

**LICENSING COMMITTEE**  
**27th January, 2020**

Present:- Councillor Ellis (in the Chair); Councillors Beaumont, Buckley, Clark, Jones, Napper, Reeder, Taylor and Vjestica.

Apologies for absence were received from Councillors Albiston, Hague and Russell.

**1. DECLARATIONS OF INTEREST**

There were no Declarations of Interest reported.

**2. LICENSING ACT 2003: STATEMENT OF LICENSING POLICY 2020-2025**

Consideration was given to the report introduced by Alan Pogorzelec, Licensing Manager, which detailed how Section 5 of the Licensing Act 2003 required a Licensing Authority to prepare and publish a Statement of its Licensing Policy at least every five years. The Council's Statement of Licensing Policy was last published in 2011, and was, therefore, due for review and republication in 2016. However, this review did not take place due to the Council's focus on taxi and private hire licensing.

The Council carried out a first stage of consultation between June and October, 2019 which developed a revised policy. In December 2019, Cabinet approved the second stage of consultation on the revised Statement of Licensing Policy. The consultation was now active and this report gave the opportunity for Licensing Committee to formally respond to the consultation.

The licensed entertainment and hospitality industry was a major provider of full time, part time and casual employment and made a significant contribution to the local economy. It fulfils an important social and community role, providing facilities for both residents and businesses and provided vital support for related sectors such as retail and tourism.

The Statement of Licensing Policy sought to strike a balance between the need to encourage a vibrant, dynamic and responsible entertainment industry as part of the regeneration of the Borough and the need to ensure that concerns relating to health, safeguarding and public disorder were effectively addressed. The policies in this statement aimed to contribute to making the Borough as a whole and its town centre, in particular, pleasant, safe and prosperous places in which to live, work, learn and relax. The Council wanted to work with partners and the licensing trade to provide a safe and diverse night time economy for all to enjoy.

As a result of the consultation a number of proposed key changes within the revised Statement of Licensing Policy were recommended; namely:-

**Cumulative Impact Assessment** - The Council was able to identify areas within the Borough where the further granting of licences or variations to licences could impact on the Council's obligations in respect of the Licensing Objectives. This would be through a 'Cumulative Impact Assessment' (CIA).

Following the Cumulative Impact Assessment, consideration of a Cumulative Impact Zone could be made which could limit the number or type of licence applications granted in areas where the number of licensed premises were causing problems. Such problems typically included crime and disorder or public nuisance caused by large numbers of drinkers being concentrated in one area.

The Committee were in favour of such an inclusion in the Statement to prevent certain areas being adversely affected and any new applications would need to be proactive in providing supporting information. This would not mean new applications in a Cumulative Impact Zone would be refused, but any valid objections considered.

The Committee welcomed further guidance around the issue and asked that further training be provided.

**Greater Use of Public Health Data** - Greater use of Public Health data to inform licensing decisions would further support the role of Cumulative Impact on tackling localised issues related to the harms caused by alcohol. This assessment would utilise the newly developed Public Health Alcohol Toolkit, to support Licensing decision making. The toolkit would enable Licensing Officers to assess the prevalence of alcohol related problems in local areas and to advise Licensing Committee as to the potential health impacts of a licensing decision on a local area.

Section 10 of the Statement of Licensing Policy, therefore, set out the proposed position and would be finalised following public consultation.

The Committee were fully in support of using the Public Health toolkit.

**Other Mandatory Conditions** - Inclusion of a number of other conditions in the Pool of Model Conditions, following public consultation.

The Committee welcomed the proposed conditions, set out in detail as part of the report, as this would all contribute to the promotion of the licensing objectives.

Resolved:- (1) That the proposed changes to the Licensing Act 2003: Statement of Licensing Policy be noted.

(2) That the Chair of the Committee provide a formal response to the consultation on behalf of the committee highlighting the support.

**3. GAMBLING ACT 2005 STATEMENT OF LICENSING POLICY CONSULTATION**

Consideration was given to the report introduced by Alan Pogorzelec, Licensing Manager, which detailed how Section 349 of the Gambling Act 2005 required a Licensing Authority to prepare and publish a statement of its licensing policy at least every three years.

The Council's Gambling Act Statement of Licensing Policy was last due for review and republication in 2016. However, this review did not take place due to the Council's focus on taxi and private hire licensing.

In June 2019, Cabinet took the decision to undertake a two-stage consultation process. The first stage of the process was now complete. This initial consultation focused on broad issues associated with the impact of gambling establishments on the Borough and in localities and helped to inform the development of a draft policy.

The Council had now published a revised Statement of Licensing Policy and this report gave an opportunity for the Committee to formally respond to the consultation, which include a number of proposed minor changes, including:-

- The addition of clauses regarding the promotion of the licensing objectives.
- The introduction of the requirement to assess data and proxy measures to inform the licensing of gambling establishments and conditions locally.
- The introduction of additional information in relation to safeguarding of children and vulnerable adults.
- Amendments to address and contact details.

The Committee noted the multi-agency Gambling Task and Finish Group led by Public Health and their work focusing on treatment and support for people affected by problem gambling in Rotherham, whilst promoting support to residents who may need it. Whilst the work of the Group remained ongoing and its scope may widen in the coming months, the Committee wished to invite a representative of the Group to a future meeting to share some of their research findings.

Further discussion ensued on the evidence that may be available to substantiate some of the conclusions, licensed gambling activity and association/sponsorship of local football/rugby teams and understanding the problem that may exist in Rotherham.

Resolved:- (1) That the proposed changes to the Gambling Act 2005: Statement of Licensing Policy be noted.

(2) That the Chair of Licensing Committee provides a formal written response to the consultation on behalf of the Committee.

(3) That a representative of the Gambling Task and Finish Group be invited to a future meeting to share some of their research findings.

(4) That clarification be provided on the association/sponsorship with gambling in sport activity in Rotherham.