

**At a meeting of the ECONOMIC PROSPERITY SCRUTINY COMMITTEE held in the COUNCIL CHAMBER, CIVIC CENTRE on TUESDAY 14<sup>TH</sup> SEPTEMBER, 2021 at 4.30 p.m.**

**Present:-**

Councillor D. Snowdon in the Chair

Councillors M. Dixon, Edgeworth, Fagan, Foster, Greener, Laws, Price, Taylor and Warne

Also in attendance:-

Mr Jim Diamond, Scrutiny Officer, Sunderland City Council

Mr Paul Wood, Principal Governance Services Officer, Sunderland City Council

Mr Steve Wearing, Principal Licensing Officer

Ms Catherine Auld, Assistant Director of Economic Regeneration

Mr Paul Wilson, Assistant Director of Finance

The Chairman welcomed everyone to the meeting and introductions were made.

**Apologies for Absence**

Apologies were submitted on behalf of Councillors Ali and Thornton

**Minutes of the Last Ordinary Meeting of the Scrutiny Committee held on 13<sup>th</sup> July 2021**

A copy of the minutes of the last ordinary meeting of the Scrutiny Committee held on 13<sup>th</sup> July, 2021 was submitted.

(For copy report – see original minutes).

1. RESOLVED that the minutes of the last ordinary meeting of the Scrutiny Committee held on 13<sup>th</sup> July, 2021 (copy circulated), be confirmed and signed as a correct record

**Declarations of Interest (including Whipping Declarations)**

Reference from Cabinet – 14 September 2021 – Licensing Act 2003 – Review of Cumulative Impact Assessment

Councillor Edgeworth made an open declaration that as he worked for the Campaign for Real Ale which campaigned to promote and protect public houses he would withdraw from the meeting during consideration of this item.

**Reference from Cabinet – 14 September 2021 – Licensing Act 2003 – Review of Cumulative Impact Assessment**

The Assistant Director of Law and Governance submitted a report (copy circulated) to seek the advice and consideration of the Committee on a report considered by

Cabinet on 14 September 2021. The report presented the Licensing Act 2003 – Review of Cumulative Impact Assessment and informed of the legal requirement of the Council, in its capacity of Licensing Authority, to undertake a review of the Council's Cumulative Impact Assessment (CIA), under the Licensing Act 2003, ("the Act")

(For copy report – see original minutes)

Mr Steve Wearing, Principal Licensing Officer, presented the report and was on hand to answer Members queries.

Councillor Taylor wished for his concerns to be noted over the timescales of how this report had come to the scrutiny committee for comment after having been approved at Cabinet earlier.

Councillor Dixon commented that whilst he broadly agreed with the conclusions within the report, which had support from the Police and Fire Authority, he also was concerned with regards to the timeline in which consultation was given to this Committee and when the report had become available. Mr Wearing advised that there had been a delay on the matter being brought to the Licensing and Regulatory Committee for consultation therefore there had only been a short window of opportunity. Mr Wearing commented that ideally they would have liked to have brought the report to this Committee earlier than they had been able to, which was regrettable and officers apologised in this regard.

Councillor Dixon commented on previously raised concerns over those people, and in particular one of his Ward constituents that had been cheated out of furlough money by their employers and enquired if there was any system in the future, via HMRC, that could provide a list of those employers and the Council could then look at their Premises License.

Mr Wearing advised that under the present procedures when dealing with Licensing applications there were only certain conditions that could be taken into consideration. Should applications be received, responses could be made, with any person able to make representations but it would be dependant on circumstances whether this could be taken into consideration and he could take this away to discuss with colleagues.

Catherine Auld, Assistant Director of Economic Regeneration advised that there were challenges with access to info from HMRC but it may be a possible route through the Licensing Appeals process.

In response to Councillor Dixon's query if he passed on the details of the address which had come to their attention and if this would be helpful, Mr Wearing advised that it would depend on the circumstances and he would need to take legal advice on if it was relevant to the Act and if it would trigger a review/formal action.

Councillor Fagan queried if once the Cumulative Impact Assessment was reintroduced, if it would also look at the positives along with the negatives, as the current global circumstances had highlighted the importance of the hospitality sector in issues such as addressing social isolation. Mr Wearing advised that the positives could absolutely be included and it depended on the data available at that time. The

CIA was a good tool to have but was not absolute in terms of restricting applications and each one would be decided upon based on its individual merits.

Councillor Fagan queried that as the recommendation was to look at this again in 6-12 months, if this could be pushed back further should there be additional lockdowns/restrictions implemented again. Mr Wearing advised the committee that this was possible as the recommendation would be based on the data available at that time and in regards to the pandemic it wasn't possible to say definitely what the landscape could look like in 6-12 months time.

Councillor Taylor queried, with the CIA ending, what measures the Council had in place to mitigate against complaints they received from the public. Councillor Taylor also wished to place on record his thanks to Councillor Fletcher, Marion Dixon and the Licensing Officers for their work in dealing with premises which had extended outside seating areas during the pandemic and the impact these had on the local neighbourhoods due to the loss of parking etc and the complaints that arose from this.

Mr Wearing advised that the CIA would be a tool for scrutinising new applications and the Council would continue as they have been in reviewing current premises where there were problems, so the recommendation before Members would not change in that regard. Mr Wearing also advised that Officers do their best to mitigate during such situations with the premises beforehand to try and find a resolution before they get to a need for a formal hearing/process.

Councillor Dixon also wished to place on record his thanks to officers for their work in resolving issues affecting residents in the St Michael's Ward.

In response to the Chairman's comment, Mr Wearing advised that he was correct that other neighbouring Council's had also delayed the review of the CIA until more complete data was available.

Having fully considered the report, the Chairman thanked Mr Wearing for his attendance

2. RESOLVED that the report be received, noted and that it's comments be reported to Council.

### **Covid-19 Grants – Final Position Summary**

The Assistant Director of Economic Regeneration and the Assistant Director of Finance submitted a joint report (copy circulated) to provide an overview of the Covid-19 Business Support programmes provided by the Government, focussing primarily on the grants to businesses and their administration within Sunderland by the Council including the closing position.

The report updated the position as reported in November 2020, following the release of additional Covid-19 business support funding.

(For copy report – see original minutes)

Ms Catherine Auld, Assistant Director of Economic Regeneration, and Mr Paul Wilson, Assistant Director of Finance presented the report and were on hand to answer Members queries.

Councillor Foster commented that these grants and the speed in which they had been distributed had provided a real help to the small businesses in the area, and it had been greatly appreciated by those so Officers should be thanked for their efforts.

Councillor Dixon wished to echo such gratitude on behalf of all the residents that had been given help. Councillor Dixon also referred to paragraph 6.4 of the report and enquired if this procedure had helped Officers to gain a better understanding of the businesses and if a close liaison between the Council and businesses would continue.

Ms Auld thanked Members for their remarks which she would pass onto colleagues as this had been a real team effort across the Council. In relation to gaining a better understanding of businesses, Ms Auld believed this was the case as they had learnt on a number of levels and gained really strong professional working relationships out of the situation. The Council were now working and had access/communications with businesses that they didn't have contact with before the pandemic.

In response to Councillor Dixon's enquiry, it was advised that they were not aware of many fraudulent applications and mainly it had been due to the complexity of the process and the differing applications for different schemes which resulted in firms being ineligible.

Councillor Laws queried if officers had been able to pinpoint any areas where it hadn't worked and could be improved upon. Ms Auld advised that this was difficult to answer as it had been an unusual time where something new was implemented and at a pace. The implementation of national schemes on a local economy had proved very difficult but the joint work across the organisation had worked very well.

Paul Wilson, Assistant Director of Finance advised that the process had helped the Councils understanding of businesses and helped in the cleansing/updating of data in terms of business rates and such like.

Councillor Edgeworth queried if any businesses had applied for a grant that had been under any kind of enforcement action and if this had affected the proceedings/application. Ms Auld commented that she was not aware of any off the top of her head but she would check this outside of the meeting.

Having fully considered the report, the Chairman thanked Ms Auld and Mr Wilson for their attendance and asked that thanks be passed on to the Teams for their work.

3. RESOLVED that the progress report be received and noted.

### **Annual Work Programme 2021-22**

The Scrutiny and Members Support Co-ordinator submitted a report (copy circulated), to provide options, provide support and advise Members on the development of the scrutiny work programmes for 2021/2022

(For copy report – see original minutes).

Mr Jim Diamond, Scrutiny Officer presented the report for Members information

Councillor Taylor commented that some items within the forward plan on the next item on the agenda had already been considered at Cabinet earlier, yet these items were not due to come to this Committee until later in the year. Councillor Taylor queried if there was a way of identifying such items due to be considered at Cabinet so that they could be discussed at this committee beforehand and its feedback be included in Cabinets consideration. Mr Diamond advised that the Work Programme could be amended and reports brought forward if necessary.

In relation to Councillor Edgeworth's query over progress on the creation of the Sunnyside Working Group, the Chairman advised that it was intended for this to be set up as soon as possible.

4. RESOLVED that the information contained in the work programme for 2021-2022 be noted.

### **Notice of Key Decisions**

The Scrutiny and Members Support Co-ordinator submitted a report providing Members with an opportunity to consider the items on the Executive's Notice of Key Decisions for the 28-day period from 16<sup>th</sup> August, 2021 (copies circulated).

(For copy report and notice – see original minutes).

Mr Jim Diamond, Scrutiny Officer reminded Members to contact him if they required further information on any of the items included in the notice.

Councillor Fagan referred to Page 64 of the agenda and requested further information on 210729/614 – To seek approval for the Lease of Land at Azure Court, Doxford Park. Mr Diamond advised that he would seek further background information on this and supply to Councillor Fagan directly.

5. RESOLVED that the Notice of Key Decisions be received and noted.

The Chairman thanked Members and Officers for their attendance and closed the meeting.

(Signed) D. SNOWDON,  
Chairman.