



Doncaster Council

Agenda

To all Members of the

LICENSING COMMITTEE

Notice is given that a Meeting of the above Committee is to be held as follows:

Venue: Virtual meeting via Microsoft Teams

Date: Thursday, 18th June, 2020

Time: 10.00 am

The meeting will be held remotely via Microsoft Teams. Members and Officers will be advised on the process to follow to attend the meeting. Any members of the public or Press wishing to attend the meeting by teleconference should contact Governance Services on 01302 737462/ 736712/ 736723 for further details.

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Damian Allen
Chief Executive

Issued on: Wednesday, 10 June 2020

Governance Services Officer for this meeting

Sarah Maxfield
Tel. 01302 736723

Items for Discussion:

Page No.

1. Apologies for absence.
2. To consider the extent, if any, to which the public and press are to be excluded from the meeting.
3. Declarations of Interest, if any.
4. Minutes of the Licensing Committee Meeting held on 1st April, 2020. 1 - 2
- A. Reports where the public and press may not be excluded**
5. Statement of Licensing Policy - Licensing Act 2003 Cumulative Impact Assessment. 3 - 20
6. General Licensing Update - COVID 19. 21 - 28

Members of the Licensing Committee

Chair – Councillor Ken Keegan
Vice-Chair – Councillor Iris Beech

Councillors Duncan Anderson
Bev Chapman
Steve Cox
Neil Gethin
John Gilliver
Martin Greenhalgh
Charlie Hogarth
Nikki McDonald
David Nevett
Ian Pearson
Dave Shaw
Frank Tyas

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING COMMITTEE

WEDNESDAY, 1ST APRIL, 2020

A MEETING of the LICENSING COMMITTEE was held at the TELECONFERENCE on WEDNESDAY, 1ST APRIL, 2020, at 11.00 am.

PRESENT:

Chair - Councillor Ken Keegan

Councillors John Gilliver, Martin Greenhalgh and Charlie Hogarth

APOLOGIES:

Apologies for absence were received from Councillors Iris Beech, Duncan Anderson, Bev Chapman, Steve Cox, Neil Gethin, Nikki McDonald, David Nevett, Ian Pearson, Dave Shaw and Frank Tyas

1 Declarations of Interest, if any.

There were no declarations made at the meeting.

2 Yorkshire Wildlife Park, Hurst Lane, Auckley, Doncaster, DN9 3HQ -Extension of Hearing time limits due to Covid 19 restrictions.

The Committee considered a report that sought approval to extend the time limit for the hearing of the Yorkshire Wildlife Park application for a premises licences.

It was reported that further to the agreement of the Committee at the last full Licensing Committee on 19 March, 2020, whereby the Committee had considered future options for hearings in light of the Covid-19 Virus, a teleconference meeting had been considered but as there was a large volume of objectors (41) it wasn't felt this would be manageable. The Committee had approved a verbal report at this meeting that stated under the Licensing Act it allowed for changes to be made to the way in which meetings were held, and whilst the current issues with the worldwide pandemic were ongoing, holding hearings remotely via video call or teleconference were preferable.

Members noted that following this meeting on 19 March, 2020, further restrictions had been imposed with regard to the movements and gathering of people, and therefore the Licensing Authority has had to consider numerous options to ensure the hearing for the Premises licence for Yorkshire Wildlife Park was carried out in accordance with the Government guidelines. However, given the number of people involved with this particular application, there was strong concern expressed that this would not be possible.

Officers reported to the Committee that the Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations 2005, and amending secondary legislation, makes

provision for the Procedure at the Hearing to be changed, and contains the power to extend a time limit provided for in these Regulations for a specified period where it considers this to be necessary in the public interest. Officers outlined, that due to the large amount of objections with regard to this particular application, it was felt it would be a responsible use of this provision to extend the time limit. It was reported that the applicant was in agreement with this proposal, and had aimed to provide their availability for a considerable amount of time into the next year to ensure that a new date could be accommodated with all parties.

Members held a brief discussion regarding this issue and any concerns they had were voiced to Officers who endeavoured to provide them with reassurance that this was the preferred option at the current time. It was acknowledged that not only the Council but the country as a whole were facing unprecedented challenges and it was important that wherever different processes could be used to ensure normal business was maintained, these were undertaken. However, in this instance it was felt that the best option for all parties concerned moving forward was to postpone the hearing until a later date.

RESOLVED that due to the unprecedented circumstances surrounding the Covid-19 Virus, it was in both the public interest, and that of the applicant to delay the hearing by invoking the powers under Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations 2005, and amending secondary legislation, Therefore, the meeting would be rescheduled for Monday 6th July, 2020 at 10.00 am and the meeting notices in relation to this notifying all parties would be distributed in due course.



Doncaster Council

Report

Date: 18 June 2020

To the Chair and Members of the Licensing Committee

Statement of Licensing Policy – Licensing Act 2003 Cumulative Impact Assessment

EXECUTIVE SUMMARY

1. To request that members of the Committee consider the responses received during the consultation of the existing Cumulative Impact areas and determine if the evidence supports that the existing areas should remain, be amended or removed.
2. This decision will form the basis of a Cumulative Impact Assessment ('the assessment') which is to be published and reviewed every 3 years and includes a statement of the authority's opinion and the evidence in support of that opinion.

RECOMMENDATIONS

3. It is recommended that the members of the Committee consider the evidence received during the consultation and determine if there remains to be a Cumulative Impact of licensed premises in the local authority area.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

4. Doncaster Council is required to review the Cumulative Impact areas and publish a Cumulative Impact Assessment which includes a statement of the authority's opinion and sets out the evidence as to why the authority is of that opinion. The assessment must be reviewed at least every 3 years and be determined by the Licensing Committee.

BACKGROUND

5. There are currently 3 Cumulative Impact Areas in Doncaster which, where an application is made for a licensed premises within these areas and the application is subject to representations, then it is the policy of the Council to refuse a licence where it determines that by granting the application it would contribute to the cumulative impact on the area.

6. 'Licensed premises' are any premises authorised by a Premises licence or Club Premises Certificate to carry on any licensable activity, including the sale of alcohol for consumption on and off the premises, and the provision of late night refreshment.
7. A Cumulative Impact policy is not a means of automatic refusal to grant a licence. As with all applications for a new licence or certificate (or a variation to an existing licence or certificate) which receives representations, those within a Cumulative Impact Area will be considered and determined by the Licensing Committee (or sub-committee) on its own merits, taking account of the evidence before it and the potential for impact on the four licensing objectives.
8. The existing Cumulative Impact areas are detailed at Appendix A.
9. The Home Office Statutory Guidance states the steps that should be followed by licensing authorities when adopting a cumulative impact policy: (Policy)
 - Identify concern about crime and disorder or public nuisance;
 - Consider whether there is good evidence that crime and disorder or nuisance are happening and are caused by the customers of licensed premises, or that the risk of cumulative impact is imminent;
 - Identify the boundaries of the area where problems are occurring;
 - Consult with those specified in section 5(3) of the 2003 Licensing Act; and subject to the outcome of the consultation, include and publish details of the special policy in the licensing policy statement.
10. Once the licensing authority has adopted a Policy it must include within its policy statement full justification as to why the Policy has been adopted, including what problems there are and why these cannot be resolved other than by restricting further licensed premises. Evidence must be collated to support this and should be summarised in the policy.
11. The Policy should also clearly specify the geographical area where the saturation policy is to apply. The policy statement must make clear that the special policy is not absolute and that the circumstances of each application will be considered properly. Moreover, where licences are unlikely to add significantly to the cumulative impact on the licensing objectives, the licence will be granted.
12. There should be a clear statement regarding the difference between commercial need and the cumulative impact of premises in an area. Need is a matter for the planning committee and for market forces, the cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for the licensing authority and its committee to consider.
13. Section 5A of the Act requires that the Licensing Authority reviews the existing Cumulative Impact Policy by way of a formal consultation and then determines if they are of the opinion that the Cumulative Impact areas should remain and evidence their decision by publishing a Cumulative Impact Assessment ('the assessment').
14. The Council must have regard to the assessment when determining or revising the Statement of Licensing Policy. The Policy is currently under

review and will be brought before this Committee for a recommendation that Council adopt the new Policy later in the year.

15. A formal consultation of the Cumulative Impact areas took place from 1st – 30th April 2020 with a wide range of bodies and members of the public including:

- Representatives of local business
- Local residents and their representatives
- Representatives of local Premises Licence holders
- Representatives of local Club Certificate holders
- Representatives of local Personal Licence holders
- Local licensing solicitors
- Charitable organisations that deal with the social impact of alcohol misuse
- The Responsible Authorities namely:
 - Chief officer of South Yorkshire Police
 - Chief officer of South Yorkshire Fire and Rescue Service
 - Doncaster Council – Environmental Health
 - Doncaster Council – Health & Safety
 - Doncaster Council – Safeguarding Children & Adults
 - Doncaster Council – Planning
 - Doncaster Council – Director of Public Health
 - Doncaster Council – Trading Standards
 - Home Office (Immigration Services)

16. Responses to the consultation were received from South Yorkshire Police and Public Health, both of which are responsible authorities under the Licensing Act 2003. These responses are presented to the Licensing Committee for consideration at Appendix B.

17. Licensing Authority data, showing the number of licensed premises at the end of the financial years 2018/19 and 2019/20 for each of the areas is shown at Appendix C.

OPTIONS CONSIDERED

18. The Licensing Authority is required to consider the evidence received during the consultation and reach its determination.

19. A statement of the Licensing Authority's opinion, along with the evidence considered in reaching that opinion, must be published in a Cumulative Impact Assessment which is reviewed every 3 years.

20. After considering the evidence, the Authority may determine to:

- Keep one, two or all of the existing Cumulative Impact Areas without the need for amendment.
- Increase an existing Cumulative Impact Area or create a new one based on the evidence and define the location accordingly.
- Reduce an existing Cumulative Impact Area and specify which streets are no longer subject to cumulative impact and the reasons why.
- Determine that an entire Cumulative Impact Area is no longer required and provide reasons for this opinion.

REASONS FOR RECOMMENDED OPTION

21. Section 5A of the Act requires that the Licensing Authority reviews the existing Cumulative Impact Policy by way of a formal consultation and then determines if they are of the opinion that the Cumulative Impact areas should remain and evidence their decision by publishing a Cumulative Impact Assessment ('the assessment').

IMPACT ON THE COUNCIL'S KEY OUTCOMES

22.

	Outcomes	Implications
	<p>Doncaster Working: Our vision is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> • Better access to good fulfilling work • Doncaster businesses are supported to flourish • Inward Investment 	<p>It is recognised that licensed premises are, quite often, businesses, places of employment and potential assets to the community. The Council, via its Licensing Committee/Sub-Committee, subject to the general principles set out in the Council's Statement of Licensing Policy and the overriding need to promote the 4 licensing objectives, will have regard to this priority when making licensing decisions.</p>
	<p>Doncaster Living: Our vision is for Doncaster's people to live in a borough that is vibrant and full of opportunity, where people enjoy spending time;</p> <ul style="list-style-type: none"> • The town centres are the beating heart of Doncaster • More people can live in a good quality, affordable home • Healthy and Vibrant Communities through Physical Activity and Sport • Everyone takes responsibility for keeping Doncaster Clean • Building on our cultural, artistic and sporting heritage 	<p>It is recognised that licensed premises are, quite often, businesses, places of employment and potential assets to the community. The Council, via its Licensing Committee/Sub-Committee, subject to the general principles set out in the Council's Statement of Licensing Policy and the overriding need to promote the 4 licensing objectives, will have regard to this priority when making licensing decisions.</p>
	<p>Doncaster Learning: Our vision is for learning that prepares all children, young people and adults for a life that is fulfilling;</p> <ul style="list-style-type: none"> • Every child has life-changing learning experiences within and 	<p>None</p>

	beyond school <ul style="list-style-type: none"> • Many more great teachers work in Doncaster Schools that are good or better • Learning in Doncaster prepares young people for the world of work 	
	Doncaster Caring: Our vision is for a borough that cares together for its most vulnerable residents; <ul style="list-style-type: none"> • Children have the best start in life • Vulnerable families and individuals have support from someone they trust • Older people can live well and independently in their own homes 	The Council, via its Licensing Committee/Sub-Committee, subject to the general principles set out in the Council's Statement of Licensing Policy and the overriding need to promote the 4 licensing objectives (see above), will have regard to this priority when making licensing decisions.
	Connected Council: <ul style="list-style-type: none"> • A modern, efficient and flexible workforce • Modern, accessible customer interactions • Operating within our resources and delivering value for money • A co-ordinated, whole person, whole life focus on the needs and aspirations of residents • Building community resilience and self-reliance by connecting community assets and strengths • Working with our partners and residents to provide effective leadership and governance 	None

RISKS AND ASSUMPTIONS

23. Failure to review the Cumulative Impact areas and publish the Licensing Authority's determination would create a risk by exposing the Council to a legal and financial liability brought about by the Council's inability to discharge its functions under the Licensing Act 2003.

LEGAL IMPLICATIONS [Officer Initials HW Date 04/04/2020]

24. There are in force a number of Cumulative Impact areas which must be reviewed every 3 years (section 5A Licensing Act 2003) to determine whether the Authority still remains of the opinion as set out in each assessment. The review must include consulting in accordance with the relevant statute which has been completed.
25. The Authority are required to consider the results of the consultation and make its determination. A statement of the Authority's opinion, along with

the evidence that was considered, will form the basis of the Cumulative Impact Assessment which will be published. Without the evidential basis the Authority are unlikely to be able to determine the continuation of the Assessment.

26. If the Authority is no longer of the opinion the reason for the Assessments are sustainable i.e. there is no evidence to support their continuation, it must make a statement to that effect
27. A licensing authority must then publish any revision of the Assessment, which then forms part of the Statement of Licensing Policy. The contents of the Statement of Licensing Policy is subject to Council approval.

FINANCIAL IMPLICATIONS [Office Initials RT Date 29/05/2020]

28. There are no financial implications associated with this decision.

HUMAN RESOURCES IMPLICATIONS [Officer Initials DK Date 01/06/2020]

29. There are no direct HR Imps in relation to this report, but if in future staff are affected or additional specialist resources are required then further consultation will need to take place with HR.

TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 01/06/20]

30. There are no technology implications in relation to this report.

HEALTH IMPLICATIONS [Officer Initials CT Date 05/06/20]

31. In terms of Cumulative Impact Assessment and proliferation of alcohol outlets, Public Health and other Responsible Officers locally are working with Public Health England to develop an interactive map. The map will layer local data including demographics and characteristics such as emergency admissions related to alcohol, crime and disorder statistics for the area as well as the location of alcohol sales. This map can be used to plot new license applications to give an overall picture of the area currently; it will aid with the decision making process for cumulative impact as well as offer insight into areas when new license applications are received.
32. Public Health has responded to the consultation on the existing Cumulative Impact Areas and has provided evidence for the Authority to consider when making its determination.

EQUALITY IMPLICATIONS [Officer Initials: DDS Date: 29/05/2020]

34. Decision makers must consider the Council's duties under the Public Sector Equality Duty at s149 of the Equality Act 2010. The duty requires the Council, when exercising its functions, to have 'due regard' to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the act, and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' and those who do not share that protected characteristic. There are no specific equality implications arising from this report. However, any activities arising from this report will need to be the subject of separate 'due regard' assessments.

CONSULTATION

35. The Cumulative Impact areas has been subject to a formal consultation as detailed earlier in this report.

BACKGROUND PAPERS

36. The Licensing Act 2003 (as amended)
37. Home Office Section 182 Guidance

REPORT AUTHOR & CONTRIBUTORS

David Smith: Licensing Officer
Telephone: 01302 862546
Email: david.smith@doncaster.gov.uk

Peter Dale
Director of Economy and Environment

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Existing Cumulative Impact Areas

Area 1 – part of Doncaster Town Centre

Based on evidence from South Yorkshire Police the Council first adopted a Cumulative Impact Policy for this area in 2008. Following consideration of further evidence from South Yorkshire Police and Director of Public Health, this area was extended to include a further 2 streets and currently covers the below:

- Bradford Row
- Cleveland Street
- Hall Gate
- High Street
- Market Place
- Priory Walk
- Silver Street

Area 2 - Part of the Town Ward

Following the consideration of evidence from the Director of Public Health, identifying the area to be experiencing high rates of violence, criminal damage and antisocial behaviour, the following streets were designated as a Cumulative Impact Area:

- Broxholme Lane
- Christ Church Road
- Copley Road
- Highfield Road
- Nether Hall Road

Area 3 - Bawtry Town Centre

Following the consideration of evidence from Bawtry Town Council, identifying specific concerns of nuisance and anti-social behaviour believed to be related to persons frequenting licensed premises, and the evidence from 2 local authority councillors for the Rossington and Bawtry ward, the streets below were designated as a Cumulative Impact Area. It was intended that this designation would be reviewed after a period of at least 2 years. This review is the first to take place for this area, after having been in place for over 2 years.

- Church Street
- Grasswood Lane/Dower House Square
- High Street
- Market Place
- Scot Lane
- Swan Street
- Wharf Street

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The Cumulative Impact Zone in the town centre was introduced in 2015 CIP is based in areas outside the Town Centre and would, where appropriate, seek to limit the density of off-licenses in residential communities. The reasoning for this was threefold; i) the national Alcohol Strategy 2012 identifies home drinking as a key driver for the increase in alcohol related harm, ii) Academic research shows that off-license density is associated with rates of alcohol harm (see section 3 below), iii) Doncaster already has a CIP for the Town Centre to manage on-licenses.

The impact of alcohol in Doncaster is significantly worse in a number of Public Health England indicators than the England average. Looking at the alcohol harm data from Doncaster Clinical Commissioning Group over a six year period, we see alcohol related harm in all areas and Wards of Doncaster however the hospital admissions that result, are significantly higher in the most deprived parts of the borough. These high rates of hospital admissions make significant demands on the hospital, and create a major cost pressure on the local health system. Costs to the local health economy run at many millions each year.

A priority in Doncaster is to reduce health inequalities; life expectancy is 10.1 years lower for men and 7.8 years lower for women in the most deprived areas of Doncaster than in the least deprived areas. Alcohol related factors are found across all four of the domains in the current Public Health Outcomes Framework for England and, as such, tackling alcohol related harm could be a key route to reducing health inequalities in general.

Alcohol is linked with more than 60 diseases and the fifth leading contributor to the global disease burden. The risk of alcohol-related harm increases with the amount drunk on a regular basis. Short-term health risks include accidents and injuries and alcohol-related hospital admissions continue to increase. The risks are not just to those consuming alcohol, alcohol consumption has wider detrimental impacts on society, including harm caused to third-parties, crime and anti-social behaviour

Doncaster alcohol related hospital admissions

There are two measures to quantify alcohol related admissions. The **narrow** measure includes admissions where the main reason for admission is a condition which can be caused, (in full or in part), by alcohol such as alcoholic liver disease, alcohol poisoning, epilepsy, hypertension and alcohol induced pancreatitis. Some specific secondary reasons are also included, such as car accidents, assaults or falls. The **broad** measure includes admissions where the primary reason for hospital admission or a secondary diagnosis is linked to alcohol.

In Doncaster the broad measure has risen 59% since 2008/9 (Figure1) and the narrow measure has risen 35% in the same period (Figure2)

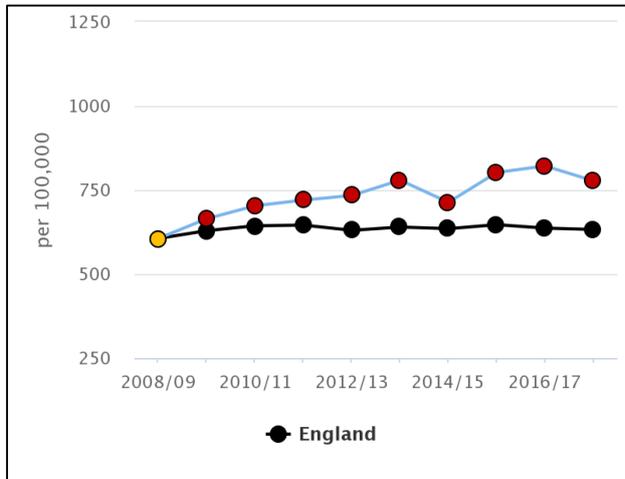


Figure 1

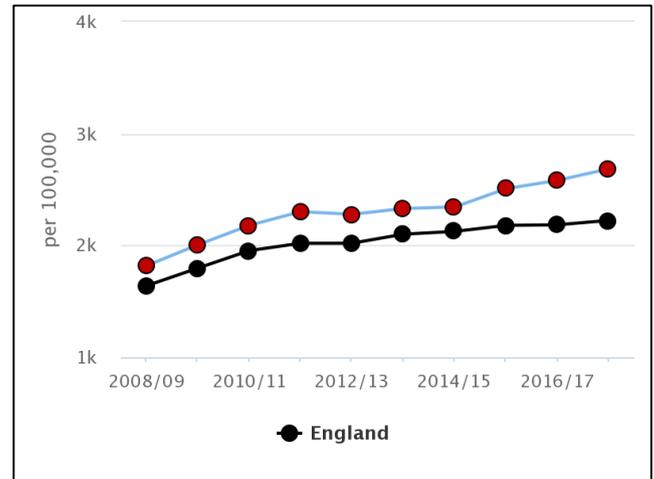


Figure 2

Certain specific alcohol related conditions have had marked increases in hospital admissions in Doncaster. Alcohol-related cardiovascular disease has seen an increase over the last 5 years of 27% and alcoholic liver disease an increase of 174%.

During the last 6-year period, there have been 11,075 Wholly Attributable Alcohol Diagnosis admissions to DRI showing an increase of 20% (Figure 3). When broken down by age and gender, the highest rate of admissions (per 100,000 of the population) for males is 65 years+, while for females the highest admission rate is between 40-64 years.

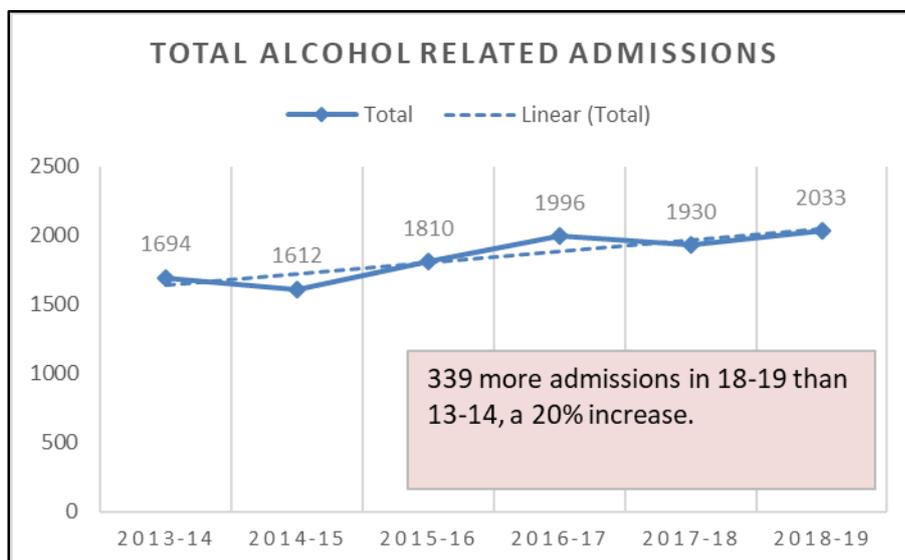


Figure 3

Using the six years of Wholly Attributable Alcohol Diagnosis data, a breakdown of where people were discharged to from Doncaster Royal Infirmary (DRI) was compiled. Figure 4 shows the ten areas with the highest number of WAAD admissions.

Alcohol Related Admissions in Doncaster 2013-14 to 2018-19

LSOA aggregated into Areas

data source HES CCG

Area	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	Total	Rank
Grand Total	1694	1612	1810	1996	1930	2033	11075	
Balby	217	169	181	184	174	227	1152	1
Mexborough	111	84	121	128	147	124	715	2
L Wheatley	90	114	84	85	86	82	541	3
Bentley	64	88	96	81	65	143	537	4
Armthorpe	93	67	95	75	86	78	494	5
Conisbrough	50	64	64	85	103	85	451	6
Town	55	57	55	74	72	71	384	7
Intake	42	28	45	77	84	88	364	8
Edlington	48	55	57	77	53	73	363	9
Thorne	33	53	54	81	49	79	349	10

Figure 4

In the 6 year period 2013-14 to 2018-19 the data shows that 74% (three quarters) of all admissions related to alcohol involve people from areas within the most deprived 40% of the Borough (Deciles 1 to 4). In Doncaster, there are 194 Lower Super Output Areas (LSOA's), these are small areas designed to be of a similar population size, with an average of approximately 1,500 residents or 650 households. One in five of the Lower Super Output Areas in Doncaster are in the most deprived 10% nationally.

Using the Doncaster LSOA codes, we can identify the neighbourhood areas within the Wards that have the most admissions directly caused by alcohol (Figure 5). Lower Wheatley/Highfield Road over the 6 years has the most admissions however has a decreasing trend since the CIZ was implemented in 2015. Lower Wheatley/North Bridge and town centre also show a decreasing trend. These areas are all within walking distance of the CIZ that was implemented to help reduce the impact of alcohol on the health of the population.

Alcohol Related Admissions in Doncaster 2013-14 to 2018-19

data source HES CCG

Name-LSOA	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	Grand Total	Rank
Total	1694	1612	1810	1996	1930	2033	11075	
Lower Wheatley Highfield Road	36	43	46	47	39	33	244	1
Balby Bridge	34	34	33	42	34	48	225	2
Lower Wheatley North Bridge	27	40	25	27	28	38	185	3
Denaby Main	23	18	21	47	49	19	177	4
Balby Carr Bank	40	21	26	26	20	30	163	5
Hexthorpe & St Sepulchre Gate West	33	27	32	27	19	22	160	6
Intake Heather Wood	9	8	18	27	43	49	154	7
Town Centre Chequer Road	33	27	23	21	20	20	144	8
Unknown	42	34	12	28	7	3	126	9
Hexthorpe	18	29	17	18	29	13	124	10

Figure 5

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Cumulative Impact Zones	
Data Period	2 Year data extraction based on Financial year.
Aim & Purpose	To present the data for the specified street location within the Cumulative Impact Zone
Sources & Parameters	Smart Contact and CONNECT for All incident and ASB Incidents. CONNECT reference Crime data.
Limitations, Caveats and Methodology.	<p>Due to the methods of data extraction and anomalies with the geocoding of data, any figures provided within this report should be treated as unaudited. The accuracy of this data relies solely on the location being recorded accurately.</p> <p>Only 2 years data is contained within this report, this is due to currently difficulties with the data extraction database extracting crime data.</p> <p>SYP previous crime recording system (CMS) was replaced by CONNECT on 5th December 2017. This has limited some of the analytical opportunities within the force. CONNECT data is extracted via Oracle BI, work is ongoing to identify solutions to ensure data accuracy, any concerns are largely because of CONNECT being in its infancy and the lack of mandatory requirements which affects data quality</p> <p>SYP call handling system (Smart Contact) replaced the previous ProCAD system on 13th November 2018, this may hinders comparative analysis due to how incidents were previously recorded.</p>

Area 1

Locations - Bradford Row, Cleveland Street, Hall Gate, High Street, Market Place, Priory Walk, Silver Street.

Area 1	2018/19	2019/20
SYP All Incidents	1804	1945
SYP ASB Incidents	267	187
SYP Crime	1146	1188
SYP Top 3 Crime Types	Violence Against the Person 41% Theft 28% Public Order 7%	Violence Against the Person 40% Theft 28% Public Order 9%

Area 2 - Part of the Town Ward

Locations - Broxholme Lane, Christ Church Road, Copley Road, Highfield Road, Nether Hall Road.

Area 2	2018/19	2019/20
SYP All Incidents	658	814
SYP ASB Incidents	76	70
SYP Crime	247	307
SYP Top 3 Crime Types	Violence Against the Person 36% Arson & Damage 13% Theft 13% Burglary 11%	Violence Against the Person 40% Theft 12% Arson & Damage 10% Public Order 10%

Area 3 – Bawtry Town Centre

Locations - Church Street, Grasswood Lane/Dower House Square, High Street, Market Place, Scot Lane, Swan Street, Wharf Street.

Area 3	2018/19	2019/20
SYP All Incidents	158	164
SYP ASB Incidents	24	10
SYP Crime	91	95
SYP Top 3 Crime Types	Theft 59% Violence against the Person 13% Burglary 11%	Theft 44% Burglary 17% Violence against the Person 16%

Licensing Authority Data

Area 1

Street Name	Number of licensed premises 31 March 2019	Number of licensed premises 31 March 2020
Bradford Row	8	8
Cleveland Street	10	9
Hall Gate	20	21
High Street	9	10
Market Place	12	18
Priory Walk	5	4
Silver Street	23	23
Total	87	93

Area 2

Street Name	Number of licensed premises 31 March 2019	Number of licensed premises 31 March 2020
Broxholme Lane	0	0
Christ Church Road	0	0
Copley Road	4	4
Highfield Road	0	0
Nether Hall Road	18	19
Total	22	23

Area 3

Street Name	Number of licensed premises 31 March 2019	Number of licensed premises 31 March 2020
Church Street	0	0
Grasswood Lane / Dower House Square	3	3
High Street	7	7
Market Place	5	5
Scot Lane	0	0
Swan Street	2	1
Wharf Street	1	1
Total	18	17

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Doncaster Council

Report

To the Chair and Members of the

18th June 2020

LICENSING COMMITTEE

General Licensing Update – COVID 19

EXECUTIVE SUMMARY

1. The purpose of this report is to update Members on the steps which have been taken to maintain the services provided by the Licensing Authority during the Covid 19 (coronavirus) pandemic.

RECOMMENDATIONS

2. It is recommended that Members note the steps detailed below, which have been taken so far, and are aware that the Authority is constantly monitoring the ongoing situation and adapting the service in order to allow businesses to continue to operate wherever it is permitted and safe to do so.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER

3. By noting the recommendations of this report, the Licensing Committee are kept aware of the latest developments and ongoing issues thereby ensuring they continue to be best placed to make future licensing decisions.

BACKGROUND

4. The Licensing Committee have historically requested that the Committee be furnished with details of the licensing decisions (Licensing Act 2003 and Gambling Act 2005), that are delegated outside the remit of the Committee and Sub-Committee, at least annually at the inaugural meeting.
5. The Licensing Act 2003:
 - 5.1. Applications made under the Licensing Act 2003 continue to be received and processed by the Authority. The relevant webpages have been updated to recommend that applications are submitted online rather than by post, to prevent delay in the statutory consultation process.
 - 5.2. As a result of restrictions on leaving their home, some members of the public

may be less likely to be made aware of applications in progress by seeing blue notices displayed outside premises. The Authority now includes much more information on the public notice page of the website. The publishing of proposed conditions and premises plans now allows people to make a more informed decision when considering making a representation to an application.

- 5.3. An email was sent to all elected members and parish councils with a link to the public notice page so that they can regularly check for applications in their ward area.
- 5.4. The use of technology has facilitated the move away from public meetings to remote (virtual) meetings. The Licensing Authority has already held a remote hearing which determined an application for the review of a premises licence and more remote hearings are due to take place.
- 5.5. The Act requires that premises licences are subject to an annual fee and where that fee has not been paid, the Authority must suspend the licence, preventing any licensable activity taking place until the outstanding fee is paid. As the licensed trade has largely been unable to trade and may therefore be struggling financially, the decision was taken not to send any premises licence suspensions for non-payment of the annual fee until such time that restrictions have been lifted, which allow the premises a source of income to pay the fees.
- 5.6. As many licensed premises will have to make changes to how they operate in order to comply with social distancing, we are in the process of drafting guidance for licence holders so that they may consider the need to update their licence to ensure that any changes to activities or layout are authorised.
6. Hackney Carriage / Private Hire Drivers:
 - 6.1. Those who wish to make an application to become a licensed driver (New drivers) are currently prevented from doing so due to the inability to satisfy a number of pre-requisites:
 - i) Practical driving test assessments,
 - ii) Knowledge tests,
 - iii) Safeguarding training and
 - iv) Medicals have all been affected.
 - 6.2. While remaining hopeful that the service areas are able to resume these activities soon, the Authority is exploring alternative ways in which the fit and proper status of applicants can be determined.
 - 6.3. Existing licensed drivers who have already satisfied the authority that they are fit, at the time of grant, at each subsequent renewal and at regular intervals during the period of their licence, have been given extensions to the expiry date of some requirements, only after consideration of the merits of each case and where it is felt appropriate to do so, taking in to account the safety of the travelling public:
 - i) Medicals of a Group 2 equivalent standard have been extended by up to 12 months mirroring the decision of DVLA with regards to bus and

- ii) lorry drivers.
 - ii) Safeguarding refresher training has been placed on hold until it is safe to recommence.
- 6.4. The Authority has not made any provision for licensed drivers who require an up to date Enhanced Disclosure & Barring Service (DBS) certificate (every 3 years). It is not in the interest of public safety to allow a driver to continue to be licensed where any history of criminal convictions cannot be considered. The Authority continues to remind drivers up to 6 months before their existing DBS is due to expire and special measures have been implemented by the DBS to allow the Authority to accept scanned copies of identification and to confirm identity by video calls in order to submit applications for DBS certificates. Any existing driver who does not submit a current valid DBS certificate continues to be subject to immediate suspension by the Authority.
7. Hackney Carriage / Private Hire vehicles (Taxi's):
- 7.1. Depending on the age, licensed vehicles are subject to mechanical inspection tests at 4, 6 or 12 month intervals.
- 7.2. With the closure of the Councils vehicle testing facility (North Bridge Depot), in order to keep the existing fleet of licensed vehicles operational the following steps were implemented:
- i) Existing vehicles requiring an interim test (4 month / 6 month) have been given a 3 month extension to the expiry of their previous vehicle inspection.
 - ii) Existing vehicles requiring an annual test (12 month) have also been given 3 month test expiry extensions but continue to be required to make an application to renew the licence to allow for appropriate checks to be carried out.
- 7.3. Nationally, MOT expiry dates have been extended by 6 months. Licensed vehicle inspections are more stringent than an MOT and it was felt appropriate that this should be reviewed at 3 month intervals.
- 7.4. No fee is being charged for vehicle tests which cannot be facilitated at this time.
- 7.5. As the Authority did not have access to the specialist printing equipment required to make licensed vehicle plates, all vehicle licence holders who have had their vehicle licence renewed during this period, have been instructed to keep their current licensed vehicle plates displayed on the vehicle and to keep a copy of the renewed vehicle licence inside the vehicle at all times so that the travelling public have a means of identifying a vehicle as licensed. The validity of a licence can also be confirmed by accessing the Authority's public register on the website, or by contacting the Licensing department.
- 7.6. Due to potential safety implications of having never been tested and the inability to display licensed vehicle plates, the decision was made not to accept applications for any new vehicles (vehicles which were not currently licensed at the time the testing station closed).

- 7.7. As of 2 June 2020, North Bridge has reopened for one day a week to facilitate the testing of new vehicles and Licensing are attending the Civic Office one day a week to print vehicle licence plates for any new vehicle which passes the test. No fee for posting out plates is being charged at this time.
- 7.8. In due course, when risk assessments allow, it is expected that North Bridge will extend the ability for vehicle testing to include annual and then interim tests.
- 7.9. The Authority continues to monitor that licensed vehicles have the correct and valid insurance in place. Where the Council has not been satisfied that the appropriate insurance remains in effect, the vehicle licence is suspended.
- 7.10. There have been calls from the Private Hire trade, locally and nationally, for Private Hire vehicles to be permitted to have installed a separation screen between the driver and passengers. The Licensing Authority recognises the positive effects of a partition screen which assists with social distancing where it would not otherwise be possible to maintain a physical distance of 2 metres between a driver and their passenger(s).
- 7.11. In order to be satisfied that the addition of any partition screen in a Private Hire vehicle does not negatively impact on the safety of either the driver, passengers or other road users, the Authority has produced guidance on the checks and assurances that a vehicle proprietor should receive in writing from the company providing and fitting the screen before any work is undertaken.
- 7.12. Any licensed vehicle which has a screen fitted that does not satisfy the guidance will be suspended and the fit and proper status of the vehicle licence holder / licensed driver / operator, will be re-assessed.
8. Regular updates on the above changes relating to licensed drivers and vehicles have been sent by email to all licensed drivers in the form of a 'drivers bulletin' newsletter produced by the Authority.
9. The Gambling Act 2005:
 - 9.1. The Authority does not receive high numbers of applications for gambling premises however it is anticipated that any applications which are received will continue to be processed without the need for further changes.
 - 9.2. As with premises licences issued under the Licensing Act 2003, Gambling premises licences issued under the Gambling Act 2005 are also subject to an annual fee. The Authority has applied similar discretion with premises which have not paid the annual fee while they are prevented from opening. Steps to suspend or revoke the licences for non-payment of the annual fee will not commence until such time as those premises are permitted to reopen to the public.
10. Animal licensing:
 - 10.1. Where the grant (or renewal) of a licence is dependent on the outcome of an inspection of those premises by a suitably qualified Council officer, the Authority has attempted to carry out those inspections remotely using

technology such as video calls.

10.2. Due to the upfront costs of an application of this type, where a licence is due for renewal and the licence holder makes a request due to financial difficulty, the Authority will consider processing a renewal application where the applicant has set up an agreed payment plan with the Council to allow the fee to be spread over an agreed period of time, subject to prior approval.

11. Charitable street (cash) collections:

11.1. Due to the nature of how a face to face charitable cash collection operates, a person standing in the street accepting cash donations from members of the public, and the likelihood that this would not be possible in a town centre environment where people are complying with 2 metre social distancing. The difficult decision has been taken not to issue any permits of this type at this time. This decision will be kept under constant review.

OPTIONS CONSIDERED

12. It is recommended that the Committee note the recommendations.

REASONS FOR RECOMMENDED OPTION

13. For noting.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

14. The effective operation of the Licensing Authority is a key part of the Council's statutory responsibility.

	Outcomes	Implications
	<p>Doncaster Working: Our vision is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> • Better access to good fulfilling work • Doncaster businesses are supported to flourish • Inward Investment 	<p>It is recognised that licensed premises are, quite often, businesses and places of employment.</p> <p>Keeping the Committee up to date assists in ensuring that licensing decisions can be made fairly and in a timely manner with the overriding aim of protecting the public.</p>
	<p>Doncaster Living: Our vision is for Doncaster's people to live in a borough that is vibrant and full of opportunity, where people enjoy spending time;</p> <ul style="list-style-type: none"> • The town centres are the beating heart of Doncaster • More people can live in a good quality, affordable home • Healthy and Vibrant Communities through 	<p>Keeping the Committee up to date assists in ensuring that licensing decisions can be made fairly and in a timely manner with the overriding aim of protecting the public.</p>

	<p>Physical Activity and Sport</p> <ul style="list-style-type: none"> • Everyone takes responsibility for keeping Doncaster Clean • Building on our cultural, artistic and sporting heritage 	
	<p>Doncaster Learning: Our vision is for learning that prepares all children, young people and adults for a life that is fulfilling;</p> <ul style="list-style-type: none"> • Every child has life-changing learning experiences within and beyond school • Many more great teachers work in Doncaster Schools that are good or better <p>Learning in Doncaster prepares young people for the world of work</p>	<p>Keeping the Committee up to date assists in ensuring that licensing decisions can be made fairly and in a timely manner with the overriding aim of protecting the public..</p>
	<p>Doncaster Caring: Our vision is for a borough that cares together for its most vulnerable residents;</p> <ul style="list-style-type: none"> • Children have the best start in life • Vulnerable families and individuals have support from someone they trust • Older people can live well and independently in their own homes 	<p>Keeping the Committee up to date assists in ensuring that licensing decisions can be made fairly and in a timely manner with the overriding aim of protecting the public..</p>
	<p>Connected Council:</p> <ul style="list-style-type: none"> • A modern, efficient and flexible workforce • Modern, accessible customer interactions • Operating within our resources and delivering value for money • A co-ordinated, whole person, whole life focus on the needs and aspirations of residents • Building community resilience and self-reliance by connecting community assets and strengths • Working with our partners and residents to provide effective leadership and governance 	<p>Keeping the Committee up to date assists in ensuring that licensing decisions can be made fairly and in a timely manner with the overriding aim of protecting the public..</p>

RISKS AND ASSUMPTIONS

15. None

LEGAL IMPLICATIONS [Officer Initials HW Date 05/06/2020]

16. There are no specific legal implications associated with recommendation that being the committee note the actions the Licensing Authority are taking in light of the current situation.

17. The legislative position in relation to the impact of Covid 19 on the functions of

the Licensing Authority are being regularly reviewed. All necessary steps are taken to ensure the Licensing Authority, Licensing Committee and sub Committee exercise their functions in accordance with relevant Legislation

FINANCIAL IMPLICATIONS [Officer Initials RT Date 05/06/2020]

18. There are no specific financial implications associated with this report.

HUMAN RESOURCES IMPLICATIONS [Officer Initials DK Date 05/06/2020]

19. There are no specific human resource implications to this type of report. There are no HR implications specific to the recommendations in the report, however, any emerging matters that impact on the workforce will require HR engagement at the appropriate time.

TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 05/06/20]

20. There are no technology implications associated with this report. As outlined above, the Licensing Authority are making use of technology to support virtual meetings. Any further technology requirements to enable the Licensing Authority to maintain services should be discussed with Digital & ICT and where applicable these will feed into the Recovery & Renewal Digital Strategy currently under development.

HEALTH IMPLICATIONS [Officer Initials CT ...Date 5.6.20...]

21. Public Health welcomes the measures laid out in within this document to support, where possible, the future of licensed businesses. In relation to Covid 19, the main area of concern for Public Health is the screening between passenger/taxi driver due to the size of the enclosed space, and what we know about the transmission of the virus. Therefore, can the guidance mentioned be made available to the Director of Public Health for information so he can better understand the health implications. Also, regarding infection prevention control, what guidance is being provided to the taxi drivers with regards to the wearing of face coverings (drivers and passengers), regular handwashing and increased cleaning requirements of their vehicles, particularly high touch areas such as door handles, seat belts, seating, electronic window buttons, etc.

EQUALITY IMPLICATIONS [Officer Initials DDS Date 04/06/2020]

22. Decision makers must consider the Council's duties under the Public Sector Equality Duty at s149 of the Equality Act 2010. The duty requires the Council, when exercising its functions, to have 'due regard' to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the act, and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' and those who do not share that protected characteristic. There are no specific equality implications arising from this report. However, any activities arising from this report will need to be the subject of separate 'due regard' assessments.

CONSULTATION

23. N/A

BACKGROUND PAPERS

24. None

REPORT AUTHOR & CONTRIBUTORS

David Smith, Licensing Officer
Tel: (01302) 862546
Email: david.smith@doncaster.gov.uk

Peter Dale
Director of Economy and Environment