

LICENSING COMMITTEE

Date: 18 September 2019

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30 pm

Present: Councillors: Barbara Jenney (Chairman)
Glenvil Greenwood-Smith (Vice-Chairman)

Tony Boto	Steven North
Richard Gell	Geoff Shacklock
Helen Howell	Peter Wathen
Dorothy Maxwell	Pam Whiting
Andy Mercer	Colin Wright
Gill Mercer	

177. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Sylvia Hobbs and PC David Bryan.

178. MINUTES

The minutes of the meeting held on 06 February 2019 were approved and signed by the Chairman as a correct record.

179. DECLARATIONS OF INTEREST

There were no declarations of interest.

180. QUESTIONS BY MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

Councillor Dorothy Maxwell had submitted the following questions under Council Procedure Rule 10.3:

1. How many checks by the Licensing Enforcement Team have been undertaken for under age purchasing of alcohol in 2018/2019. How many have been found guilty?

We have worked with the police from the beginning of 2018 to carry out 19 checks at a total of 14 premises for underage alcohol sales. Six premises have failed these checks.

2. What measures have ENC taken to set up a data base of premises which have sold drink to underage children? What progress has the Government made in setting up the data base of individuals who have lost their licence?

The Council has not taken any measures to set up a database of premises which have sold drink to underage children. The Government were never intending to set up a database of individuals losing their licence. However, the Government did

intend to set up a database of personal licence holders but no progress has been made.

Councillor Maxwell asked a supplementary question:

Could ENC set up a database to show the Government its worth?

It would be up to the Government to set up any such database as it would need to be on a national level. There would be no benefit if only one council set up a database.

3. How many modern day slavery cases have been reported to ENC? In the cases which have been found guilty, have the fines been paid? Lastly is there a data base of these cases?

No cases of modern day slavery have been reported to ENC. Modern day slavery is not a matter that would be investigated by the Licensing Authority.

Councillor Maxwell asked a supplementary question:

Two recent licensing panels were related to modern day slavery and can officers confirm if the businesses involved paid the relevant fines?

The two panels referred to were in relation to Right to Work issues not modern day slavery. The payment of any fines is not an issue for ENC.

181. LICENSING ACTIVITY UPDATE

The Health Protection Manager presented a report which provided the Committee with an update on a number of licensing matters.

Review of Statement of Licensing Policy

The current county wide Statement of Licensing Policy was due for review. The review was being led by ENC and Kettering Borough Council in conjunction with the Northamptonshire Licensing Liaison Group to ensure consistency across the county. Policy and Resources Committee had approved the draft Statement of Licensing Policy for a six week consultation period.

The Air Quality (Taxi and Private Hire Vehicles Database) (England and Wales) Regulations 2019

The Regulations were laid in Parliament in January 2019 and required Licensing Authorities to provide information on licenced taxi and private hire vehicles to a central database. The database would form part of the infrastructure that the Government was developing to support the introduction of charging Clean Air Zones by some Local Authorities by 2020 as part of their local plans to ensure compliance with statutory nitrogen dioxide limits. It was not expected that Clean Air Zones would apply to East Northamptonshire Council.

Unitary Progress

The Northamptonshire Licensing Liaison Group had formed a Taxi Working Group to begin consideration of how to manage the different taxi policies as we moved to unitary. Although we had county wide policies for Gambling and the Licensing Act, the policies across the

county in respect of hackney carriage and private hire vehicles were significantly different. The group was proposing a single overarching taxi policy for the whole of Northamptonshire, with different appendices which would detail the current hackney carriage policy differences in area 'zones'.

Daventry District Council (DDC) withdrawal from Central Licensing Unit (CLAU)

In December 2018, DDC had given six months notice of their intention to withdraw from the CLAU and they subsequently departed from the unit on 30 June 2019. The agreement (contract) for the provision of the CLAU stated that *'if a council gives notice that it wishes to withdraw from the agreement the council giving notice will indemnify the remaining councils for the full cost of their withdrawal. Without limitation this will include any redundancy costs, 16.67% of the ongoing accommodation costs, publicity costs and other reasonable costs for a period of 5 years of the remaining fixed period as agreed in clause 13.1 or as may be agreed pursuant to clause 13.2 whichever is the shorter'*. The CLAU Board had requested that DDC pay the budget gap as a result of their departure; however, they had only agreed to pay for the work done for the three months they remained in the unit in 2019 plus evidenced costs. It was anticipated that the budget shortfall of £11,900 across all four partners would remain in dispute. Should this be the case negotiations would continue and any remaining debt would be pursued in the normal way.

Stolen Taxi Vehicle Licence Plates

A number of taxi plates had been stolen from taxis registered in the district. Since the publication of the report, another plate had been stolen bringing the total up to seven since July 2018 and all the stolen plate numbers had been decommissioned. A media release urged the public to be vigilant and gave safety advice for using taxis. The message also advised the public to report any sighting of the stolen plates to the police. Taxi drivers were trusted members of society and controls were in place through the licensing regime to ensure they were fit and proper and cars were safe to be driven. It was therefore of significant concern that this trend was continuing.

During discussion on the report, Members enquired what more could be done about protecting plates on vehicles. Officers advised that the plates did have tamper proof attachments but some thieves were also stealing registration plates which also then removed the bracket to which the plates were fitted, but there were not many options available. The Chairman advised that there would be a meeting later this week with the new Licensing Police Sergeant to talk about licensing issues and she would raise the issue with him.

RESOLVED:

That the report be noted.

182. GAMING MACHINES TRAINING

The Licensing Enforcement Officer provided the Committee with training on the Gambling Act 2005 and how it specifically related to gaming machines.

The Gambling Act 2005 was underpinned by three licensing objectives and all applications must be determined to ensure the objectives would be upheld:

- Ensuring gambling was kept free from crime and disorder
- Ensuring gambling was conducted in a fair and open way

- Protection of children and vulnerable adults

The issues discussed included:

- Automatic Entitlement (up to two machines)
- Categories of gaming machines
- Information required to be on gaming machines
- Fixed Odd Betting Terminals
- Skill with Prizes machines

RESOLVED:

That the verbal update be noted.

183. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That the public and press be excluded from the meeting during consideration of the following items of business because exempt information, as defined under paragraphs 1 and 7 of Part 1 of Schedule 12A of the Local Government Act 1972 may be disclosed.

184. TEST PURCHASING AND DRUGS DOG OPERATIONS

The Licensing Enforcement Officer provided the Committee with details of recent test purchasing and drugs dog operations.

RESOLVED:

That the verbal update be noted.

185. UPDATE REPORT FROM NORTHAMPTONSHIRE POLICE

This item was deferred in the absence of PC David Bryan.

186. REVIEW OF RECENT LICENSING PANELS

The Committee noted the outcome of the Licensing Panels which had recently been held.

RESOLVED:

That the report be noted.

Chairman