

A G E N D A

1 DECLARATIONS OF INTEREST

Members are asked to declare any interests in the items under consideration and in doing so state:

(1) the type of interest concerned either a

- (a) personal interest
- (b) prejudicial interest
- (c) disclosable pecuniary interest (DPI)

and

(2) the nature of the interest concerned

If any member requires advice on declarations of interests, they are advised to contact the Head of Democratic Governance in advance of the meeting.

2 MINUTES OF THE LAST MEETING HELD ON 19 JANUARY 2021 (Pages 1 - 4)

To agree the minutes of the last meeting held on 19 January 2021 as a true and correct record.

3 FORMATION OF A PUBLIC PROTECTION SUB-COMMITTEE (Pages 5 - 8)

Members are requested to consider the formation of a Public Protection Sub-Committee for the forthcoming Municipal Year.

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Sarah Chadwick, Democratic Governance Advisor, Tel: 01253 477153, e-mail sarah.chadwick@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Present:

Councillor Hutton (in the Chair)

Councillors

Baker	Collett	Hunter	Wilshaw
Brookes	Cox	O'Hara	
Mrs Callow JP	Critchley	Roberts	
G Coleman	Farrell	D Scott	

In Attendance:

Lennox Beattie, Executive and Regulatory Manager
Sarah Chadwick, Democratic Governance Advisor
Sharon Davies, Senior Licensing Solicitor
Lee Petrak, Licensing and Trading Standards Manager
Ryan Ratcliffe, Licensing Enforcement Officer
Councillor Rick Scott

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE LAST MEETING HELD ON 22 SEPTEMBER 2020

The Licensing Committee considered the minutes of the meeting held on 22 September 2020.

Resolved:

That the minutes of the meeting of the Licensing Committee held on 22 September 2020 be approved and signed by the Chairman as a correct record.

3 REVIEW OF STATEMENT OF LICENSING POLICY AND CUMULATIVE IMPACT ASSESSMENT

The Licensing Committee was asked to consider approving the proposed Statement of Licensing Policy and associated Cumulative Impact Assessment and recommend them to the Executive and Council.

Mrs Sharon Davies, Senior Licensing Solicitor, presented the item and advised Members that an eight week consultation had recently been completed during which comments were invited from licence holders, their representatives and Responsible Authorities on the proposed documents. Mrs Davies reported that only one response had been received which related to a specific CCTV condition on a licence and it was proposed that on balance no further changes were required to the Licensing Policy and Cumulative Impact Assessment following the consultation.

MINUTES OF LICENSING COMMITTEE MEETING - TUESDAY, 19 JANUARY 2021

Having reviewed the responses to the consultation the Committee agreed to recommend the proposed Statement of Licensing Policy and Cumulative Impact Assessment to the Executive and Council, subject to some minor typographical errors being amended as highlighted by Members.

Resolved:

1. To recommend the proposed Statement of Licensing Policy to the Executive and Council, subject to minor typographical errors being amended as highlighted.
2. To recommend the proposed Cumulative Impact Assessment to the Executive and Council.

4 REVIEW OF SEX ESTABLISHMENT POLICY

The Licensing Committee considered the draft revised Sex Establishment policy.

Mrs Sharon Davies, Senior Licensing Solicitor, presented the item and advised Members that the current policy was approved in 2016 and was therefore due for review. She explained that the primary aim of the policy was to set out how the Council dealt with Sex Shops and lap dancing clubs (Sexual Entertainment Venues) in its area. The Committee was informed that, if approved, the draft Sex Establishment Policy would be subject to an eight week consultation, following which the policy would be brought back to the Committee for further consideration.

Mrs Davies highlighted the amendments to the draft Policy, in particular the proposed reduction in the number of sex establishments deemed appropriate and additions and amendments to the standard conditions for Sexual Entertainment Venues. Members were informed that the Council, as a White Ribbon accredited authority, was working towards a setting a zero limit on the number of Sexual Entertainment Venues, although exceptions would be made for existing businesses currently trading until their licences lapsed, were revoked, surrendered or not renewed.

The Committee discussed the proposed reduction in the number of sex establishments and Members considered the removal of "grandfather rights" for existing Sexual Entertainment Venues in order to more quickly reduce the number of premises. In regards to the Policy's proposed addition of further standard conditions to Sexual Entertainment Venue Licences, it was felt that these would provide additional regulation to the sector.

The Committee concluded that at present it was right to consult on the revised policy which included grandfather rights for existing premises. It was therefore agreed to authorise an eight week consultation on the draft Policy as submitted.

Resolved:

To authorise an eight-week consultation on the draft Sex Establishment Policy.

MINUTES OF LICENSING COMMITTEE MEETING - TUESDAY, 19 JANUARY 2021

5 LICENSING UPDATE

The Licensing Committee received an update on the details of licences applied for, dealt with and appealed in the period 11 September 2020 to 31 December 2020 together with an update on recent licensing enforcement activities.

Mrs Sharon Davies, Senior Licensing Solicitor, highlighted to the Committee details of the ten new Premises Licence applications received, six of which were granted administratively as no objections had been received and four of which were still in the representation period. During the same period, the Licensing Service also received two variation applications, 40 applications to vary the Designated Premises Supervisor and 27 transfers of Premises Licence.

Mrs Davies further advised that appeals remained outstanding against the decision of a licensing panel to vary the Premises Licences for the Lawton Hotel, Charnley Road and the Beechfield Hotel, Hornby Road. In response to a question regarding the progress of these cases, the Committee was informed that Case Management hearings were listed for both appeals at the Magistrates Court in February and Mrs Davies indicated that she did not expect the appeals to be resolved before summer.

Mr Lee Petrak, Licensing and Trading Standards Manager, updated Members on the work of the licensing enforcement team and explained that there had been reduced enforcement activity in on-licensed premises in recent months due to the enforced coronavirus business closures, and that the taxi trade had also been significantly impacted by reduced passenger numbers. Mr Petrak advised the Committee that the Public Protection team, within which Licensing Enforcement sits, continued to be on the front line in enforcing Coronavirus regulations and safe working guidelines.

Mr Petrak reported that the enforcement team were currently visiting larger retail settings following advice from the Secretary of State for Housing, Communities and Local Government to ensure that they were operating in a Covid-safe manner. The Committee were informed of the clear reporting methods for Covid breaches available to the public, and Mr Petrak indicated there were currently no major issues in the town and that compliance from businesses was generally good.

In response to a question from the Committee in regards to the types of complaints being received, Mr Petrak stated that since the new year complaints tended to be in relation to the wearing of facemasks in smaller retail settings, or activity in close contact service premises and gyms. He confirmed that complaints were allocated and investigated on a daily basis.

Resolved:

To note the update on licences considered, dealt with and appealed and to note the update on Licensing Enforcement.

MINUTES OF LICENSING COMMITTEE MEETING - TUESDAY, 19 JANUARY 2021

Chairman

(The meeting ended 6.40 pm)

Any queries regarding these minutes, please contact:

Sarah Chadwick Democratic Governance Advisor

Tel: 01253 477153

E-mail: sarah.chadwick@blackpool.gov.uk

Report to:	LICENSING COMMITTEE
Relevant Officer:	Mark Towers, Director of Governance and Partnerships
Date of Meeting:	25 May 2021

FORMATION OF A PUBLIC PROTECTION SUB-COMMITTEE

1.0 Purpose of the report:

1.1 Members are requested to consider the formation of a Public Protection Sub-Committee for the forthcoming Municipal Year.

2.0 Recommendation(s):

2.1 To agree to the formation of a politically balanced Public Protection Sub-Committee with a membership of 7.

2.2 Subject to the approval of 2.1 above, to note the membership of the proposed Sub-Committee as informed by the Group Leaders.

2.3 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.

2.4 To consider whether or not to appoint at this meeting, the Chairman and Vice-Chairman of the Public Protection Sub-Committee.

2.5 To request the Public Protection Sub-Committee to consider the start-time of its future meetings.

3.0 Reasons for recommendation(s):

3.1 Following the confirmation of the Committee structure at the Council meeting on the 24 May 2021, if the Licensing Committee wishes to delegate functions to a Public Protection Sub-Committee such a body needs to be created.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

4.1 Not to create a Public Protection Sub-Committee which would mean that all the functions previously delegated would remain the responsibility of the Licensing Committee.

5.0 Council priority:

5.1 The relevant Council priority is

- “Communities: Creating stronger communities and increasing resilience”

6.0 Background information

6.1 The Council at its meeting on 24 May 2021 recommended the re-appointment of a politically balanced Public Protection Sub-Committee with a membership of 7. The functions assigned to the Sub-Committee are as set out in Part 3 of the Council’s Constitution. The Council agreed to recommend that the Sub-Committee continues to meet on a monthly basis.

6.2 The functions of the Licensing Committee under the Licensing Act 2003 would continue to be discharged by panels consisting of 3 members of the Licensing Committee. Members are reminded that these Panels are appointed as required by the Head of Democratic Governance.

6.3 If the Committee agrees to the creation of a Public Protection Sub-Committee, it should also consider whether it wishes to appoint a Chairman and Vice-Chairman at this meeting or to leave the appointments for consideration by the Sub-Committee itself.

6.4 The Council at its meeting on the 24 May 2021 did not agree a set meeting time for the Public Protection Sub-Committee as given the length of the previous meetings it is considered that 6pm may on occasion not be suitable. The Public Protection Sub-Committee will be asked to agree that meetings start at 6pm except where the business to be transacted will in the view of officers take significantly longer than two hours when a revised start time will be agreed after consultation with the Chairman and Vice-Chairman.

6.5 Does the information submitted include any exempt information? No

7.0 List of Appendices:

7.1 None.

8.0 Financial considerations:

8.1 None.

9.0 Legal considerations:

9.1 This Committee was reconstituted at the meeting of the Council on 24 May 2021 and as such the Public Protection Sub-Committee has to be reconstituted for this Municipal Year, in order for it to carry out its duties.

10.0 Risk management considerations:

10.1 None.

11.0 Equalities considerations:

11.1 None.

12.0 Sustainability, climate change and environmental considerations:

12.1 None.

13.0 Internal/external consultation undertaken:

13.1 None.

14.0 Background papers:

14.1 None.

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