

## LICENSING COMMITTEE

### Minutes of the meeting held on Wednesday, 25<sup>th</sup> July 2018 at Worksop Town Hall

**Present:** Councillor J Potts (Chair)  
Councillors J R Anderson, B A Bowles, H Brand, G Clarkson, K M Greaves,  
S Isard, G Jones, D R Pressley, A Smith, K Sutton and C Tindle.

Officers in attendance: S Bacon, L Dore and A Webster.

(Meeting opened at 6.30pm.)

(The Chair welcomed all to the meeting and read out the Fire Alarm/Evacuation Procedure. She also enquired as to whether any member of the public wished to film/record the meeting or any part thereof; there was one member of the public present).

#### 8. APOLOGIES FOR ABSENCE

None.

#### 9. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

##### (a) Members

There were no Declarations of Interest by Members.

##### (b) Officers

There were no Declarations of Interest by officers.

#### 10. MINUTES OF THE MEETING HELD ON 13<sup>TH</sup> JUNE 2018

**RESOLVED** that the Minutes of the meeting held on 13<sup>th</sup> June 2018 be approved.

#### 11. MINUTES FOR ACTION

The Principal Solicitor (Licensing and Regulatory) (PS(LR)) advised Members that in regard to 6(b) – Personal Licence Review Procedure, the amendment to the procedure had now been made and the first hearing would be taking place soon. With regard to 6(c) – Park Homes Fees Policy Review, the owners of the park homes sites in the District have been advised of the increase in fees as a result of the change in policy.

**RESOLVED** that the Minutes for Action be received.

#### 12. OUTSTANDING MINUTES LIST

In response to questions, the PS(LR) advised that in regard to: 35(b) – Roadside Catering Policy, this is work in progress due to the need to ensure that the terms and conditions are reflected correctly in the Policy. The Policy will be presented to the Committee before the end of the year; in reference to 6(a) - Review of Proposed Hackney Carriage Fare Increase, the Committee was advised that meetings were taking place with other authorities which currently operate a two-tier system of charging prior to the preparation of consultation documents.

**RESOLVED** that the Outstanding Minutes List be received.

## **SECTION A – ITEMS FOR DISCUSSION IN PUBLIC**

### **Key Decisions**

None.

### **Other Decisions**

#### **13. REPORT(S) OF THE COUNCIL SOLICITOR**

##### **(a) Fees and Charges – Hackney Carriage Vehicle and Private Hire Operators Fees**

At the Licensing Committee meeting held on 18<sup>th</sup> April 2018, Members resolved to increase fees and charges for the six-monthly vehicle inspections on licenced vehicles aged over five years. Members were now presented with a report which asked them to consider the agreed fees and charges in respect of six-monthly vehicle testing fees further to an objection which had been received. Copies of the 18<sup>th</sup> April 2018 report, the Notice which advised the proposed increase and also a letter from Mr J M Rayner who objected to the proposals, were appended to the report.

The PS(LR) advised that any objection received within 28 days of the Notice being displayed has to be brought to the Committee for consideration. Also that the date for future implementation must be no later than two months after the original date of implementation which in this case was 12 June 2018. For additional information, she further advised that the increased fees should have been included along with other fees and charges in the report to Licensing Committee held in January 2018 but unfortunately had been omitted.

At the request of the PS(LR), the Licensing Officer clarified information in the letter from the complainant where it referred to fees, i.e. the fee of £314 quoted is for a new proprietor vehicle or an existing proprietor new vehicle and included a refundable deposit of £42 for plates making the basic cost £272. The proposed increase from £109 to £121 is due to a recharge back to the Licensing Department from the garage for time and labour in carrying out the six-month vehicle inspections for vehicles over five years old.

In response to questions from Committee Members, the PS(LR) advised: it was for Members to decide what fees and factors to take into consideration when setting those fees; fees and charges are based on officer time; vehicle mileage varies from vehicle to vehicle due to local/national journeys made; the Council's garage at Carlton Forest is used for testing as the Licensing Department has an element of control in regard to employee qualifications required for testing to the supplementary standards to an MOT, e.g. first aid box, fire safety signage, bodywork condition, etc.; the meter rate has been considered several times and will be reported back to the Committee as noted earlier on the Agenda under Outstanding Minutes. The Licensing Officer advised there are currently 195 licensed drivers and around 100 licenced vehicles.

**RESOLVED** that the increase in charges for six-monthly inspections on Hackney Carriage and Private Hire Vehicles (aged over five years) be implemented from 30 July 2018.

(The member of the public left the meeting).

##### **(b) Review of Gambling Act Statement of Principles**

Members' approval was sought to approve and circulate the Council's draft revised statement of principles in regard to the Statement of Gambling Policy 2019-2021. The Council has established a list of consultees comprised of representatives of various groups and bodies whose advice must be sought. A copy of the draft revised Statement of Principles was attached to the report and an

updated version of Appendix Two was circulated at the meeting to include new accurate information regarding the maximum number of machines permitted per category.

The Committee was reminded by the PS(LR) that all Nottinghamshire licensing authorities have a co-ordinated approach to the legislation and that the draft revised Statement reflects the co-operation between them. The report noted that only minor amendments had been made to reflect changes in statutory guidance but that the original Policy has not been altered. The current Policy expires on 7<sup>th</sup> January 2019 and if the draft document is approved then consultation will take place during the summer with a report brought back to the Committee at its meeting in September 2018. This will recommend a referral to Full Council in December for implementation in January 2019.

In response to questions from Members, the PS(LR) advised: all premises licensed for gambling must display notices regarding responsible gambling and this is checked when the premises are inspected; licenses are granted in conjunction with the Gambling Commission, premises are sub-licensed by the local authority; applicants have to show how they have considered proximity to schools etc.; the police can object to an application.

**RESOLVED** that:

1. The draft document be approved for circulation and consultation.
2. Any comments received be brought back to Licensing Committee for consideration by Members prior to any changes being made.
3. If no comments are received then the draft policy be referred to Full Council for implementation in January 2019.

(c) Statement of Licensing Policy 2019

Members' were asked to consider the draft Statement of Licensing Policy under the provisions of the Licensing Act 2003 prior to the commencement of consultation. The report advised the Statement of Licensing Policy now has to be consulted and approved every five years, (previously three), and that the current Policy expires in January 2019. The draft Statement of Licensing Policy was appended to the report.

The Council's draft statement uses the Nottinghamshire Authorities Licensing Group draft policy statement, updated to reflect changes in licensing legislation, as a basis. It has then been developed to include licensing issues of particular relevance to Bassetlaw and new this time, for example, is a comment on how the Council will encourage licensed premises to engage in responsible recycling of the waste generated by the business.

Following consultation with statutory consultees and a subsequent report to the Committee at its meeting in September 2018, the draft Policy must then be approved and published by the Council no later than 7<sup>th</sup> January 2019.

In response to a question from a Member regarding future applications received for some areas where the Policy comments on the potential of alcohol-related harm, the PS(LR) advised this was to ensure future applicants show how their request for a licence would not have a negative impact on health and wellbeing within the community.

**RESOLVED** that:

1. The draft document be approved for circulation and consultation.
2. Any comments received be brought back to Licensing Committee for consideration by Members prior to any changes being made.
3. If no comments are received then the draft policy be referred to Full Council for implementation in January 2019.

**SECTION B – ITEMS FOR DISCUSSION IN PRIVATE**

**Key Decisions**

None.

**Other Decisions**

None

**14. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT.**

As there was no other urgent business to be discussed, the Chair closed the meeting.

(Meeting closed at 7.03pm.)