

LICENSING ACT 2003 COMMITTEE

Tuesday, 23 February 2021

PRESENT – Councillors B Jones (Chair), Clarke, Crumbie, Donoghue, Dulston, Haszeldine, C L B Hughes, Lee, K Nicholson and Snedker

APOLOGIES – Councillor Newall,

ABSENT – Councillor A J Scott

OFFICERS IN ATTENDANCE – Allison Hill (Democratic Officer), Graham Hall (Head of Community Safety), Colin Dobson (Licensing Manager), Paula Park (Licensing Enforcement Officer) and Pc Iain Robertson (Durham Constabulary)

LA6 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

LA7 MINUTES

Submitted – The Minutes (previously circulated) of the meeting of this Licensing Act 2003 Committee held on 8 September 2020.

RESOLVED – That the Minutes of the Licensing Act 2003 Committee held on 8 September 2020 be approved as a correct record.

LA8 UPDATE RELATING TO LICENSING ACT POLICY REVIEW

The Director of Economic Growth submitted a report (previously circulated) to update Members on the current position of the Licensing Act Policy Review that was due in January 2021 but extended to April 2021 by the Licensing Act 2003 Committee on 8 September 2020 in light of the Covid-19 pandemic (Minute LA5/Sep/20 refers).

It was reported that Section 5 of the Licensing Act 2003 requires that each Local Authorities Statement of Licensing Policy is reviewed every five years and work had commenced on this review early in 2020, however the ongoing Covid-19 regulations has had an enormous impact on the hospitality trade, particularly those with premises Licences and many were compelled to close and the dynamics of drinking alcohol changed considerably when restrictions were partially relaxed.

It was also reported that the Business and Planning Act announced in July 2020 was introduced to assist the hospitality trade with ongoing restrictions. The North East Strategic Licensing Group expressed concerns during 2020 that due to the closure of many licensed premises it was impossible to adequately consult with the hospitality industry and clarity was sought by the Local Government Association (LGA) from the Home Office on whether scheduled Licensing Act Policy Reviews could be delayed to such a time that adequate consultation could take place and this was considered acceptable by the LGA; and the Licensing Act 2003 Committee approved the proposal to retain its current Statement of Licensing Policy until the implementation of a revised policy in April 2021.

On the 1 October 2020 a letter was sent to all Licensing Authorities by Kit Malthouse, MP, Minister of State for Crime and Policing, offering guidance to Local Authorities following legal consultation over the issue of Policy (also previously circulated). It was reported that whilst this offered a degree of clarity at the time of writing the submitted report there was still no indication when Covid-19 regulations would be eased and it was unlikely that the hospitality trade in Darlington would be the same as it was before the Covid-19 regulations were introduced in March 2020.

It was therefore proposed, in line with guidance from the Minister, to further extend the current policy to such a time there was an opportunity for meaningful consultation with the hospitality industry could take place and when there would be a greater understanding of the impact the pandemic has had on the community.

RESOLVED – That the current Statement of Licensing Policy be carried forward to allow sufficient time to fully consult with the hospitality trade and stakeholders once Covid-19 regulations had been sufficiently relaxed.