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Nottingham City Council

Licensing Committee

Minutes of the meeting held at Loxley House, Station Street, Nottingham, NG2 3NG on 20 June 2023 from 9.34 am - 9.51 am

Membership

Present

Councillor Audrey Dinnall (Chair)
Councillor Gul Nawaz Khan (Vice Chair)
Councillor Liaqat Ali
Councillor Leslie Ayoola
Councillor Anwar Khan
Councillor Zafran Nawaz Khan
Councillor Fozia Mubashar
Councillor Sana Nasir
Councillor Samina Riaz

Absent

Councillor Farzanna Mahmood
Councillor Matt Shannon

Colleagues, partners and others in attendance:

Ann Barrett - Team Leader, Legal Services
Nick Burns - Licensing and Policy Manager
Mike Carey - Governance Officer

10 Membership

Resolved to note the appointment of Councillor Zafran Khan to the Committee.

11 Apologies for absence

Councillor Farzanna Mahmood – unwell.
Councillor Matt Shannon – work commitments.

12 Declarations of interests

None.

13 Minutes

The Committee agreed the minutes of the meeting held on 24 October 2022 and they were signed by the Chair.

14 Statement of Licensing Policy

Nick Burns, Licensing and Policy Manager, presented the report asking the Committee to consider and note the draft Statement of Licensing Policy prior to its submission to Council on the 10 July 2023 for release to public consultation. The following points were highlighted:

- (a) Under the Licensing Act 2003 it is a statutory requirement for licensing authorities to publish a Statement of Licensing Policy (the Statement) covering a five year period, before the start of that five year period, covering the standards and values the authority seeks to pursue as it carries out the responsibilities of the 2003 Act;
- (b) the licensing authority has a duty to keep the Statement under review and can make changes to the Statement before five years has elapsed if it is appropriate. However, the authority has an obligation to publish a new statement after five years;
- (c) the current Statement was adopted on 12 November 2018, taking effect on 7 January 2019 and ceasing to have effect on 6 January 2024. A new Statement must therefore be adopted by 7 January 2024 to cover the subsequent five year period;
- (d) before determining its Statement, the licensing authority must consult with persons listed in section 5(3) of the 2003 Act:
 - i. the chief of police for the area;
 - ii. the fire and rescue authority for the area;
 - iii. each local authority's Director of Public Health in England (DPH) for an area any part of which is in the licensing authority's area;
 - iv. persons/bodies representative of local premises licence holders;
 - v. persons/bodies representative of local club premises certificate holders;
 - vi. persons/bodies representative of local personal licence holders;
 - vii. and persons/bodies representative of businesses and residents in its area.
- (e) the draft statement has been developed through discussions with surrounding licensing authorities, to give consistency around policies;
- (f) the draft statement takes the revised guidance issued under section 182 of the Licensing Act 2003 (December 2022) into account, and there are a number of changes from the previously adopted statement. This includes:
 - i. changes in regard to Temporary Event Notices (TENs), contained in paragraphs 7.61 to 7.67;
 - ii. the inclusion of a section on closure notices in paragraphs 7.53 to 7.55;
 - iii. changes around rights to work and entitlements after leaving the EU;
 - iv. a new section on the Equality Act 2010 at paragraphs 6.2 to 6.5.

In the discussion which followed, and in response to questions from the Committee, the following points were made:

- (g) Members requested clarification regarding Cumulative Impact Assessments (CIAs) and Saturation Zones. At the time of the previous statement, there were

two Saturation Zones in place as a result of CIAs, affecting the City Centre and Berridge, Arboretum, and Radford, but these have lapsed and are no longer in force;

- (h) the licensing authority has the option to explore CIAs in the future, given sufficient evidence and consultation, and this does not have to wait until the expiry of the Statement after five years;
- (i) members and interested parties, such as the police and local residents, may make representations regarding applications without Saturation Zones being in place, and way the Licensing Panel has to consider applications in the same manner and make decisions on an evidence-based examination of particular premises;
- (j) the consultation and is intended to begin shortly after the draft statement is taken to Council on 11 July 2023, hopefully within two weeks, and will last for eight weeks. This will give time for officers to report back to the Licensing Committee regarding the results of the consultation, for amendments to be made, and for submission of the final Statement to Council in November in time for adoption on 7 January 2024.

Resolved to note the draft Statement of Licensing Policy.

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