

Present: Councillors Bird (Chair), Benstead, Abbott, Adey, Gawthrope, Gehring, McPherson, R. Moore, T. Moore, Pippas and Smart

RECOMMENDATION TO COUNCIL

17/77/Lic Review of Statement of Licensing Policy

The Committee received a report from the Team Manager (Commercial & Licensing).

The report advised the Licensing Act 2003 required a licensing authority to prepare and publish a statement of its licensing policy at least every five years. The current Policy would expire on 24 October 2017, and without a revised statement of Licensing Policy, Cambridge City Council would not be able to process any applications covered by the Licensing Act 2003.

Additionally, forthcoming changes to legislation meant the Cumulative Impact Policy would soon have a statutory footing and would introduce a requirement on licensing authorities to review the evidence on which Cumulative Impact Policies are based at least every three years.

This would mean that the requirement to review the Statement of Licensing Policy will remain at five years, whilst the requirement to review the Cumulative Impact Policy would become every three years.

It was proposed to separate these two Policies as they would have differing statutory review periods; five years for the Statement of Licensing Policy and three for the Cumulative Impact Policy.

The Committee were advised that recommendation 2.1.2 included a typographical error:

Approve that the amended Statement of Licensing Policy attached to this report as Appendix F is to be adopted by full Council on 19 October 2019 **2017**.

The Committee made the following comments in response to the report:

- i. Supported retaining the CIA in its current form. It controlled the number of establishments that sold alcohol, plus associated anti-social behaviour.
- ii. Exceptions could be made (when deemed appropriate) allowing establishments to sell alcohol in the CIA.
- iii. Queried why the representation from Cambridgeshire Constabulary did not support a CIA for the whole of Mill Road.
- iv. Expressed concern that reducing the CIA would lead to anti-social behaviour moving from one part of Mill Road to the non-CIA area where it would be harder to tackle.
- v. Recommended consulting on the CIA as the Police were the only body who could request a CIA and they had put on public record that they questioned the area it covered. The City Council had a legal duty to now justify the CIA.

In response to Members' questions the Team Manager (Commercial & Licensing) said the following:

- i. If an application for a licence to sell alcohol in the Cumulative Impact Area (CIA) was made during the consultation period, Councillors would base their decision on the current policy. If the CIA consultation led to a change to the CIA future decisions would have to be based on this. Decisions made on speculation about the CIA consultation response would be ultra vires and undefendable.
- ii. Referred to P77 and P133 of the Officer's report. The Police supported the CIA but queried if it was proportionate to cover the length of Mill Road.

The Technical Officer said the Police and other responsible authorities could request the set up or removal of a CIA. The Police provided the main statistical evidence for one.

The Environmental Health Manager (Commercial) said the Police would be invited to attend a Licensing Committee and respond to queries after the CIA consultation period. The CIA could be reviewed at any time. If some part was removed, a review could be held in future to see if it should be re-instated.

- iii. The CIA consultation would likely occur November 2017 to January 2018, then a report would be brought back to Licensing Committee in March 2018. Consultees would include east area resident associations, schools, churches, traders and community meetings; possibly all city area committees too.

The Committee:

Resolved (by 9 votes to 0) to:

- i. Consider the results of the public consultation exercise as summarised in Appendix D of the Officer's report.
- ii. Approve that the amended Statement of Licensing Policy (attached as Appendix F to the Officer's report) be adopted by full Council on 19 October 2017.
- iii. Agree for the proposed changes to the Cumulative Impact Policy to be the subject of a further twelve week public consultation.
- iv. Request officers to return to Licensing Committee with the outcome of the consultation.
- v. Note the forthcoming changes in relation to the review periods for the Statement of Licensing Policy and Cumulative Impact Policy, and agree in principle to separating these two documents.

The meeting ended at 1.00 pm

CHAIR