



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,
ELY, CAMBRIDGESHIRE CB7 4EE
Telephone: 01353 665555

MEETING: **LICENSING COMMITTEE**
TIME: 09:30am
DATE: Wednesday 11th September 2019
VENUE: Council Chamber, The Grange, Nutholt Lane, Ely
ENQUIRIES REGARDING THIS AGENDA: Adrian Scaites-Stokes
DIRECT DIAL: (01353) 665555 EMAIL: adrian.scaites-stokes@eastcamb.gov.uk

Membership:

Conservative Members

Cllr Julia Huffer (Chairman)
Cllr Alan Sharp (Vice Chairman)
Cllr David Ambrose Smith
Cllr Lavinia Edwards
Cllr Jo Webber

Substitutes

Cllr Christine Ambrose Smith
Cllr Ian Bovingdon
Cllr Lisa Stubbs

Lead Officer:

Liz Knox, Environmental Services Manager

Quorum: 5 Members

Liberal Democrat Members

Cllr Sue Austen (Lead Member)
Cllr Simon Harries
Cllr Mark Inskip
Cllr Alec Jones
Cllr Alison Whelan

Substitutes

Cllr Lorna Dupre
Cllr John Trapp
Cllr Gareth Wilson

A G E N D A

1. **Apologies**
2. **Declarations of Interest**
To receive declarations of interest from Members for any items on the Agenda in accordance with the Members Code of Conduct
3. **Minutes**
To receive and confirm as correct records the Minutes of the Licensing Committee Meeting held on (a) 27th March 2019 and (b) 30th May 2019
4. **Chairman's Announcements**

5. **Licensing Sub-Committees**
6. **Licensing Officers Update**
7. **Forward Agenda Plan**

NOTES:

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This will not apply if you come to an evening meeting: in this case you will enter via the rear access doors in the glass atrium at the back of the building and a Facilities Assistant will direct you to the room in which the meeting will take place.

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 - The fire assembly point is in the front staff car park by the exit barrier.
 - This building has an auto-call system to the fire services, so there is no need for anyone to call the fire services.

The Committee Officer will sweep the area to ensure that everyone is out of this area.

3. Reports are attached for each agenda item unless marked "oral".
4. If required all items on the agenda can be provided in different formats (e.g. large type, Braille or audio tape, or translated into other languages), on request, by calling Main Reception on (01353) 665555 or e-mail: translate@eastcambs.gov.uk
5. If the Committee wishes to exclude the public and press from the meeting a resolution in the following terms will need to be passed:
"That the press and public be excluded during the consideration of the remaining items no. X because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item there would be disclosure to them of exempt information of Categories X Part I Schedule 12A to the Local Government Act 1972 (as Amended)."



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

LICENSING COMMITTEE

Minutes of the meeting of the Licensing Committee held in the Council Chamber, The Grange, Nutholt Lane, Ely on Wednesday, 27th March 2019 at 9:30am.

PRESENT

Councillor Elaine Griffin-Singh (Chairman)
Councillor Neil Hitchin
Councillor Julia Huffer
Councillor Chris Morris
Councillor Alan Sharp
Councillor Stuart Smith

OTHERS

Stewart Broome – Senior Licensing Officer
Maggie Camp – Legal Services Manager and Monitoring Officer
Liz Knox – Environmental Services Manager
Adrian Scaites-Stokes – Democratic Services Officer

33. **APOLOGIES**

Apologies for absence were received from Councillors Michael Allan, Sue Austen, Paul Cox and Carol Sennitt.

34. **DECLARATIONS OF INTEREST**

There were no interests declared.

35. **MINUTES**

It was resolved:

That the Minutes of the Licensing Committee meeting held on 10th October 2018, as amended, be confirmed as a correct record and be signed by the Chairman.

36. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that she would not be standing for re-election at the upcoming elections and thanked the Senior Licensing Officer regarding his work in the Licensing Department.

37. **TAXI AND PRIVATE HIRE – DfT CONSULTATION**

The Committee considered a report, T226 previously circulated, that informed Members of the current Department for Transport (DfT) “Taxi and Private Hire Vehicle Licensing: Protecting Users” consultation document.

The Senior Licensing Officer advised the Committee that the Secretary of State had been given the power to issue statutory guidance on this issue and the DfT had produced a document and sought to elicit opinions from all interested parties. The Appendix to the report detailed the Officer’s proposed response and Members were asked to consider it and amend it if required before it was returned. This was an important exercise, as taxis constituted a large part of the work undertaken by the Licensing Department.

Councillor Alan Sharp enquired as to whether the Council could obtain updates from the Disclosure and Barring Services (DBS) directly, so it could keep updated about relevant licence holders. If annual checks were changed to six-monthly would this have a financial implication for the Council? Would the establishment of multi-agency safeguarding hubs (MASH) be problematic due to the practicalities? He asked for clarification on sections 23 and 24, as it was not clear what was meant.

The Senior Licensing Officer explained that the DBS did not provide updates directly but ‘book’ uploads were being rolled out so local authorities could check on offences en masse rather than one at a time. The drivers licensed in this area did use the update service, as it was easier for them, and the Council could use it to complete live checks. There was a problem of people dropping off the system if their credit card (use to pay) expired or if they moved address. In these cases re-applications via this Council would have to be made. Access to the live system did not currently have any cost implications for the Council other than officer time taken to complete the checks.

The annual checks were deemed sufficient and six-monthly ones would be unnecessarily excessive. A MASH existed in Godmanchester, so it would be needless to have others in the area. Any safeguarding issues would be passed over to the responsible officer of the Council who would then pass it to the relevant department to handle.

Section 23 was linked to section 22 and related to a list of offences for new applicants. The Committee was asked whether there was anything missing that could identify people who had offended but had no convictions.

Councillor Julia Huffer felt this should be addressed as currently a driver excluded from driving in one area could apply, and receive, a licence in another as information about any offences was not shared. The Senior Licensing Officer explained that the suggestion in section 23 would help with this, but was not sure of the reason for asking the question in section 24.

Councillor Elaine Griffin-Singh thought that it was common for certain people to go abroad for more than 3 months at a time and become taxi drivers as this gave them flexibility to do so. As this happened more often than expected the suggested 3 month period should be amended to 6 months. This suggestion

was agreed by the Committee. Members also asked the Senior Licensing Officer to seek clarification via the response as to whether this would be required of new and existing drivers, or just new drivers.

It was resolved:

That the proposed response be approved subject to the amendment to the response to question 11, amending “3 months” to “6 months” relating to offences shown on the DBS, and that the Senior Licensing Officer seeks clarification as to who would be affected.

38. MISCELLANEOUS LICENSING POLICY AMENDMENTS

The Committee considered a report, T227 previously circulated, that informed Members about the creation of a Scrap Metal Dealers Act 2013 policy and guidance document and set out minor amendments to the Private Hire and Hackney Carriage Licensing Policy and to the existing animal licensing fees schedule.

Scrap Metal Dealers Act 2013 Policy

The Senior Licensing Officer informed the Committee that a new policy had been created in response to the Committee’s decision in October 2013, and subsequent passing of the responsibility to the Licensing Department in 2016, relating to the Scrap Metal Dealers Act. There was no statutory guidance requiring a policy but it was considered beneficial to have a policy and guidance document. When an application was rejected the applicant could submit a representation to an adjudication panel consisting of 1 Councillor from the Licensing Committee and 2 licensing officers, as there was no obligation to convene a Licensing Sub-Committee. There was no need for the policy to go to full Council for approval.

Councillor Alan Sharp asked whether there was much evidence of people acting illegally when dealing with scrap metal in the area. The Senior Licensing Officer stated that there was 1 person trading, who was being dealt with in liaison with Environmental Health. The Environmental Services Manager thought residents also had a ‘duty of care’ to gain proof that the people they dealt with were properly licenced.

Private Hire and Hackney Carriage Licensing Policy

The Senior Licensing Officer reminded Members that the Policy had been approved in 2017 and had proved very effective. However, a few minor amendments were needed to clarify certain aspects and tidy the document up. This included the following amendments:

- clarifying the requirement for a medical report;
- adding vaping and the use of other apparatus as definitions of ‘smoking’;
- ensuring authorisation is obtained for displaying signage and adverts;
- rewording of the drink and/or drug driving section and the dishonesty section relating to existing drivers;
- minor amendments to ensure consistency;

- some item re-numbering.

An email would be sent to relevant licence holders once the Policy was amended. The amendments would have no adverse impact on the trade and were recommended to provide consistency, transparency and clarity.

Animal Licensing Fees

The Senior Licensing Officer reminded the Committee that it had approved the fees in 2018 and 43 licences had been issued since the updated legislation. However, the fees needed amending due to the clarification of some activities. Currently the fees did not properly account for people who were involved with dog breeding in their own homes. They currently fell into the same category as professional dog breeding businesses, although they usually only bred one litter per year. So a new category had been designed for them with slightly lower fees than those paid by commercial breeders.

Some people arranged to board dogs at 'host' venues, the majority of which involved retired people. The Licensing Department dealt with these 'arrangers', from a licensing point of view but also audited the 'hosts'. Currently fees did not cover this work. The Department for the Environment, Food and Rural Affairs had issued guidance, which meant that the 'arrangers' would have to have a licence for every area where it had a 'host' and that could potentially be very expensive. The current fees structure asked for fees for each 'host' in our area but this was not working in practice due to frequent changes in the numbers of 'hosts'. It was tricky attempting to assess the resources needed to cover the related work and get a consistent approach.

Page 6 of the report set out the new table of charges with the main change being the new section for arranging boarding, where there would be an initial rating fee plus a 'host' fee. 'Arrangers' themselves would also be rated. There would also be the introduction of a domestic dog breeding charge.

Overall there would be no implications for those currently licensed and it should make the process easier for them. The fees set reflected the licensing work involved.

Councillor Alan Sharp thought there was a lot of ignorance about the licensing requirements and he asked whether the Kennel Club checked that people they dealt with were properly licensed. The Committee was informed that anyone wishing to advertise the selling of dogs were required to be licensed and the Kennel Club, or any of the bigger associated websites, would not permit anyone unlicensed to do so. The concern was that this could push this activity 'underground', which would be incredibly difficult to ascertain if this was happening.

The Environmental Services Manager thought that the message had to be given to dog owners about the 'host' star ratings. This would take time but people would eventually start to take notice.

It was resolved:

- (i) That the new Scrap Metal Dealers Act 2013 policy and guidance document be noted;
- (ii) That the minor amendments to the Private Hire and Hackney Carriage Licensing Policy be approved, to come into immediate effect;
- (iii) That the minor amendments to the Animal Licensing fees schedule be approved, to come into effect immediately.

39. **LICENSING OFFICERS YEAR END UPDATE**

The Committee considered a report, T228 previously circulated, that updated Members on the work of officers in the 2018/2019 period.

The Senior Licensing Officer advised the Committee that officers had responded to the new animal welfare regulations to ensure everything was in place. All necessary inspections and licence issues were completed within the required timeframe.

The largest ever inspection schedule had been undertaken during the year. This included checking the exterior and interior of a large number of taxi vehicles, which were found to be of a high standard.

Councillor Elaine Griffin-Singh stated that the first two to three years that the Senior Licensing Officer had been in post had been spent putting procedures into place, meaning that more time could now be spent in improvements to the service.

The Senior Licensing Officer accepted that more compliance work was being undertaken but warned that there were potential changes to the taxi regime on the horizon. 95% of all taxi drivers had completed safeguard training, though some had not been able to attend. Sessions would be continued every couple of months and any driver continually avoiding the sessions could be suspended.

More applications were available online and this was being promoted with good uptake. The Department was continuing to scan all its files and removing the paper versions. The taxi procedures had been audited and found to be 'good'. A table was included in the report showing the numbers of applications dealt with during the year, and compared to the previous year.

Councillor Elaine Griffin-Singh questioned the progress of the points-based taxi system. If drivers became used to this system it was hoped that the number of incidents would reduce. Was the system used to decide whether to issue points or not too lenient, overly harsh or about right? The Senior Licensing Officer disclosed that points were being issued, mostly for low-level or minor misdemeanours. There was no major concerns about the numbers being issued at the moment and the number of such events appeared to show the level of tolerance was about right. There was an appeal mechanism in place for any driver to use but this had only been used once and that appeal had been rejected.

Any points given stayed on a licence for 3 years and a maximum of 12 was allowed. Anyone exceeding that upper limit would be brought before the Committee to decide about their licence.

40. **LICENSING COMMITTEE FORWARD AGENDA PLAN**

The Committee noted its forward agenda plan. The Senior Licensing Officer stated that there was nothing likely to be reported until the September meeting.

The meeting closed at 10:44am.



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

AGENDA ITEM NO. 3(b)

Minutes of a meeting of the Licensing Committee held in the Council Chamber, The Grange, Nutholt Lane, Ely on Thursday, 30th May 2019.

PRESENT

Cllr David Ambrose Smith
Cllr Sue Austen
Cllr Alec Jones
Cllr Lavinia Edwards
Cllr Simon Harries
Cllr Julia Huffer
Cllr Mark Inskip
Cllr Alan Sharp
Cllr Jo Webber
Cllr Alison Whelan

OFFICERS

John Hill – Chief Executive
Maggie Camp – Legal Services Manager and Monitoring Officer
Jo Brooks – Director Operations
Emma Grima – Director Commercial
Tracy Couper – Democratic Services Manager

1. ELECTION OF CHAIRMAN

Councillor Julia Huffer was duly nominated. There being no other nominations:

It was resolved:

That Councillor Julia Huffer be elected as Chairman of the Licensing Committee for the ensuing municipal year.

2. APPOINTMENT OF VICE-CHAIRMAN

Councillor Alan Sharp was duly nominated. Councillor Sue Austen was also duly nominated. When put to the vote:

It was resolved:

That Councillor Alan Sharp be appointed as Vice-Chairman of the Licensing Committee for the ensuing municipal year.

3. LICENSING SUB-COMMITTEE

It was resolved:

That the following 5 Members be appointed to the Licensing Sub-Committee for 2019/20:

Conservative Members (2)

Councillor Julia Huffer
Councillor Alan Sharp

Liberal Democrat Members (3)

Councillor Sue Austen
Councillor Alec Jones
Councillor Alison Whelan

LICENSING SUB-COMMITTEES

Committee: Licensing Committee

Date: 11 September 2019

Author: Environmental Services Manager/Senior Licensing Officer/Legal Services Manager/Democratic Services Manager

[U60]

1.0 **ISSUE**

1.1 To consider arrangements for Licensing Sub-Committees.

2.0 **RECOMMENDATION(S)**

2.1 That approval be given to the revised Terms of Reference for the Licensing Sub-Committees attached at Appendix 1 on the following basis:

- Licensing (Statutory) Sub-Committee: fixed membership of 3, on a proportionate basis of 2 Conservative and 1 Lib Dem Member with up to 2 named substitutes from each Political Group drawn from the Membership of the Licensing Committee, and that Licensing Committee appoint Members to this Sub-Committee on that basis;
- Licensing (Non-Statutory) Sub-Committee: fixed membership of 5 (with a quorum of 3) drawn from the Membership of the Licensing Committee (Current composition agreed by Annual Council: 2 Conservative and 3 Lib Dem Councillors).

2.2 That the Legal Services Manager and Monitoring Officer be authorised to make the necessary consequential amendments to the Licensing Committee Terms of Reference and other relevant documents in the Constitution.

3.0 **BACKGROUND/OPTIONS**

3.1 From July 2007, responsibility for the conducting of Hearings for Taxi Licensing, Licensing Act 2003, Gambling Act 2005 and more recently Scrap Metal Dealers licenses was delegated to a Licensing Sub-Committee comprising 3 Members and 1 reserve Member from the Licensing Committee (who had appropriate training), who were appointed on a rotational basis from the Licensing Committee.

3.2 Due to the changed political circumstances arising from the District Council elections in May 2015, which resulted in only 3 opposition Members on the Council overall and only 1 on Licensing Committee (Councillor Sue Austen), meaning that Councillor Sue Austen had to be a Member of any Licensing Sub-Committee, Licensing Committee in June 2015 agreed that it was more appropriate for the Licensing Sub-Committee to have a fixed membership of 5,

on a 4 Conservative and 1 Lib Dem basis, with a quorum of 3. Since then, this fixed Sub-Committee has been used to conduct Hearings for Taxi Licensing, Licensing Act 2003, Gambling Act 2005, etc.

3.3 This has had the advantage of stability and consistency, enabled Sub-Committee Members to develop experience and skills in these areas, and meant that specialist training could be provided for Sub-Committee Members, as required.

3.4 At Annual Council on 30 May 2019 following the District Council Elections, the Conservative Group agreed to cede a place on Licensing Sub-Committee to the Lib Dem Group (in accordance with the overall proportionality calculations) meaning that the current membership of Licensing Sub-Committee is as follows:

Conservative: Councillors Huffer and Sharp

Lib Dem: Councillors Austen, Jones, and Alison Whelan

3.5 However, following the attendance by the Senior Licensing Officer at an 'ask the experts' forum at a recent Institute of Licensing (IOL) training day, it appears that for the Statutory Licensing functions (Licensing Act 2003 and Gambling Act 2005) these should by law only be delegated to a Sub-Committee of 3. This means that any Licensing Act and Gambling Act application Hearings should be dealt with by a Sub-Committee of 3 and not of 5. Under the circumstances, it is proposed to establish a separate Licensing (Statutory) Sub-Committee to deal with hearings for these two types of applications. This Sub-Committee would have a fixed membership of 3, on a proportionate basis of 2 Conservative and 1 Lib Dem Member and with up to 2 named substitutes from each Political Group, all drawn from the Membership of the Licensing Committee. The two named substitutes would allow for situations where a Member of the Sub-Committee is unable to attend or has to absent themselves due to an interest or other reason. Therefore, the Licensing Committee is requested to appoint Members to this Sub-Committee on that basis.

3.6 The current Licensing Sub-Committee then would become the Licensing (Non-Statutory) Sub-Committee, retaining its current membership and dealing with Hearings for all other types of applications such as Taxi and Private Hire, Street Trading Licences/Consents. Scrap Metal Dealer and Animal Welfare (Kennels, Catteries, Animal Boarding, Zoos) Licensing activities are delegated to officers.

3.7 In the past 3 years, Sub-Committees have been held as follows:

14 October 2016 – 2003 Act Premises licence

10 November 2016 – Taxi licence

31 March 2017 (1) – Taxi licence

31 March 2017 (2) – Taxi licence

11 April 2017 – 2003 Act Premises licence

11 August 2017 – 2003 Act Premises licence

5 December 2017 (1) – Taxi licence

5 December 2017 (2) – Taxi licence

30 November 2018 – Street Trading Consent
10 January 2019 (1) – 2003 Act Premises licence
10 January 2019 (2) – 2003 Act Premises licence

3.8 When selecting the Members from the Licensing Committee to be appointed to the Sub-Committees, the Committee should attempt to ensure a spread of representation from across the different areas of the District and to avoid appointing Members to the Sub-Committees who may have to regularly absent themselves from Hearings due to Disclosable Pecuniary Interests (DPIs), Prejudicial Interests, or other conflicts of interest.

4.0 ARGUMENTS/CONCLUSIONS

4.1 The above proposals would ensure that applications are dealt with in a consistent, fair, efficient and effective manner, in accordance with the law, and to avoid Legal challenge.

5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

5.1 There would be a Special Responsibility Allowance for the Chairman of both Sub-Committees of £612 per annum.

5.2 Equality Impact Assessment (INRA) not required.

6.0 APPENDICES

6.1 Appendix 1 – Revised Terms of Reference for Licensing Committee and Licensing Sub-Committees

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
Report and Minute of Licensing Committee 11 July 2007 on Establishment of Taxi Licensing Sub-Committee	Room 214B The Grange Ely	Tracy Couper Democratic Services Manager (01353) 616278 E-mail: tracy.couper@eastcambs.gov.uk
Report and Minute of Licensing Committee 17 June 2015 on Licensing Sub-Committees		

(i) LICENSING COMMITTEE

1. CONSTITUTION

1.1 The Committee comprises 10 Members of the Council, who shall be appointed annually. Its quorum is 5.

2.0 OBJECTIVES

2.1 To deal efficiently and fairly with matters referred to it, as openly as possible.

2.2 Through licensing policies to protect and promote good practice.

2.3 To balance the interests of applicants with the interests of residents and other interested parties.

3.0 TERMS OF REFERENCE

The Committee's terms of reference shall be:

3.1 To set policies and determine applications in relation to the functions of the Council with respect to:

(a) Powers and duties under the Licensing Act 2003 not reserved by law to full Council.

(b) Powers and duties under the Gambling Act 2005 not reserved by law to full Council.

(c) The registration of persons and premises in relation to tattooing, cosmetic piercing, semi-permanent skin colouring, acupuncture, electrolysis, temporary markets and sex establishments.

(d) The licensing of caravan sites and other moveable dwellings and the provision and management of local authority caravan sites.

(e) Hackney Carriage and their drivers, and private hire vehicles, their drivers and operators.

(f) Charity Street and House to House collections and Street Trading Consents

(g) Animal welfare licences.

(h) Scrap metal dealers licenses

(i) Any other statutory or adopted licensing scheme the administration of which is the responsibility of the Council.

4.0 Delegation to the Committee

4.1 The Committee has delegated authority to act on behalf of the Council in respect of all the functions specified in Part 3 above.

Note – Responsibility for the conducting of Hearings in relation to applications and enforcement under Part 3 has been delegated as follows:

Paragraphs (a) and (b) to the Licensing (Statutory) Sub-Committee;

Paragraphs (e) and (f) to the Licensing (Non-Statutory) Sub-Committee;

Paragraphs (g) and (h) to officers.

5.0 Delegation to Officers

5.1 The Environmental Services Manager or Director Operations or Legal Services Manager are authorised to act on behalf of the Committee in relation to any matter within their respective remits of immediate urgency which must be dealt with before the next meeting of the Committee, provided:

- (a) the Chairman or Vice-Chairman of the Committee is consulted prior to delegated decisions being made;'
- (b) the Service Delivery Champion is consulted prior any action taken under this delegated power
- (c) spokespersons of minority groups are notified immediately of any action taken under this delegated power;
- (d) action taken shall be as soon as practicable reported to the next Committee ; and
- (e) it excludes any decision which is by law expressly vested in the Council.

5.2 There shall be delegated to Environmental Services Manager or Director Operations or Legal Services Manager the exercise of any power or function of the Council in routine matters falling within their remit related to the implementation of agreed strategies and programmes and established policies and procedures and within existing budgets after appropriate consultation with the Chair of the relevant Committee.

5.3 For the avoidance of doubt this delegation shall include the powers of entry and inspection of premises, seizure of goods, etc, service of notices, carrying out of works, commencement of enforcement and legal proceedings and the power to authorise others to exercise such powers.

This delegation shall not be taken to include any matter reserved by law to the Full Council.

5.4 There are further delegated to the officers indicated below the exercise of any power or function of the Council relating to the matters etc out below under the Listed Acts or any amendment, modification, or re-enactment of those Acts, or Regulations/Orders made under those Acts.

1. GENERAL LICENSING DELEGATIONS

Legislation	Delegated Officer
Animal Health Act 1981	Environmental Services Manager or Director (Operations) or Legal Services Manager
Animal Welfare 2006	
Anti-Social Behaviour Act 2003	
Anti-Social Behaviour, Crime and Policing Act 2014	
Caravan Sites Act 1968 Parts I & II	
Caravan Sites and Control of Development Act 1960	
Criminal Justice and Police Act 2001 Section 19	
Dangerous Dogs Act 1991	
Dangerous Wild Animals Act 1976	

Gambling Act 2005		
Game Act 1831		
Guard Dogs Act 1975		
Housing Act 2004		
House to House Collections Act 1939 & House to House Collections Regulations 1947		
Hypnotism Act 1952		
Licensing Act 2003		
Local Government (Miscellaneous Provisions) Act 1982 – Parts II, III, and VIII, section 29, Schedule 3, and Schedule 4.		
Local Government (Miscellaneous Provisions) Act 1976 Part II		
Mobile Homes Act 2013		
Police, Factories, etc, (Miscellaneous Provisions) Act 1916		
Scrap Metal Dealers Act 2013		
Slaughterhouses Act 1974		
Sunbeds (Regulation) Act 2010		
The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018	Environmental Services Manager or Director (Operations) or Legal Services Manager	
Town Police Clauses Act 1847		
Transport Act 1980 and 1985		
Zoo Licensing Act 1981		

2. SPECIFIC OFFICER DELEGATIONS

The power to set fees and charges, and take enforcement action	Environmental Services Manager or Legal Services Manager
The power to immediately suspend or revoke a Hackney Carriage/Private Hire Drivers Licence (having consulted Chairman or Vice-Chairman of Licensing Committee).	Environmental Services Manager or Director (Operations) or Legal Services Manager
The power to grant, refuse, vary, transfer, suspend, revoke and withdraw licences permits, registrations and consents.	Environmental Services Manager or Director (Operations) or Legal Services Manager
The power to act in an emergency to obtain injunctions in any cases.	Legal Services Manager or Chief Executive
The power to commence legal proceedings in respect of the Council's functions as set out in statute (subject to being satisfied as to evidence).	Legal Services Manager or Chief Executive
The power to act for the Council in proceedings brought in the Magistrates'	Legal Services Manager or Chief Executive

Court in respect of appeals against licensing decisions.	
Power to act for the Council in respect of challenges to policies set out in the District Council Statement of Licensing Policy brought either under the Human Rights Act 1998 or judicial review.	Legal Services Manager or Chief Executive

LICENSING (STATUTORY) SUB-COMMITTEE

1.0 Constitution

- 1.1 The Sub-Committee comprises of three Members (and up to two named substitute Members for each Political Group) appointed from the Licensing Committee (who have received appropriate training). Its quorum is three.
- 1.2 The Sub-Committee conducts hearings which follow the rules of natural justice.

2.0 Objectives

- 2.1 To deal efficiently and fairly with matters referred to it, as openly as possible.
- 2.2 To consider the legislation, any relevant licensing policy or government guidance and to act in accordance with these for the protection of the public.

3.0 Terms of Reference

To consider applications and notifications made in accordance with the Licensing Act 2003 and the Gambling Act 2005 (the "Acts"), and decide, where relevant, to grant/refuse/renew/suspend/revoke permissions sought under the Acts or held under the Acts.

LICENSING (NON-STATUTORY) SUB-COMMITTEE

1.0 Constitution

- 1.1 The Sub-Committee comprises of five Members appointed from the Licensing Committee (who have received appropriate training). Its quorum is three.
- 1.2 The Sub-Committee conducts hearings which are not governed by statutory rules but nevertheless follow the rules of natural justice.

2.0 Objectives

- 2.1 To deal efficiently and fairly with matters referred to it, as openly as possible.
- 2.2 To consider the legislation, any relevant licensing policy or government guidance and to act in accordance with these for the protection of the public.

3.0 Terms of Reference

To consider applications made in accordance with the Local Government (Miscellaneous Provisions) Act 1976, the Town Police Clauses Act 1847, and any other legislation which provides the right of a Hearing other than the Licensing Act 2003 and the Gambling Act 2005, and decide, where relevant, to grant/ refuse/renew/suspend/revoke permissions sought under the Acts or held under the Acts.

TITLE: LICENSING OFFICERS UPDATE

COMMITTEE: LICENSING COMMITTEE

DATE: 11 SEPTEMBER 2019

AUTHOR: SENIOR LICENSING OFFICER

[U61]

1.0 ISSUE

1.1 To update Members of the Licensing Committee on the work of Officers.

2.0 RECOMMENDATION(S)

2.1 For information purposes only.

3.0 SUMMARY

Animal Licensing - Update

3.1 Historically we have maintained approximately 44 animal welfare licences. Since the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 came into force on 1 October 2018 this number has increased to 54, and we have a further 9 going through the application process at this point in time. Due to the work of officers, and in particular Lin Bagwell in her Licensing Officer (Enforcement) who has conducted the inspections and assisted the trade greatly, 29 of our licence holders obtained 5 star licences, and a further 17 obtained 3 and 4 star licences.

Departmental Work

3.2 The following tables illustrate the applications dealt with, the number of inspections conducted, and the number of suspension notices issued by the licensing section between 1 April 2019 and 30 August 2019 compared to the same period in 2018.

Applications

Licence type	Number 2018	Number 2019
Taxi driver	54	69
Taxi vehicle	80	82
Taxi operator	8	5
TEN's	186	174
New and varied premise licences	18	8
Animal welfare licences	7	14
Personal licences	18	22
Small lottery licences	6	7
Other	57	42
DPS and transfers of premise licences	30	33
TOTAL	464	462

Inspections

Inspection type	Number 2018	Number 2019
Complaint	4	7
Enforcement	6	1
Routine	133	84
Evening	8	0
Re-visit	17	3
Pre-application	3	0
TOTAL	171	95

Suspensions

Suspension notice type	Number 2018	Number 2019
DBS	3	3
Medical	0	6
Annual fee	18	16
Vehicle non-compliance	23	15
Number of notices becoming active	16	12

Taxi driver – enforcement action	1*	3*
Taxi vehicle – MOT failures	5	0

* Revocation of licence.

LICENSING COMMITTEE

LEAD OFFICER: Liz Knox, Environmental Services Manager

ANNUAL AGENDA PLAN

DEMOCRATIC SERVICES OFFICER: Adrian Scaites-Stokes

Meeting on: 9 th October 2019 9:30am		Meeting on: 13 th November 2019 9:30am		Meeting on: 11 th December 2019 9:30am	
Deadline for reports/dispatch: 27 th September 2019		Deadline for reports/dispatch: 1 st November 2019		Deadline for reports/dispatch: 29 th November 2019	
<ul style="list-style-type: none"> Chairman's Announcements Forward Agenda Plan Licensing Officers Update 	S Broome	<ul style="list-style-type: none"> Chairman's Announcements Forward Agenda Plan Licensing Officers Update 	S Broome	<ul style="list-style-type: none"> Chairman's Announcements Forward Agenda Plan Licensing Officers Update Proposed Fees and Charges 	<p>S Broome</p> <p>S Broome</p>

LICENSING COMMITTEE

LEAD OFFICER: Liz Knox, Environmental Services Manager

ANNUAL AGENDA PLAN

DEMOCRATIC SERVICES OFFICER: Adrian Scaites-Stokes

Meeting on: 15 th January 2020 9:30am		Meeting on: 12 th February 2020 9:30am		Meeting on: 11 th March 2020 9:30am	
Deadline for reports/dispatch: 3 rd January 2020		Deadline for reports/dispatch: 31 st January 2020		Deadline for reports/dispatch: 2 nd March 2020	
<ul style="list-style-type: none"> Chairman's Announcements Forward Agenda Plan Licensing Officers Update 	S Broome	<ul style="list-style-type: none"> Chairman's Announcements Forward Agenda Plan Licensing Officers Update 	S Broome	<ul style="list-style-type: none"> Chairman's Announcements Forward Agenda Plan Licensing Officers Update 	S Broome