

LICENSING COMMITTEE

- * Councillor David Elms (Chairman)
- * Councillor Dennis Paul (Vice-Chairman)

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| * Councillor Graham Ellwood | * Councillor Nigel Manning |
| Councillor David Goodwin | * Councillor Marsha Moseley |
| * Councillor Gillian Harwood | * Councillor Tony Phillips |
| * Councillor Christian Holliday | * Councillor David Quelch |
| * Councillor Mike Hurdle | * Councillor James Walsh |
| * Councillor Jennifer Jordan | Councillor David Wright |
| * Councillor Nigel Kearse | |

*Present

L47 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors David Goodwin and David Wright.

L48 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

No disclosures of interests were declared.

L49 MINUTES

The minutes of the Licensing Committee meeting held on 26 September 2018 were confirmed and signed by the Chairman.

L50 GAMBLING ACT 2005: STATEMENT OF PRINCIPLES 2019-2022

The Licensing Committee received a report on the Gambling Act 2005: Statement of Principles 2019-2022. The Gambling Act 2005 required the Council as licensing authority to prepare and publish a Statement of Principles every three years. The existing Statement of Principles was published in January 2016 and was due for renewal by January 2019.

On the 30 May 2018, the Licensing Committee agreed that a public consultation was held on the draft Statement of Principles over the period June – September 2018. The Committee noted that following the consultation, a minor change was made to paragraph 26.3, as there was no longer a numerical limit on the number of category B3 machines in Bingo premises.

The Committee having considered the report

RESOLVED

To recommend to Full Council at its meeting on 4 December 2018 the adoption of the Gambling Act 2005: Statement of Principles 2019-2022.

L51 CHANGES TO LICENSING ARRANGEMENTS FOR ACTIVITIES INVOLVING ANIMALS

The Committee received a report on a draft Animal Welfare Licensing Policy. The Committee noted the recommendation that a 12-week consultation was undertaken so as to obtain the views of interested parties.

The Committee was informed that the policy had been formulated in response to the fact that there had been legislative changes in the way in which animal boarding establishments, dog-

breeding establishments, pet shops and riding establishments were licenced as well as the commencement of responsibility for the licensing of the keeping of animals for exhibition.

The Committee noted that the Animal Welfare Act 2006 introduced a new licensing power, which enabled nationally set regulations to be made for any animal related activities specified in those regulations. As a result, The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 were published earlier this year, which significantly changed the way animal related businesses were inspected and licenced. The Regulations came into force on 1 October 2018.

The Committee was informed that a significant change was that all four existing types of licence, together with the additional activity of keeping and training animals for exhibition, which is to be brought over from Surrey County Council, would be encompassed by one new 'Animal Activity licence'.

The Committee noted that in order to ensure compliance with the Council's duties under the Regulations to ensure that only fit and proper persons are licensed, the Council had drafted a policy setting out criteria, which would ensure that only suitable applicants were granted a licence.

The Committee fully supported the new regulations, which gave greater protection to animals being looked after, displayed or sold by third parties.

The Committee having considered the report

RESOLVED

To approve the draft Animal Welfare Licensing Policy for a 12-week public consultation.

L52 NATIONAL DATABASE OF TAXI AND PHV DRIVER LICENCE REFUSALS AND REVOCATIONS

The Committee received a report outlining the work undertaken to utilise the National Register of taxi and PHV driver licence refusals and revocations.

The Committee noted that previously if drivers did not disclose information about a previous revocation or refusal of a licence by another authority, there was often no way for a licensing authority to find this information out. Consequently, drivers who might not be suitable could be licensed with no opportunity for licensing authorities to check that the driver was in fact suitable. This scenario had eroded public confidence in the safety of hackney carriages and PHV's.

The Committee was informed that the National Register of Refusals and Revocations had therefore been devised which enabled licensing authorities to record details when a Hackney Carriage or PHV driver's licence had been refused or revoked, and allow licensing authorities to check new applicants against the register.

The Committee discussed the database and noted that it had been created at the request of the Local Government Association (LGA). They requested confirmation of the status the register had. The Licensing Team Leader confirmed that authorities had been advised that it was good practice to use the database.

The Committee was also concerned that the fact a driver may have had their licence revoked for a minor incident would have a negative impact upon future applications at alternative authorities. The Committee was advised that each Licensing Authority had to consider a Hackney Carriage and PHV driver applicant's previous history and apply weight according to

the facts presented. A driver's history would therefore be a relevant consideration but would not necessarily prevent a licence being granted.

The Committee having considered the report

RESOLVED

To note the work being undertaken to utilise the National Database of Taxi and PHV driver licence refusals and revocations.

L53 LICENSING COMMITTEE WORK PROGRAMME

The Committee noted its work programme and had no additional comments.
The meeting finished at 7.15 pm

Signed

Date

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Chairman