

Licensing Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 27 June 2019 at 6.00 pm

Present:

Councillor Pat Rodohan (Chair)

Councillors Robin Maxted (Deputy-Chair), Colin Belsey, Sammy Choudhury, Penny di Cara, Peter Diplock, Amanda Morris, Colin Murdoch, Barry Taylor and Candy Vaughan,

Officers in attendance:

Ed Hele (Functional Lead (Quality Environment)), Michele Wilkinson (Lawyer (Housing & Regulatory)) and Sarah Lawrence (Senior Committee Officer)

Also in attendance:

Councillor Freebody

1 Apologies for absence.

Apologies for absence was reported from Councillors Burton and Murray.

2 Minutes of the meetings held on 11 March 2019 and 4 April 2019

The minutes of the meetings of the General Licensing Committee held on 11 March 2019 and 4 April 2019 and the Licensing Act Committee held on 11 March 2019 were approved as a correct record and signed by the Chair.

3 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.

There were none.

4 Questions by members of the public.

There were none.

5 Urgent items of business.

There were none.

6 Right to address the meeting/order of business.

There were none.

7 Eastbourne Borough Council Draft Statement of Licensing Policy 2019-2024

The Committee considered a report of the Director of Service Delivery which requested that it review the responses to the eight week consultation on the proposed new Statement of Licensing Policy including a Cumulative Impact Assessment (CIA) and recommend the final policy for approval to Full Council. It was noted that the major changes to the policy, in comparison to the previous version, were updated to take into account the latest legislation.

The Functional Lead Quality Environment outlined the responses received, which were appended to the report. Five of the responses were from the Chamber of Commerce and its members or operators of local establishments, who were concerned that the inclusion of the CIA inhibited the night time economy. These responses asked that the CIA be rescinded and a partnership be developed with residents, statutory agencies and other stakeholders to develop a plan for the night-time economy.

Alternatively, the Police in their initial proposals and the Community Safety Partnership in its response, had asked for the CIA to be retained, and provided evidence including crime data set out in the report, that showed that crime levels in the area had increased. It was argued that the CIA was needed to support the specific licensing objectives of the prevention of crime and disorder and protecting children from harm.

The Committee discussed these main alternatives, and the additional option of supporting the inclusion of the CIA whilst still working with the Chamber of Commerce to support the night-time economy. Overall it was considered that it was important to heed the advice of the Police to retain the CIA as a measure to restrain crime in the area and keep people safe. It was felt that the policy did not prevent businesses from applying and obtaining licences where there was appropriate evidence to support such licences, and still enabled the Council to support the night-time economy.

The Functional Lead Quality Environment highlighted several amendments which were required to the policy document, including replacement of the word 'necessary' with 'appropriate' in the second and third paragraphs on page 28, and replacement of the word 'policy' with 'assessment' on page 38 paragraph 8.5, and page 40 paragraph 8.12. It was proposed that he make these typographical changes to the document prior to its submission to Council, but in the future any minor amendments be made in consultation with the Chair.

It was moved by Councillor Murdoch and seconded by Councillor Belsey that Option 1 (set out in paragraph 5.6) be adopted, and the Cumulative Impact Assessment be retained as part of the Statement of Licensing Policy.

The remaining officer recommendations (2) to (4) were moved by Councillor Rodohan and seconded by Councillor Vaughan. Accordingly, it was

RESOLVED (unanimously)–).

1. That having considered the submissions in relation to the removal of the Cumulative Impact Assessment with options outlined in paragraph 5.6 and 5.7 of the report, Option 1 be agreed: to retain the Cumulative Impact Assessment as part of the Statement of Licensing Policy;
2. To agree the final Statement of Licensing Policy and recommend the Policy to Full Council;
3. To delegate the Functional Lead Quality Environment to make any necessary changes to the Statement of Licensing Policy before submission to Full Council; and
4. To recommend to Full Council that further minor amendments during the period of the recommended Policy be made by the Function Lead Quality Environment with the agreement of the Chair of the Licensing Committee.

The meeting ended at 6.27 pm

Councillor Pat Rodohan (Chair)