

Licensing and Regulatory Committee

Minutes of the remote meeting held on Monday 16 November 2020 at 4.30pm, which was broadcast live via the Council's YouTube Channel.

Present: Councillor Heath (Chairman); Councillors Boad, Cullinan, Evans, C Gifford, Grey, Illingworth, Leigh-Hunt, Luckhurst, Mangat, Murphy, Redford and Syson.

24. **Apologies and Substitutes**

- (a) An apology for absence was received from Councillor A Dearing; and
- (b) there were no substitutes.

25. **Declarations of Interest**

There were no declarations of interest made.

26. **Minutes**

The minutes of the Committee meeting held on 14 October 2020 were taken as read and signed by the Chairman as a correct record.

27. **Minutes of Licensing & Regulatory Panels**

The minutes of the Licensing & Regulatory Panel held on 25 August 2020 were taken as read and signed by the Chairman as a correct record.

28. **Revision of Statement of Licensing Policy**

The Committee considered a report from Health and Community Protection which presented the reviewed the Statement of Licensing Policy which was applicable to all Licenced Premises and requested that it would be adopted by the Council.

The Licensing Authority was required to review its Statement of Licensing Policy before it would expire on 5 January 2021.

The amended policy had been consulted upon and was attached as Appendix 1 to the report.

In line with Government guidance and legislation, work was currently underway, in partnership with Warwickshire Police, to gather and analyse crime and disorder and nuisance data for the town centre. When this process was completed, the findings would be presented to the Licensing and Regulatory Committee.

The Committee was specifically asked to consider four points (8, 9, 11 and 12) raised in the consultation, as set out in Appendix 2 Page 2 of the report.

In respect of point 8, Warwick Town Council had asked how the use of plastic and polycarbonate glassware outside, fitted with the WDC Climate Emergency Plan?

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The Committee felt that it was its responsibility to consider the use of such plastics in the context of the promotion of public safety and the prevention of crime and disorder. It was felt that the use of 'or similar' in condition 24 should be added to conditions 23 and 25 and that officers provided guidance to Council ahead of its meeting on 25 November, taking into consideration the guidance provided to those organising events on Council land in case this statement could be enhanced further.

In respect of point 9, Environmental Protection had asked for the first sentence in paragraph 4.4 to be removed as it was not necessary. The Committee reflected on this and considered that the sentence was necessary and would like it to remain in place.

In respect of point 11, Environmental Protection had requested the inclusion of a hyperlink or location where the mandatory conditions could be found (paragraph 9.1). The Committee accepted this and felt that a sentence directing people to the gov.uk website should be added.

In respect of point 12, Environmental Protection had requested the inclusion of a sentence to emphasise that the deregulation act did not exempt the premises from their duties to ensure there was no statutory nuisance created by any entertainment (paragraph 10.11). The Committee felt that the paragraph should remain unchanged but officers were asked to ensure that the Licensing website was updated, if necessary, to include clear information on who to complain to about noise issues.

The Committee therefore

Recommended to Council that the Statement of Licensing Policy at Appendix 1 to the minutes be approved.

Resolved that the full and robust investigation into the establishment of a Cumulative Impact Policy for Leamington Town Centre which is underway, be noted.

(Councillor Boad arrived during the debate on this item.)

29. **Footpath Diversion Order**

The Committee considered a report from Development Services that sought authority for the Council to proceed with a making a Footpath Diversion Order under Section 257 of the Town and Country Planning Act 1990.

The Licensing & Regulatory Committee had delegated authority from the Council to authorise all matters relating to public footpaths and bridle ways. Planning permission was granted for residential development on land at Rugby Road and Coventry Road, Cubbington. Footpath W137 crossed the site and was to be retained as part of the proposal.

Upon scrutiny of the definitive footpath maps, it became apparent that there was an inaccuracy with the route of the footpath that needed to be addressed through a formal submission. Under section 257 of the Town and

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Country Planning Act 1990, the District Council might by order authorise the stopping up or diversion of any footpath, bridleway or restricted byway if it was satisfied that it was necessary to do so in order to enable development to be carried out in accordance with a planning permission.

The proposal was to make a minor alteration to the line of the footpath so that it tied in with the line of the footpath indicated on the approved drawings.

The reason for the change was due to a discrepancy on the ordnance survey maps and the definitive footpaths map.

In answer to questions from Members, the Principal Planning Officer advised that:

- although not clear to see, there was a footpath underneath the proposed route across the site;
- the entry and exit points were remaining as at present, but the Council could seek the inclusion of waymarking as part of the order.

The Committee therefore

Resolved that the Footpath Diversion Order for W137, as set out in the appendix to the report, under Section 257 of the Town and Country Planning Act 1990, be approved along with a request for waymarking to be included.

(The meeting ended at 5.20pm)

CHAIRMAN
8 February 2021