

NORTH LINCOLNSHIRE COUNCIL

LICENSING COMMITTEE

15 June 2023

PRESENT: - Councillors K Vickers (Chairman), P Vickers (Vice-Chair), N Ahmed, S Armitage, P Clark, T Ellerby, T Gosling, J Kennedy, J Matthews, T Mitchell, H Rowson and C Sherwood.

The meeting was held in the Conference Room, Church Square House.

1955 **SUBSTITUTIONS** – Councillor T Gosling substituted for Councillor H Rayner.

1956 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, AND SIGNIFICANT CONTACT WITH APPLICANTS, OBJECTORS OR THIRD PARTIES (LOBBYING), IF ANY** – The following members declared a personal interest –

Councillor N Ahmed
Personal Licence Holder
Hackney Carriage Proprietor
HC/PH Drivers Licence Holder

Councillor S Armitage
Personal Licence Holder

No lobbying was declared.

1957 **TO TAKE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 19 JANUARY 2023 AS A CORRECT RECORD AND AUTHORISE THE CHAIRMAN TO SIGN – Resolved** - That the minutes of the proceedings of this committee held on 19 January 2023 having been printed and circulated amongst the members, be taken as read and correctly recorded and signed by the chairman.

1958 **SUB-COMMITTEE PROCEEDINGS - TO RECEIVE AND WHERE NECESSARY CONFIRM THE MINUTES OF THE MEETINGS OF THE LICENSING (MISCELLANEOUS) SUB-COMMITTEE HELD ON 2 FEBRUARY, 16 MARCH AND 30 MARCH 2023 – Resolved** - That the minutes of the meetings of the Licensing (Miscellaneous) Sub-Committee held on 2 February, 16 March and 30 March 2023 be received.

1959 **TO NOTE THE SCHEDULED DATES AND TIMES OF THE LICENSING COMMITTEE – Resolved** – That dates and times of future meetings of the committee be held at 10.00am on –

Thursday 14 September 2023 at 10:00am
Thursday 16 November 2023 at 10:00am

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Thursday 25 January 2024 at 10:00am

Thursday 21 March 2024 at 10:00am

- 1960 **TO NOTE THE SCHEDULED DATES AND TIMES OF THE LICENSING (MISCELLANEOUS) SUB-COMMITTEE – Resolved** – That dates and times of future meetings of the committee be held at 10.00am on –

Thursday 22 June 2023 at 10:00am

Thursday 20 July 2023 at 10:00am

Thursday 21 September 2023 at 10:00am

Thursday 19 October 2023 at 10:00am

Thursday 23 November 2023 at 10:00am

Thursday 14 December 2023 at 10:00am

Thursday 1 February 2024 at 10:00am

Thursday 29 February 2024 at 10:00am

Thursday 28 March 2024 at 10:00am

Thursday 18 April 2024 at 10:00am

- 1961 **TO APPOINT A LICENSING (MISCELLANEOUS) SUB-COMMITTEE COMPRISING FIVE MEMBERS OF THE LICENSING COMMITTEE (THREE CONSERVATIVE AND TWO LABOUR MEMBERS) – Resolved** - That a Licensing (Miscellaneous) Sub-Committee be appointed comprising five members of the Licensing Committee, three Conservative members (Councillors K Vickers (Chairman), P Vickers (Vice-Chairman) and Clark and two Labour members (Councillors Armitage and Rayner).

- 1962 **TO APPOINT A LICENSING (ACTIVITIES) SUB-COMMITTEE COMPRISING THREE MEMBERS (POLITICALLY BALANCED) DRAWN FROM THE 12 MEMBERS OF THE LICENSING COMMITTEE – Resolved** - That a Licensing (Activities) Sub-Committee be appointed comprising three members (politically balanced) drawn from the 12 members of the Licensing Committee. (Membership of the sub-committee to deal with individual cases to be appointed as required from eligible members).

- 1963 **THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014** – The Director: Economy and Environment submitted a report advising the Committee of all decisions taken by Authorised Officers of the Licensing Department, in relation to licences, registrations, permits and consents, under the scheme of delegation.

The adoption of the Openness of Local Government Bodies Regulations in August 2014 changed the requirements placed on local authorities in regard to reporting decisions taken under delegated authority by officers.

Prior to the new regulations, officers were required only to produce a report on decisions taken under authority delegated to them under the executive powers.

The requirement had now been extended to all decisions, whether made by an officer or on behalf of another committee/sub-committee or joint

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committee, in which the council participated. This applied where the decision had been delegated to an officer, either under a specific delegation or under a general authorisation.

A summary of all decisions made by officers for licences, registrations, permits and consents issued between 7 December 2022 and 25 May 2023 was made available on the council's website.

Resolved – That the report be noted.

- 1964 **LEGISLATION UPDATE, IF ANY** – The Director: Economy and Environment informed the Committee there were no legislation updates.
- 1965 **APPEALS SUBMITTED TO MAGISTRATES COURT, IF ANY** – The Director: Governance and Communities informed the Committee that there were no new appeals submitted against decisions of the Licensing (Activities) Sub-Committee or Licensing (Miscellaneous) Sub-Committee. The Committee were informed four appeals were currently awaiting consideration by the Magistrates which were scheduled for January/February 2024.
- 1966 **ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT BY REASON OF SPECIAL CIRCUMSTANCES WHICH MUST BE SPECIFIED** – There were no urgent items for consideration by the Committee.
- 1967 **AUTHORISED OFFICER ENFORCEMENT REPORT** – The Director: Economy and Environment submitted a report advising the Committee of Enforcement carried out by Authorised Officers of the Licensing Division, in relation to licenses; registrations; permits and consents, under the scheme of delegation.

The aim of the Licensing Authority was to protect the safety and welfare of people using regulated businesses; to protect the welfare of animals and to provide support; to educate businesses and licence holders to help them to comply with the law; and to promote a fair-trading environment.

Having a broad range of powers available would mean that officers must select the appropriate response to the non-compliance issue. Considering the priorities as detailed in paragraph 6(1) of the Business Compliance and Support Policy, officers would also consider the severity of the infringement and the likelihood that a person would re-offend.

Enforcement could be carried out in many ways; for example by targeted enforcement following complaints and intelligence and another by proactive rolling programmed visits ensuring compliance with licensed premises.

Officers often worked outside normal office hours, either in pairs or in partnership with other agencies, such as the Police, Immigration and other Local Authority Enforcement Teams.

There were times when a complaint was made or following an investigation

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where the most appropriate action available was to do nothing. Where this was the case, officers would notify any complainant and inform the business or person who was being investigated.

All complaints were risk assessed to establish where resources were best placed and those areas which required targeting.

A summary of all enforcement carried out by Authorised Licensing Officers between 14 December 2022 and 24 May 2023 was attached to the report.

Questions were raised by the Chairman to which the Director: Economy and Environment responded.

Resolved – That the report be noted.