

Coventry City Council
Minutes of the Meeting of Cabinet Member for Policing and Equalities held at 3.00
pm on Monday, 5 October 2020

Present:

Members: Councillor AS Khan (Chair)
Councillor A Andrews (Shadow Cabinet Member)
Councillor P Akhtar (Deputy Cabinet Member)

Employees Present:

D Cahalin-Heath, Street Scene and Regulatory Services
G Carter, Law and Governance
L Knight, Law and Governance
U Patel, Law and Governance
A Wright, Law and Governance

Public Business

6. Declarations of Interest

There were no declarations of interest.

7. Minutes

The minutes of the meeting held on 16 June 2020 were agreed as a true record. There were no matters arising.

8. Licensing Act 2003 - Revised Statement of Licensing Policy

The Cabinet Member considered a report of the Director of Streetscene and Regulatory Services which sought Members' views and approval to consult on the draft revised Statement of Licensing Policy under the Licensing Act 2003. The draft revised Statement of Licensing Policy was attached to the report at Appendix A.

Under the Licensing Act 2003, the Council's Statement of Licensing Policy must be reviewed every five years. The current Statement of Licensing Policy came into effect on 5th January 2016 and a review must, therefore, be completed and a revised Statement of Licensing Policy published by 5th January 2021.

On 26th March 2020 the Government enacted The Health Protection (Coronavirus, Restrictions)(England) Regulations 2020 (which have been since be repealed and replaced with The Health Protection (Coronavirus Restrictions)(England)(No.2) Regulations 2020), in response to the COVID-19 pandemic, which forced many licensed premises, such as bars, pubs, cafés, restaurants, nightclubs, hotels, cinemas and theatres, to either close and cease trading, and/or placed restrictions on their business operations, which would adversely affect their trade.

On 9 April 2020 the Local Government Association (LGA) published advice to Licensing Authorities in a document titled "Approaches to managing licensing

and related issues during the COVID-19 pandemic” (updated on 17 April). This guidance advised that Councils may want to consider with Elected Members delaying the consultation on the Revised Statement of Licensing Policy, and that it may be pragmatic due to the challenges in effectively communicating with the local licensed trade and residents. Many of the local trade were either closed or experienced financial challenges during these unprecedented times and were not in a position to give the consultation to the revised Statement of Licensing Policy 2021-2026 appropriate consideration.

Furthermore, the Minister of State for Crime and Policing had written to local authorities and acknowledged that during these challenging times, “Licensing Authorities should exercise the right collaboration, communication and pragmatism in order to get through them with minimum damage to businesses and to the licensing objectives”.

Following consultation with Cabinet Member for Policing and Equalities, and Elected Members it was considered that it would be pragmatic to delay this consultation to when some level of normality returned within the licensed trade. The majority of the hospitality trade began re-opening from the 4th July 2020 and continue to do so, albeit with COVID-19 secure operating risk assessments in place.

This is the fifth Statement of Licensing Policy produced by the Licensing Authority under the Licensing Act 2003. The Policy will be relevant for all licensing decisions taken by the Council as the Licensing Authority over the next five years. Due to the decision to delay the consultation due to the pandemic, Cabinet Member is requested to authorise that the existing policy will remain in place until the revised Statement of Licensing Policy is consulted on, adopted and implemented by Full Council.

The general principles of the Licensing Policy would remain the same, and the document was still centred around the Licensing Act’s four licensing objectives.

It must be noted that the key changes reflect the Licensing Authority’s policy on large scale events and Temporary Event Notices (TEN). This change was proposed to deal with the anticipated increase in events due to the forthcoming year of Coventry City of Culture 2021. No other major changes had been proposed to the Statement of Licensing Policy due to the pandemic as it was unclear what the Licensing landscape would look like in the immediate future. A subsequent full review would be undertaken within the five-year cycle when it was considered appropriate to do so and once the pandemic had subsided.

As the decision was taken to delay the consultation, the revised Statement of Licensing Policy must be published as soon as it has been consulted on, adopted and implemented by full Council. The Cabinet Member was requested to authorise the use of the existing Statement of Licensing Policy 2016 – 2021 between the period of 6th January 2021 until the revised Statement of Licensing Policy has been approved by full Council on the 23rd February 2021, allowing the Council to carry out any function in respect of individual applications under the Licensing Act 2003.

RESOLVED that, the Cabinet Member for Policing and Equalities having considered the revised Statement of Licensing Policy:

- 1. Authorises the Director of Streetscene and Regulatory Services to carry out the consultation as detailed in the report.**
- 2. Approves that the existing Statement of Licensing Policy 2016-2021 be extended beyond 6 January 2021, until the consultation and Revised Statement of Licensing Policy 2021-2026 has been consulted on and implemented.**

9. Outstanding Issues

There were no outstanding issues.

10. Any Other Business

There were no other items of public business.

(Meeting closed at 3.10 pm)