

Runnymede Borough CouncilLicensing CommitteeWednesday, 15 March 2023 at 7.30 pm

Members of the Committee present: Councillors J Wilson (Chairman), E Gill (Vice-Chairman), J Broadhead, T Burton, D Clarke, D Cotty and V Cunningham.

Members of the Committee absent: Councillors J Furey, A King, J Olorenshaw and S Saise-Marshall.

597 Minutes

The Minutes of the meeting held on 8 November were confirmed and signed as a correct record, noting that the meeting scheduled for 4 January 2023 had been cancelled.

598 Apologies for Absence

Apologies for absence were received from Councillors J Furey, A King, J Olorenshaw and S Saise-Marshall.

599 Declarations of Interest

There were no declarations of interest.

600 Martyn's Law

The Committee noted an information report regarding Martyn's Law and the consequential implications for organisers of public events.

Members were advised that Martyn's Law was being enacted as the Government's Protect Duty, in tribute of Martyn Hett, who was killed alongside 21 other people in the Manchester Arena terrorist attack in 2017.

The aim behind the law, which it was anticipated would come into force during 2023, was to improve security at events held in public places and venues involving 'qualifying activities' and at which more than 100 people were expected to attend.

Qualifying activities were those held in locations for purposes such as entertainment and leisure, retail, food, drink, museums and galleries, sports grounds, public areas of local and central Government buildings, visitor attractions, temporary events, Places of Worship, health and education. In addition, the venue would have a defined boundary either indoors or outdoors.

The Committee recognised that in Runnymede this was likely to apply in numerous locations and would capture many of the public events that took place, including those on Council land and property. The Council's Safety Advisory Group and Communications Team would play a key role in getting the message out to event organisers along with guidance.

Members were referred to a Home Office factsheet which gave further details of the duties and responsibilities for land and building owners and event organisers.

Officers explained that events would either be drawn into the Standard Tier Duty (between 100 and 800 attendees) or an Enhanced Tier Duty (over 800 people). This would dictate the level of preparation in terms of risk assessments (Enhanced Tier only), security

measures and similar that would need to be carried out in advance by the Duty Holder to demonstrate awareness and steps taken to minimise the risk of a terrorist attack.

The Committee noted there were some limited exclusions and exemptions from the Duty. These included locations where transport security regulations already applied, vacant premises and those with a large floor space but low occupancy. Offices and private residential locations would not be caught. However, the Civic Centre would be within scope if hosting a large public event.

The Government was reported to be encouraging appropriate and reasonable measures rather than placing an unwieldy burden on event organisers and owners of public buildings.

Members suggested that an information pack for event organisers and owners of relevant premises would be welcomed prior to Martyn's Law becoming law which it was understood would be as soon as Parliamentary time allowed. It was also agreed that a briefing for everyone affected by the new requirements would be beneficial. Officers agreed to follow this up in consultation with relevant departments and the Police.

Officers also signposted the Committee to ProtectUK which was a free on-line resource for guidance and support.

An update report would be brought to the next scheduled meeting of the Committee if Martyn's Law had been enacted.

601 **Section 182 Guidance**

The Committee received for information a report setting out revisions to the Section 182 Guidance for the Licensing Act 2003.

Officers advised that there were 10 key changes which were summarised as:

1. Clarifying post Brexit right to work arrangements and checking process for licensing authorities
2. alcohol delivery sales – relaxation of such operators contacting local authorities for their view on whether permissible
3. clarifying the circumstances around closure notices and applications to the courts to close
4. Home Office Immigration Enforcement – not a responsible authority in relation to club premises certificates
5. Increase in statutory TENs from 15 to 20 per annum and number of days from 21 to 26 in 2022/2023
6. no right of appeal if a late TEN is objected to by the Police and Environmental Health
7. substantial variations subject to a new licence application
8. conditions should be appropriate and proportionate and in accordance with the applicant's intentions
9. to bring licensing in line with planning in respect of impact on surroundings and the responsibility of developers
10. Removal of Annex A – replaced by links to the Government websites

Members welcomed the changes regarding the increase in the number and duration of TENs and hoped that this would, as currently speculated, become permanent from 2024.

The Committee agreed that these updates to the guidance did not necessitate the Council's policy under the Licensing act to be amended but that when considering Licensing matters it was important to have due regard to the guidance and not to depart from it without just cause.

Officers confirmed that the updated guidance would be covered in the annual mandatory training on licensing following the elections in May.

Officers were thanked for their report.

602 **Exclusion of Press and Public**

There were no exempt or confidential items on the agenda.

(The meeting ended at 7.43 pm.)

Chairman