

LICENSING COMMITTEE

Minutes of the meeting held on 7 January 2020 commencing at 7.00 pm

Present: Cllr. Clack (Chairman)

Cllr. Pett (Vice Chairman)

Cllrs. Abraham, Dr. Canet, Coleman, Esler, Hunter, Layland, Parkin, Pett and Raikes

Cllrs. McArthur and Osborne-Jackson were also present.

15. Minutes

Resolved: That the Minutes of the Licensing Committee held on 19 September 2019, and the Licensing Hearing held on 11 September 2019 be approved and signed by the Chairman as a correct record.

16. Declarations of interest

For reasons of transparency Cllr Raikes declared that he knew one of Taxi Drivers.

17. Actions from the previous meeting

There were none.

18. Licensing Act 2003 - Statement of Licensing Policy

Members considered the report which detailed that the current Statement of Licensing Policy would expire at the end of March 2020 and a new Statement of Licensing Policy was required from 1 April 2020. The policy, as set out in Appendix A defined how the Council's responsibilities under the Licensing Act 2003 would be carried out and administered by the Council as the Licensing Authority. Public consultation on the draft policy took place over an 8 week period between 21 October 2019 and 13 December 2019. Feedback, suggestions and comments within the scope of the Licensing Act 2003, were presented in Appendix B to the report.

The Licensing Partnership Manager advised that formatting and typographical errors had been brought to his attention by the Chairman and this would be changed in the final Policy. He also highlighted to Members the comment received in Appendix B regarding CCTV, and the proposed wording as detailed in paragraph 17.14 in the Policy. Members discussed the pros and cons of CCTV and the proposed wording.

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As a result of the debate, the Chairman put to the vote whether the suggested wording in paragraph 17.4 should be kept in the policy and it was agreed.

Members further discussed some of the changes in the policy and suggested that the final two bullet points in paragraph 12.4 should be removed.

Members asked questions of clarification, and were informed that at the beginning of December 2019 there were 342 premises licences. Members were advised that the late night levy, if introduced, it would mean all premises who operated late night across the district would be charged an additional fee regardless of whether they were in problem areas, as required by law. The levy income was distributed so that a percentage would go to the Police for dealing with the crime and disorder and anti-social behaviour caused by the late night licence. It was suggested by the Head of Licensing that if and when the law changed to allow the levy to be targeted only in problem areas that would be the time to consider it.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Council, that the ‘Statement of Licensing Principles 2020-2025’ as revised policy be adopted subject to

- a) formatting and typographical corrections; and
- b) the removal of the final two bullet points in paragraph 12.4

19. Sexual Establishments - Statement of Licensing Policy

Members considered the report which detailed amendments to the ‘Sex Establishment Statement of Licensing Policy’ following an 8 week consultation. The policy set out how the Council would exercise and administer applications under the policy for Sex Shops, Sex Cinemas and Sexual Entertainment Venues submitted under the Local Government (Miscellaneous Provisions) Act 1982 (as amended by The Policing and Crime Act 2009). The Licensing Partnership Manager advised that the additions to the Policy included equalities and human rights.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That the Sexual Establishments Statement of Licensing Policy 2020-2023 be recommended to Full Council as revised Policy to come into effect from 1 April 2020.

20. Statement of Hackney Carriage & Private Hire Policy

Members considered a report which set out an amended ‘Statement of Hackney Carriage and Private Hire Policy’, following an 8 week consultation. The policy defined how the Council would exercise and administer applications submitted

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under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. The policy set out the expectations of the Council when licensing drivers, vehicles and operators.

The Licensing Partnership Manager advised that the key changes to the policy included: the addition of dual driver licence, clarification of Executive Vehicles, Immigration, removal of engine size, amendments to Penalty Points, declarations of cautions, human rights, VOSA right-off categories, and tinted windows.

Members discussed the comments that had been made regarding tinted windows by the Council's appointed garage and a representation of the Taxi Trade as set out in Appendix B of the report. Consideration was given to the needs of the trade, regulations and the ability to benchmark the different grades of tinting. Members were in agreement that Dunbrik's comments should be included within the Policy.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Council, that the approval of the 'Statement of Hackney Carriage and Private Hire Policy 2020-2023' as revised policy be adopted as of 1 April 2020.

21. Gambling Act 2005: Licence Fees from April 2020

Members considered the report which set out the proposed fees for the Gambling Act 2005 for charges for licences, permits and associated items issued under the Gambling Act as set out in Appendix A. The fees ensured that the Council complied with its statutory duty and ensured that the Gambling Licensing service remained self-financing in accordance with the Council's Service and Budget Plan. The Licensing Partnership Manager reported that in the District there were only Betting premises. He advised Members that there was an error in the report and paragraph 10 should have stated slight increase rather than decrease.

Public Sector Equality Duty

Members noted that consideration had been given to impact equality assessments.

Resolved: That the level of fees and charges as set out below be approved from 1 April 2020.

Premises Type	New Application			Annual Fee		
	£			£		
Existing Casinos	n/a			n/a		
New Small Casino	7960	(8,000)	7820	4418	(5000)	4340
New Large Casino	9162	(10,000)	9000	7131	(10000)	7005
Bingo Club	2260	(3500)	2220	794	(1000)	780
Betting Premises (excluding Tracks)	2840	(3000)	2790	575	(600)	565

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Tracks	1771	(2500)	1740	794	(1000)	780
Family Entertainment Centres	1771	(2000)	1740	652	(750)	640
Adult Gaming Centre	1771	(2000)	1740	750	(750)	780
Temporary Use Notice	229	(500)	225	N/A		

	Application to Vary	Application to Transfer	Application for Re-Instatement	Application for Provisional Statement	Licence Application (provisional Statement holders)	Copy Licence	Notification of Change
	£	£	£	£	£	£	£
Existing Casinos	n/a	n/a	n/a	n/a	n/a	n/a)	n/a)
New Small Casino	3889 (4000) 3820	1675 (1800) 1645	1649 (1800) 1620	8000 (8000) 7875	2860 (3000) 2810	12 (25) 12	29 (50) 28
New Large Casino	4352 (5000) 4275	2128 (2150) 2090	2128 (2150) 2090	9167 (10000) 9005	4199 (5000) 4125	12 (25) 12	29 (50) 28
Bingo Club	1700 (1750) 1670	1200 (1200) 1200	412 (1200) 405	2260 (3500) 2220	1200 (1200) 1200	12 (25) 12	29 (50) 28
Betting Premises (excluding tracks)	1500 (1500) 1480	1200 (1200) 1200	392 (1200) 385	1771 (3000) 1740	1200 (1200) 1200	12 (25) 12	29 (50) 28
Tracks	1250 (1250) 1250	950 (950) 950	392 (1200) 385	1726 (2500) 1695	950 (950) 950	12 (25) 12	29 (50) 28
Family Entertainment Centres	1000 (1000) 1000	950 (950) 950	397 (1200) 390	1766 (2000) 1735	950 (950) 950	12 (25) 12	29 (50) 28
Adult Gaming Centre	1000 (1000) 1000	1200 (1200) 1200	397 (950) 390	1766 (2000) 1735	1200 (1200) 1200	12 (25) 12	29 (50) 28
Temporary Use Notice	n/a	n/a	n/a	n/a	n/a	12 (25) 12	29 (50) 28

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22. Sexual Entertainment Licensing Fees

Members considered the report which set out the proposed fees for Sexual Entertainment Licensing as set out in Appendix A. The fees ensured that the Council complied with its statutory duty and as there had been a decrease in the rate of inflation of 1.8% following the previously set fees in 2018 this was reflected in the proposed fees. The Licensing Partnership Manager advised that the fees set out in Appendix A set out the base fees rather than the proposed fees and referred Members to Paragraph 13 of the report.

Public Sector Equality Duty

Members noted that consideration had been given to impact equality assessments.

Resolved: That the level of fees and charges as set below be approved from 1 April 2020

Type of Application	Fee
New Application	£3641
Renewal Application	£3641
Transfer Application	£1825

23. Hackney Carriage 'Table of Fares'

Members considered a report which detailed the outcome of the recent Hackney Carriage Fare consultation, and asked whether Members were minded to revise the existing fares as set out in Appendix A. Members were advised that the fares had been amended in 2019, and if they were minded to revise the existing Table of Fares, the changes would need to go out for advertisement with the public and Hackney Carriage Trade. 19 responses were received from the Hackney Carriage trade, with 18 responses in support.

Members discussed the report and compared the response rate to the previous year of which 85 responses had been received. Members considered that although all members of the Hackney Carriage Trade had been consulted there was a lack of response received and thought it was not a majority requesting a change to the fares.

Resolved: That the existing fare chart remain for the year 2020/21 as set out in Appendix A to the report.

24. Work Plan

Members were advised that the revision of the Taxi Licensing application fees would be coming to a future meeting following an in-depth analysis of costings.

THE MEETING WAS CONCLUDED AT 8.13 PM

CHAIRMAN