

Monday, 2 October 2017
at 6.00 pm



Licensing Act Committee

Present:-

Members: Councillor Tester (Chairman), Councillors Rodohan (Deputy-Chairman); Councillors Belsey, Choudhury, Coles, Freebody, Holt, Murdoch, Murray, Robinson, Smart and Swansborough

1 Minutes of the meeting held on 20 March 2017.

The minutes of the meeting held on 20 March 2017 were submitted and approved and the Chairman was authorised to sign them as a correct record.

2 Apologies for absence.

None were reported.

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.

Councillor Holt declared a pecuniary interest in agenda item 7 as an employee of Eastbourne Chamber of Commerce, who had submitted a response to the cumulative impact policy during the first consultation period. Councillor Holt withdrew from the room whilst this item was being considered.

4 Urgent item of business.

As this would be their last meeting before leaving the authority, the Committee expressed their thanks and appreciation to the Senior Specialist Advisor and wished her all the best for the future.

5 Council Licensing Policy Statement - Review of Cumulative Impact Policy, Licensing Act 2003.

The Committee considered the report of the Senior Specialist Advisor regarding the second consultation carried out for the review of the Council's Cumulative Impact Policy (CIP).

At the previous meeting, the Committee agreed to defer a decision on the policy until officers could collate additional information and report back. A Sub-Committee was also formed of Councillors to discuss engagement with licensees.

At the meeting of the Sub-Committee, it was agreed to undertake a second consultation in an attempt to gain more responses from licensees as only six responses were received during the first consultation.

Following the second consultation, ninety four responses were received and these were appended to the report. 76.60% of responses were in favour of making no change and retaining the CIP. In response to a question from the Committee, it was confirmed that Sussex Police were in favour of retaining the CIP.

Jay Virgo addressed the Committee and challenged the potential cost of a comprehensive data analyst that was discussed at the previous meeting. He continued that the consultation did not engage with licensees outside the CIP Zone and therefore did not quantify the causal link between licensed premises and crime and disorder.

He stated that the data reported from the consultation was subjective and existing licensees may be in favour of retaining the existing policy to deter future competitors from the area. Mr Virgo concluded by referencing section 4.2 of the report and emphasised part of the Section 182 guidance which recommends regular review of special policies to determine whether they are needed.

The Committee discussed various points including the net gain of premises since the policy was implemented, number of premises operating within the zone, current night time economy in the town and stressed the importance of encouraging new businesses to the area, particularly with the launch of 'The Beacon' in late 2018.

The Committee felt that they still did not have all the relevant information in order to make a decision on the policy that would have an impact on the town's economy.

It was proposed by Councillor Smart and seconded by Councillor Freebody to defer the decision until further information were obtained and reported back to the Committee. The information requested by the Committee formed part of the resolution.

Resolved (Unanimous): (1) That any decision on the Cumulative Impact Policy (CIP) be deferred until the following information is obtained, actioned and reported back to the Committee at a future meeting:

(i) The number of premises trading when the CIP was implemented and now, compared with the number of premises with licences attached.

(ii) Crime and disorder data from Sussex Police when the CIP was implemented and now, with any possible explanation for disturbances.

(iii) Map of the CIP zone and premises located within and what type they are (restaurant, public houses, nightclubs etc.)

(iv) Extend an invitation to Sussex Police to attend the next meeting that the CIP is considered.

(v) Extend an invitation to an officer focused on tourism and economic development to attend the next meeting that the CIP is considered to talk about premises in "The Beacon" and the surrounding area that are likely to apply for premises licence.

(vi) Any additional information requested by the Committee must be submitted to the Chairman by the end of the week.

(2) That the responses received during the consultation period and information set out in the report be noted.

(3) That a training session on the current CIP be delivered to the Committee prior to the next meeting.

(NB: Councillor Holt declared a pecuniary interest in this item as an employee of Eastbourne Chamber of Commerce, who had submitted a response to the CIP during the first consultation period. Councillor Holt withdrew from the room whilst this item was being considered.)

The meeting closed at 6.40 pm

Councillor Tester (Chairman)