

Nottingham City Council

Licensing Committee

Minutes of the meeting held at Loxley House, Station Street, NG2 3NG, on 4 October 2021 from 10.02 am - 10.28 am

Membership

Present

Councillor Toby Neal (Chair)
Councillor Gul Nawaz Khan (Vice Chair)
Councillor Audrey Dinnall
Councillor Nicola Heaton
Councillor AJ Matsiko
Councillor Wendy Smith
Councillor Cate Woodward
Councillor Audra Wynter

Absent

Councillor Zafran Nawaz Khan
Councillor Rebecca Langton
Councillor Dave Liversidge
Councillor Mohammed Saghir
Councillor Linda Woodings

Colleagues, partners and others in attendance:

Richard Bines - Solicitor to the Committee
Paul Dales - Chief Environmental Health Officer
Mark Leavesley - Governance Officer

7 Apologies for Absence

Councillor Langton - other council business
Councillor Woodings - personal

8 Change in Membership

It was noted that Councillors Chantal Lee and Lauren O'Grady are no longer members of, and that Councillor Wendy Smith has been appointed to, this Committee.

9 Declarations of Interests

None.

10 Minutes

The Committee agreed the minutes of the last meeting held on 10 August 2021 as a correct record and they were signed by the Chair.

11 Cumulative Impact Assessment

Paul Dales, Chief Environmental Health Officer, presented the report, which advised the Committee of responses received (detailed in appendix 2 of the report) during a statutory consultation process, conducted in respect of the Council's draft Cumulative Impact Assessment (CIA) (detailed in appendix 1 of the report) in regards to the City Centre, Radford, Berridge and Arboretum areas and sought a decision as to whether or not to publish the draft CIA and, if so, in what terms in light of the consultation responses and officer advice given.

Mr Dales stated that:

- the adoption of a CIA is a power, not a duty, and should be based on robust evidence, which is required to be set out in the CIA. As indicated in the body of the report, there have been some legitimate challenges to the evidential base and plans contained within the draft CIA;
- a common theme throughout the consultation responses was that insufficient weight had been placed on the effects of the pandemic on businesses and that more general consideration should be given to the benefits and effects that the hospitality industry has on the wider economy and vitality of the city centre in particular. It had also transpired that the plans and statistical information provided and contained in the draft CIA were incorrectly based on the City Centre area and Radford, Berridge and Arboretum area in their entirety, as opposed to the delineated cumulative impact zones designated by the current CIA and previous policies;
- in light of the above, it was recommended that the Committee does not adopt the proposed CIA at this time and that officers re-focus their considerations and evidence gathering to look at a more holistic picture, including the effects of such policies on the hospitality industry and the economy alongside updated evidence of the problems having a large concentration of licensed premises can have, not only in terms of crime and anti-social behaviour but also in terms of health related statistics;
- the lapse of the current CIA will have an effect both on the Council's statement of Licensing Policy and on the Committee's terms of reference. Proposals in relation to the Licensing Policy are therefore set out in the report in this regard.

During discussion, and in response to questions, Mr Dales stated the following:

- i. Licensing Panels will retain the remit of hearing applications for premises within the CIA, rather than there being a necessity for submission of such applications to a full Licensing Committee meeting;
- ii. areas of the City with current and future student accommodation developments, such as Huntingdon Street, will be considered for inclusion in the new CIA, with possible boundary changes if required based upon the evidence gathered;
- iii. in respect of concerns raised by members regarding 'pre-loading', measures to prevent it were not within the remit of the CIA policy itself and could not be included in a future CIA and Mr Dales reminded the Committee that a CIA policy relates to the number of relevant authorisations in respect of premises in an area described in an assessment, and an evidence based determination, having regard to cumulative impact, of whether there would be problems which undermined the licensing objectives if a further application were granted.

Resolved that the Committee

- (1) notes the consultation responses and officer's comments as detailed in appendix 2;**

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- (2) determines not to publish the Council's CIA at this time;**
- (3) agrees to amend its terms of reference to that as set out in appendix 4.**