

LICENSING COMMITTEE
13th May, 2025

Present:- Councillor Hughes (in the Chair); Councillors Beresford, Bennett-Sylvester, Bower, T. Collingham, Garnett, Harper, Jones, Monk, Stables and Steele.

1. LICENSING ACT 2003 - STATEMENT OF LICENSING POLICY

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 publish a Statement of Licensing Policy which set out the principles it proposed to apply in exercising functions under the Act. The Statement of Licensing Policy must be reviewed and republished at 5 yearly intervals.

The current Statement of Licensing Policy was published in 2020 and, therefore, was now due for the 5 year review. The Cumulative Impact Policy was reviewed in 2023 and was, therefore, not due for further review until 2026.

The Council's Licensing Service had carried out informal consultation with partners, local licence holders and members of the public to identify any areas within the current Policy that would benefit from development. The feedback had been used to formulate an ambitious draft Policy that was considered to strike an appropriate balance between the need to promote a thriving licensed trade within the Borough whilst ensuring that any negative impacts of licensable activity were kept to an absolute minimum.

The draft Policy was submitted to Cabinet in April 2025 (Minute No. 150 refers) for review and approval prior to the commencement of a period of statutory consultation. As part of the consultation process, this report gave the opportunity for the 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.

As of December, 2024, the number of licensed premises in Rotherham was:-

Club licensed to sell alcohol e.g. working men's club	51
Premises licensed to sell alcohol e.g. pub, shop, restaurant	682
Premised licensed for late night refreshment e.g. late night takeaway or regulated entertainment (without alcohol)	124

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 whilst ensuring that the Licensing Objectives specified in the Act were sufficiently promoted i.e.:-

- The prevention of crime and disorder
- The promotion of public safety
- The protection of children from harm
- The prevention of public nuisance

The way that licensable activities were managed on site could often influence the wider issues that arose through the sale and supply of alcohol or the provision of late night refreshment. The draft Policy included sections relating to specific aspects of the licensed economy. It was expected that the inclusion of these sections within the Policy would encourage applicants and licence holders to adopt best practice and clearly set out the Council's expectations with regard to the activities that took place at licensed premises.

It was recognised that many of the principles outlined were aspirational and it would be made clear within the Policy that, although the Council had certain expectations of licensed premises in the Borough, the principles within the Policy would only be mandated if they were required to prevent one or more of the Licensing Objectives from being undermined.

Despite the limitations of the Licensing Act and Statement of Licensing Policy, it was considered important the Council provided appropriate best practice guidance and encouraged local licence holders to go beyond the minimum that was required with the ultimate aim of ensuring that licensed premises were safe and enjoyable places to be and that the activities that took place had minimal negative impact on local communities and the wider environment.

Key new additions to the draft Policy included:-

- Specific policies with regard to the Licensing Objectives
 - Additional information and advice regarding the obligations that licences premises had with regard to, for example, the prevention of general crime and disorder, counter terrorism (including Martyn's Law) and safeguarding of children and vulnerable adults
 - Details of good practice which was believed would assist promotion of the Licensing Objectives e.g. making adequate provision for the welfare of customers, management of smoking/vaping, minimisation of waste, rehearsal of written contingency plans and enhanced safeguarding practices (such as the appointment of a "safeguarding champion" at the premises)

- Premises specific policies
 - Expectations/requirements applicable to licensed premises will vary depending on the nature of the premises themselves. It would, therefore, set out specific areas relevant to each class of premises and make clear that the Council expects applicants and licence holders to consider these matters when submitting an application/managing their premises
- Promoting equality and inclusion in licensed venues
 - Encourage applicants and licence holders to further improve the experiences of all communities within licensed venues. It would include the provision of inclusive and transparent policies/procedures, accessible venues and regular training for staff on equality and inclusion
- Promotion of environmental best practice
 - Simple practical suggestions on how premises could improve their environmental performance would be detailed in the Policy e.g. use of online menus, reusable drinking vessels
- Safety of women in licensed venues
 - The adoption of good practice would be encouraged to keep women safe when using licensed premises including Ask for Angela, Walksafe (and similar schemes) along with training for staff and regular testing procedures to ensure that they were being effectively implemented within the premises
- Core hours policies
 - The Policy set out a number of core hours that were applicable to each type of licensed premises making it clear that applications for licences outside of those hours would not necessarily be refused but that the Council would expect applicants to provide more detail on the steps they would take to minimise the impact on the local area
- Clarification of roles, responsible and guidance
 - The Policy set out the responsibilities of licence holders, applicants, Council and partners as well as providing guidance to members of the public so they felt confident raising concerns relating to licensed premises and were aware of the opportunities within and the limitations of the Licensing Act 2003 when it came to addressing concerns with regard to licensed premises
- Large events
 - The Policy would include specific guidance for large events taking place at outdoor venues, sports stadia, arenas etc. with a capacity of more than 2,000 persons. It would strongly encourage involvement with those with an interest in large events in the Borough e.g. Rotherham Safety Advisory Group. It would

recognise the benefits of large events but clarify the expectation that applicants and licence holders would give additional consideration to security, counter terrorism, safeguarding, traffic management, welfare facilities etc.

Discussion ensued with the following issues raised/clarified:-

- Discussions had been ongoing with local businesses for sometime with regard to Martyn's Law. The Licensing Service had been engaging with licenced premises/Pub Watch and putting on safeguarding training events, distribution of information and raising awareness on what it was envisaged it would mean for licensed premises. It was hoped greater clarity would be available now that it had received Royal Assent. The larger events that were seeking a licence had already engaged with Rotherham Safety Advisory Group
- Including 'Ask Angela' in the revised Policy would illustrate how seriously the Council took the scheme. Licensing did not have the ability to force businesses to undertake certain levels of training and relied on them wanting to take those steps
- It was suggested that the Licensing website set out the 4 licensing objectives that those wishing to raise objections/complaints needed to address

It was noted that the formal consultation process was underway with the final report being submitted to Cabinet in September 2025 for consideration and agreement of the Statement of Licensing Policy 2025.

Resolved:- (1) That the proposed changes to the 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.