

**DONCASTER METROPOLITAN BOROUGH COUNCIL**

**LICENSING COMMITTEE**

**THURSDAY, 17TH SEPTEMBER, 2020**

A MEETING of the LICENSING COMMITTEE was held at the VIRTUAL MEETING VIA MICROSOFT TEAMS on THURSDAY, 17TH SEPTEMBER, 2020, at 10.00 am.

PRESENT:

Vice-Chair - Councillor Iris Beech (in the Chair)

Councillors Duncan Anderson, John Gilliver, Martin Greenhalgh, Charlie Hogarth, David Nevett, Ian Pearson and Frank Tyas.

APOLOGIES:

Apologies for absence were received from Councillors Kenneth Keegan, Bev Chapman, Steve Cox, Neil Gethin and Nikki McDonald

7 Declarations of Interest, if any.

There were no declarations made at the meeting.

8 Minutes of the Licensing Committee Meeting held on 18th June 2020.

RESOLVED that the minutes of the meeting held on 18th June, 2020 were approved as a true record.

9 Statement of Licensing Policy 2021 - Licensing Act 2003.

Members considered the Statement of Licensing Policy, which was now under review pending approval by Full Council in advance of January 2021. The Statement of Licensing Policy had to be reviewed on a five yearly basis and although it remained largely unchanged, some minor amendments had been made to provide greater clarity and give more weight and strength to it. Members noted that one of the changes made, referred to the Covid-19 Pandemic, and provided reference to this outlining that changes to the regulations and advice would be made as and when such challenges as this were faced and would ensure that all applicants would be expected to comply with any such changes.

The Committee had already reviewed the Policy, prior to it being subjected to Public Consultation, and Members were now invited to review the responses to the consultation and approve its content for formal endorsement by Full Council. Members noted that only a few responses had been received but they were assured by officers that it had been subject to the same scrutiny as expected. The Policy had response to the consultation with the acknowledgement that it was positive to see reference to Bare Knuckle Fighting within it and the need for it to be properly regulated.

Members were happy to receive the Policy and gave their approval for it to be taken forward for endorsement by Council.

RESOLVED that the Licensing Committee agree the reviewed Statement of Licensing Policy 2021 – Licensing Act 2003, and recommended that it be presented to Full Council for approval and adoption.

10 Temporary Pavement Licence Application Process and Fee (Business & Planning Act 2020).

Members considered a report that provided detail of the approval that had been sought to implement a temporary pavement licence application process, and set the appropriate fee, by way of an urgent action in accordance with Council Procedure Rule 36.

Members noted that this had followed the introduction of the Business and Planning Act 2020 ("The Act") in July 2020. This meant Doncaster Council was obligated to consider applications in relation to this as soon as any were received.

Following the Covid-19 Pandemic, and the recommendations of central Government now to encourage a return to the hospitality and leisure industries in an effort to encourage economic vitality, it was proposed that through the licensing of the public highway, it would give hospitality premises the opportunity to extend their capacity for customers in light of social distancing restrictions and guidelines.

A temporary pavement licence has been created to allow activity on the public highway for a fee, and would give permission for chairs, tables and other associated furniture and equipment to be placed on the public highway in association with licensed establishments. This would remain in place until September 2021.

Further to Members consideration of the report the Committee were invited to ask any questions of officers regarding their concerns.

Queries were raised regarding the impact on the disabled as it was imperative that no undue risks were in place that could cause accidents. Officers assured Members that there should be no obstructions caused by any of the new licences, and this concern would be dealt with in the application stage of each individual licence. Each application would be received as an independent application, and conditions applied at that point if the Sub-Committee felt there was a need for additional measures.

Members requested that their concerns in relation to the issues regarding the obstructions and risks regarding incidents, crime and injury be noted. Whilst they accepted the requirement for the Act to be in place, the Committee had concerns regarding the policing of it. However, they were assured that each application would be dealt with on its own merits, but it was added that it would enable a safer way of operating for bars, cafes and restaurants in the current climate.

RESOLVED that: -

- 1) that the members of the Licensing Committee note that the approval by the Director of Economy & Environment, Chair of the Licensing Committee and Cabinet Member for Communities, Voluntary Sector and the Environment was received on 24 July 2020;
- 2) The fee has been set at £100;
- 3) The determination and granting of licences of this type has been delegated to the Assistant Director of Environment and Head of Service for Regulation and Enforcement; and
- 4) It is recommended that members note that where a premises has the benefit of a

premises licenced under the Licensing Act 2003 which permits alcohol to be sold for consumption on the premises shall be treated as also having permission to sell alcohol for consumption off the premises at a time when 'on sales' are permitted but no later than 11.00pm without the need for an application to amend the current licence, until 30 September 2021.