

DURHAM COUNTY COUNCIL

At a Meeting of **Statutory Licensing Committee** held in Committee Room 2, County Hall, Durham on **Monday 15 July 2024 at 9.30 am**

Present:

Councillor D Brown (Chair)

Members of the Committee:

Councillors R Adcock-Forster, J Griffiths, C Hampson, C Hunt, I McLean and M Wilson

Apologies:

Apologies for absence were received from Councillors C Bihari, J Blakey, L Brown, T Duffy, J Howey, L Mavin, E Waldock and A Watson

1 Apologies for Absence

Apologies for absence were received from Councillors J Blakey, L Brown, L Mavin and M Wilson.

2 Substitute Members

There were no substitute Members.

3 Declarations of Interest

There were no declarations of interest.

4 Minutes of the meeting held on 29 January 2024

The minutes of the meeting held on 29 January 2024 were confirmed as a correct record and signed by the Chair.

5 Review of the Council's Statement of Licensing Policy

The Committee considered a report of the Corporate Director of Neighbourhoods and Climate Change which sought approval of the revised Statement of Licensing Policy and sought to recommend adoption by the Council (for copy see file of Minutes).

The Licensing Manager advised that the current statement of licensing policy had been revised following a period of public consultation and was appended to the report at Appendix 4. He went on to explain that the policy changes aimed to improve the quality of applications by assisting applicants, to clearly and comprehensively demonstrate how the licensing objectives could be promoted through their licensed business activities.

In referencing the consultation responses received, the Licensing Manager explained that some organisations in the City of Durham had called to introduce a late-night levy (LNL) and had asked for a cumulative impact assessment (CIA) to be carried out, with a view to introducing a policy of cumulative impact (CIP) within the revised statement of policy. He went on to explain that given the lengthy and detailed assessment processes it was the intention to progress with the reporting and introduction of a revised policy within statutory timescales and concurrently, conduct the necessary assessments and investigations required for reporting on a CIA/CIP and LNL which could be inserted within the newly revised SLP in due course.

Members were provided with a copy of a letter received from Joy Allen PCC dated 12 July 2024, which confirmed her support for the recommendation that the draft policy be adopted in its current form, with the intention of reviewing the requirement for a LNL and/or CIA in two years' time, when a clearer understanding of the impact of development of newly licenced additional premises within Durham city was known.

Councillor Hunt raised a point which she had highlighted at the previous meeting around the use of body worn cameras by licenced premises staff. The Licensing Manager suggested that this could be an included licence condition and if members were in agreement, could also be included within the draft policy. Members agreed that this would be helpful to include and would provide useful to not only the police but provide assurance to vulnerable women.

The Business Compliance Manager agreed that this was an excellent idea, however members should be aware that the policy was not retrospective and would not alter existing licences. Further to a query regarding usage of body worn cameras raised by Councillor McLean, the Business Compliance Manager advised that the wording on any licence condition would provide guidance as to how the camera should be used, much in the same way in which CCTV conditions were currently applied.

The Chair at this point advised that Councillor L Brown, in her absence, had provided representations on the draft policy which were read to the committee.

In responding to those comments, the Licensing Manager provided clarity around the special arrangement known as 'Grandfather rights'. He explained that there was no mechanism to alter or vary an existing licence under these rights. However, should the applicant wish to vary the terms of an existing licence, a separate application would be required by the applicant. Alternatively existing licences could apply to convert their current licenses into a 'new' Premises Licence which would then also need to adhere to the new policy. With regard to Councillor L Brown's representations around licence operating hours and planning permission, he explained that the Licensing and Planning regimes were very separate however, there was a degree of flexibility within the planning regime which did not exist in Licensing Law and the 4 Licensing Objectives.

Resolved:

That the Statutory Licensing Committee:

- i) Note the current policy, the comments received during consultation and the proposed revised statement of licensing policy.
- ii) Subject to the inclusion of wording around the use of body worn cameras, approve the revised statement of licensing policy and recommends that it be considered by Council with a view to its adoption by October 2024.
- iii) Agrees to carrying out of work in connection with a LNL and a CIA at a later date to establish any evidential needs and requirements for the possible introduction of such measures and inclusion within the revised licensing policy.