

Bristol City Council Minutes of the Licensing Committee

8 March 2021 at 9.00 am



Members Present:-

Councillors: Barry Clark, Harriet Clough, Eleanor Combley, Chris Davies, Richard Eddy, Paul Goggin, Fi Hance, Margaret Hickman, Hibaq Jama, Brenda Massey, Paula O'Rourke, Chris Windows, Lucy Whittle and Tom Brook

Officers in Attendance:-

Nick Carter, Ashley Clark (Legal Advisor), Claudette Campbell (Democratic Services Officer), Abigail Holman (Licensing Policy Advisor) and Carl Knights (Licensing Policy Advisor)

1. Welcome, Introductions and Safety Information

The Chair, Cllr Barry Clark, welcome those present and gave instructions as to the public forum process to those joining the zoom conference room.

1. Apologies for Absence.

Apologies received from Cllr Peter Abraham.

1. Declarations of Interest

None received

1. Minutes of Previous Meeting

Cllr Tom Brook ask that it be noted that his name was missing from the names of members appointed to the Committee. The Clerk confirm that this would be rectified on the records.

Resolved – the minutes of the previous meeting are agreed as a correct record.

1. Public Forum



Public Forum statements were provided to members in advance of the meeting. Those who submitted a statement were invited to address committee before the presentation of the report and the debate.

1. Sex Establishments Policy Consultation

The Licensing Officer introduced the report and summarised it for the Committee.

The following was noted from the discussion arose:

Questions

- Cllr Combley asked officers to confirm that the Licensing Act 2003 permitted any venue to stage events with sexual entertainment content? That the current policy had designated 3 areas appropriate for SEVs.
- Officers confirmed that licensed venues are able to hold 11 events per year and this cannot be restricted under the Authority's policy.
- The policy is unable to designate the city-wide as a locality; each application must be assessed as to appropriateness within the locality it will operate.
- Cllr Hance noted that a theme of the public forum was the loss of employment should the existing venues close, asked if this could be considered.
- Officers advised that although employment was not a consideration for the committee, they still had to be mindful of the public sector equality duty and the impact on specific persons who fall within the scope of the duty.
- The trajectory of the policy development; 12 week consultation process; the result from the consultation to be presented to the working group; the final policy would be returned to committee for decision on implementation; at that time all evidence would be presented.
- Cllr Eddy confirmed that he had been involved in the working group and that nothing he has heard has changed his position on opposing a nil cap. He urged members not to make a moral decision; that they should view the evidence submitted by the police that failed to provide evidence that supported a link between crime stats and SEV; that there is more evidence of crime arising from local drinking establishments; that he took the view that the existing clubs were well run and operated within the regulations; that no evidence was presented to support adopting a nil cap; that his real concern that a nil cap would push activity underground outside strict regulations; that to consider this at the same time that clubs were recovering from the impact of restrictions on trade during the pandemic was inappropriate; that he did not support the proposed change and took the view the current cap should be kept.
- Cllr Goggin asked if the consultation would be limited to Bristol; how would multiple replies from an individual be avoided; what details of consultees are collected.
- Officers advised that the consultation was not limited to Bristol; participants were asked for their postcode; that digital technology allowed for identifying any anomalies; that to encourage as wide as possible participation, name and address details were not requested; this insured the consultation was anonymous and avoided possible data breach.
- Cllr Clough expressed her view that crime data showed that night clubs posed a greater issue than the current SEV clubs; that the decision was being made on a moral bias and not practical issues and information presented



- Cllr Hickman that the issue of harassment and homicide of women existed and there was no evidence that the current clubs were linked but took the view that violence against women happened; that a future discussion should take place on reemployment of working in these venues.
- Cllr Massey shared that as a member of the committee who had sat and heard presentations from SEVs when they made their annual applications which included site visits, she had gained helpful insight to there operation; that she had concerns about unlicensed activities taking place if the venues no longer operated.
- Cllr Fi Hance had concerns that any decision would give rise to complex legal dispute.
- Cllr Davies asked for clarification on what was being asked of committee; what would be the position if committee resolved not to consult on the rewritten policy; would matters remain as it is.
- Officers advised that there was no final decision to be made on SEVs; that officers recommendation, outlined in the report, was for the revised policy to go to out for consultation; if members were unable to support this the Chair would be asked to give direction on future activities of the working group.
- Cllr Windows also expressed his confusion as to what was being asked of committee; he held the view that the issue had gone on longer than necessary; that this was a further consultation following on from the last; viewed that the removal of regulated SEV's would cause a danger to women.
- Cllr O'Rourke had sat on the working group at the commencement of its work; noted that the result of the previous consultation, evidence in the report, demonstrated that 60% of responders were happy with the position; had concerns that activity would go underground but noted that no evidence had been provided that a nil cap would move the industry in that way; disappointed that the process was back in the same cycle of consultation; sought from officers a further explanation of the on going process.
- The Service Manager, explained that the policy change proposed, covered the areas outlined by the Licensing Policy Officer; that the current policy was established in 2011 and now needed to be reviewed and refreshed.
- The Licensing Policy Officer advised that a benchmarking exercise had taken place with the Core Cities but none had a nip cap; further that the question on the industry operating underground was put to the national forum but no evidence was forthcoming on this issue.
- Members agreed that there was a need to move forward with Cllr Combley commenting that she had been on the working group for a number of years; that the current cap was appropriate; that at the end of her time on the working group she took the view that all were in agreement with the evidence presented, to retain the status quo but noted that the option being proposed now differed from the original findings.
- Members looked to the Chair to move to the vote.
- Resolved (7 for; 6 against; 1 abstention) that the policy is put out for consultation with delegated authority given to officers to determine when after the local elections the consultation should commence.

1. City Centre Cumulative Impact Assessment Report

The Senior Licensing Policy Officer presented the report to committee that recommended the implementation of a Cumulative Impact zone for the city centre.

- Avon & Somerset Constabulary had provided the necessary evidence in support of the CIA.
- This location, the city centre, prior to pre-pandemic restricts had a number of late-night alcohol led venues in operation that kept people in the area.



- That the consultation on the policy carried out from 2nd September to 28th October 2020 demonstrated 71% of respondents agreeing to the CIA
- a. Cllr Combley noted that with a CIA in place the presumption would be to refuse applications for alcohol licenses but posed the question as to whether it was known if the position after restrictions are lifted will be the same as before in the area. A number of businesses may not be able to restart or may have gone out of business. Cllr Combley commended the police for providing the required evidence to give weight to the grounds to implement this redrawn city centre CIA
 - b. The Licensing Officer confirmed that the grounds for the recommendation was based on the police statistical information & data on crime disorder & nuisance arising from saturation of late night venues in the city centre.
 - c. Members agreed that the supply of police evidence was essential in any decision making as to whether to grant an application; that the police evidence that now substantiated the need for CIA in this locality was welcome.
 - d. The Chair noted the common consensus therefore moved the officers recommendation.
 - e. When put to the vote all were in agreement without anyone against or abstaining.

Resolved to approve Officer Recommendation to publish a Cumulative Impact Assessment in respect of the City Centre of Bristol.

Meeting ended at 10.25 am

CHAIR _____

