



Strategic Licensing
Committee

6 October 2021

Item

Public

MINUTES OF THE STRATEGIC LICENSING COMMITTEE MEETING HELD ON 9 JULY 2021
2.00 - 2.40 PM

Responsible Officer: Tim Ward

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Present

Councillor Roy Aldcroft (Chairman), Simon Jones (Vice Chairman), Mike Isherwood, Peter Broomhall, Garry Burchett, Nigel Lumby, Pamela Moseley, Kevin Parry, Chris Schofield, Robert Tindall, Dave Tremellen and Ruth Houghton (Substitute) (substitute for Vivienne Parry)

5 Apologies

5.1 Apologies were received from Councillors Viv Parry and Alex Wagner

5.2 Councillor Ruth Houghton substituted for Councillor Parry

6 Minutes of Previous Meetings

6.1 The minutes of the meetings held on 9 December 2020 and 20 May 2021 had been circulated.

RESOLVED:

That the minutes of the meetings of the Strategic Licencing Committee held on 9 December 2020 and 20 May 2021 be agreed as a true record and signed by the Chairman

7 Public Question Time

7.1 There were no public questions.

8 Disclosable Pecuniary Interests

8.1 Councillor Ruth Houghton informed the committee that she was the holder of a small lottery licence on behalf of a local charity.

9 Appointment to Licensing and Safety Sub-Committee

9.1 The Solicitor reminded the meeting that the Licencing and Safety Sub Committee dealt primarily with taxi licencing matters. She advised that the committee comprised of 5 members who would be appointed until the next council elections

and that the committee was politically balanced. She added that it was usual that the Vice Chair of the Strategic Licensing Committee acted as Chair of the Licensing and Safety Sub Committee

RESOLVED:

That Councillors Peter Broomhall Simon Jones, Elliot Lynch, Kevin Pardy and Viv Parry be appointed as members of the Licensing and Safety Sub Committee

That Councillors Garry Burchett, Richard Huffer, Nigel Lumby, Pam Moseley and Chris Schofield be appointed as substitute members of the Licensing and Safety Sub Committee

10 Consultation on the Gambling Act 2005 Policy Statement 2022 to 2025

- 10.1 Members received the report of the Transactional and Licensing Team Manager which set out a draft Gambling Act policy statement upon which the Council proposed to consult.
- 10.2 The Transactional and Licensing Team Manager reminded members that the Council had a legal obligation to consult on a Gambling Act Policy every three years and that the current policy was due to expire in January 2022. She advised Members that the Policy had been updated in line with the additional requirements of the Gambling Commission and that all responses to the consultation would be considered and that a final report would be brought back to the committee in October ahead of it being considered by Full Council.
- 10.3 In response to a question the Transactional and Licensing Team Manager confirmed that the Council did consult with charitable organisations which dealt with problem gambling on a regular basis.
- 10.4 In response to a question the Transactional and Licensing Team Manager stated that the majority of the amendments had been driven by the additional requirements of the Gambling Commission.

10.5 RESOLVED:

That the revised draft Gambling Act Policy Statement set out at Appendix 1 be approved for consultation

11 Department for Transport – Statutory Taxi and Private Hire Vehicle Standards

- 11.1 Members received the report of the Transactional and Licensing Team Manager which set out a proposal for the way in which the new Statutory Taxi and Private Hire Vehicle Standards, introduced by the Department for Transport, would be implemented by the Council.
- 11.2 The Transactional and Licensing Team Manager advised Members that it was planned to introduce the Standards into the day to day working processes and that the standards would be publicised on the Council's Licensing webpages and in any relevant correspondence. She added that where there were any anomalies between the Standards and the current Licensing Policy the new standards would

prevail. The Transactional and Licensing Team Manager informed the meeting that it was also proposed that the new standards would be incorporated into the Hackney Carriage and Private Hire Licensing Policy as part of the review of the policy which was due to start in Autumn 2021.

- 11.3 In response to a question the Transactional and Licensing Team Manager confirmed that the new standards would be included on the relevant webpages and that licence holders would also be updated through the regular trade updates that the Licencing Team issued.
- 11.4 In response to a question the Transactional and Licensing Team Manager advised Members that the responsibility for the enforcement of the standards lay with the authority which issued the relevant licence.

11.5 **RESOLVED**

That the Strategic Licensing Committee agrees with the implementation of the Department for Transport's Statutory Taxi and Private Hire Vehicle Standards as detailed below:

- Publicise the Standards on the Council's licensing webpages and in relevant correspondence
- For the purposes of process and decision making, where any anomalies exist between the Standards and the Council's Hackney Carriage and Private Hire Licensing Policy 2019-2023, unless there are exceptional circumstances, the requirements of the Standards will take precedence
- Incorporate the Standards within the revision process of the Hackney Carriage and Private Hire Licensing Policy 2023 to 2027

12 **The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020**

- 12.1 Members received the report of the Transactional and Licensing Team Manager which set out the process that had been developed to set up a "Fit and Proper Person" register as required by the Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 and proposals for how this would be managed going forward.
- 12.2 The Transactional and Licensing Team Manager advised Members that many Councils were unaware of the regulations until official notification was received which had meant that it had been a rush to develop the processes required. She added that the proposals would have been considered at the meeting of the committee that was scheduled in June but that as that meeting had been postponed and as the process had to be brought into effect on the 1st July the request was somewhat retrospective.
- 12.3 The Public Protection Officer (Professional) advised Members that the process had been developed in consultation with the MHCLG and was similar to that being used by other authorities. She then outlined the process that would be followed.

12.4 In response to a question the Public Protection Officer (Professional) advised the meeting that managers of existing sites would need to comply with the requirements listed in paragraph 5.4 of the report and that new applicants would need to show how they would comply with the requirements going forward.

12.5 **RESOLVED:**

- That the Committee acknowledge and retrospectively agree the short-term process for establishing the register and managing it in the early stages between 1 July 2021 and 1 October 2021, and thereafter on an interim basis until 30 June 2022; and
- That Committee agree the preparation of a Fit and Proper Person Determination Policy and a Fit and Proper Person Fees Policy, both of which will be brought back to Committee for further consideration prior to a formal period of consultation within an appropriate timescale that will ensure both policies are fully implemented by 30 June 2022.

13 **Exercise of Delegated Powers**

13.1 Members received the report of the Transactional and Licensing Team Manager which set out details of work carried out by the licencing team during the period 1 March 2021 to 31 May 2021

13.2 The Transactional and Licensing Team Manager reminded Members that this report was brought to every meeting and that it set out the levels of work of the Licencing Team.

13.3 **RESOLVED**

That members note the position as set out in the report

14 **Date of Next Meeting**

14.1 Members were reminded that the next meeting of the Strategic Licensing Committee would be held on Wednesday, 6 October 2021 at 10.00am

<TRAILER_SECTION>

Signed (Chairman)

Date: