

Licensing Policy Committee

Minutes of the meeting held on Friday, 19 March 2021

Present: Councillor Grimshaw – in the Chair

Councillors: Davies, Leech and Taylor

Apologies: Councillors Ludford and Akbar

LPC/20/1. Urgent Business

The Chair of the Committee approved the inclusion of an item of Urgent Business. Cllr Leech sought clarification on the use of glass/plastic drinking vessels in regard to Pavement Licences. The Principal Licensing Officer stated that any request for glassware use would be considered case by case and on the merits of each individual premises.

LPC/20/2. Minutes

Decision

To approve as a correct record the Minutes of the meeting held on 16 November 2020.

LPC/20/3. Review of Statement of Licensing Policy (Licensing Act 2003)

The Committee considered a report, for approval by the Committee, on the revision of the current Statement of Licensing Policy.

The recommendation within the report requested that the policy is submitted to Full Council on 31 March 2021 with a recommendation that the policy be approved and adopted with effect from 1 April 2021.

The Principal Licensing Officer presented the report, stating that the Licensing Policy was revised in January 2021 with a view to removing the Cumulative Impact Policy (CIP), currently in place for Fallowfield and Wilmslow Road, and Withington Special Policies, due to the requirement for a Cumulative Impact Assessment (CIA) to have been undertaken prior to publication of the Council's Policy. The Principal Licensing Officer informed the Committee that 'Cumulative Impact Assessments' were introduced in the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018, adding that, although the Council's policies for Fallowfield and Withington pre-dated that legislation, they should have been reviewed and, if appropriate, replaced with CIAs, at the time of the overarching Policy review. The Principal Licensing Officer invited the Committee to consider and ask any questions relevant to this removal of policy.

A Local Ward Councillor made comments outlining their concerns if the CIP were to be removed and gave mention to the number of local residents this removal would have a detrimental effect on and stated that they preferred to see the CIP remain and be strengthened further.

During further discussions between the Committee and Legal Services it was agreed that the Committee could depart from Statutory Guidance with good reason, stating that the effects that lockdown has had on licensed premises and also on the Licensing Team's ability to make accurate assessments would be an acceptable reason for departure.

A Committee member asked that it be noted that matters the Committee had requested feedback on at the 16 November 2020 Committee meeting had not been addressed during this meeting.

The Chair stated that they felt the CIP should remain within the Statement of Licensing Policy and put the matter to a vote.

Decision

The Committee departed from the Statutory Guidance and voted against revising the Statement of Licensing Policy, effectively retaining the Cumulative Impact Policy for Fallowfield and Withington and accepted the changes for hyperlinks to external documents as set out in the policy.