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## NORTH LINCOLNSHIRE COUNCIL

### LICENSING COMMITTEE

19 January 2023

**PRESENT:** - Councillors K Vickers (Chairman), P Vickers (Vice-Chair), P Clark, T Ellerby, M Kirk, H Rayner, T Mitchell, C Sherwood, M Armiger and A Davison.

The meeting was held in Rooms G01e/G02e, Church Square House.

1927 **SUBSTITUTIONS** - Councillor M Armiger substituted for Councillor H Rowson; and Councillor A Davison substituted for Councillor S Armitage.

1928 **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 member declared a personal interest –

Councillor A Davison

No lobbying was declared.

1929 **TO TAKE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 3 NOVEMBER 2022 AS A CORRECT RECORD AND AUTHORISE THE CHAIRMAN TO SIGN – Resolved** – That the minutes of the proceedings of this committee held on 3 November 2022 having been printed and circulated amongst the members, be taken as read and correctly recorded and signed by the chairman.

1930 **SUB-COMMITTEE PROCEEDINGS - TO RECEIVE AND WHERE NECESSARY CONFIRM THE MINUTES OF THE MEETINGS OF THE LICENSING (MISCELLANEOUS) SUB-COMMITTEE HELD ON 10 NOVEMBER AND 1 DECEMBER 2022 – Resolved** – That the minutes of the meetings of the Licensing (Miscellaneous) Sub-Committee held on 10 November and 1 December 2022 be received.

1931 **UPDATE ON DRAFT HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY** – The Director: Economy and Environment informed the Committee of other neighbouring authorities and their stance on the installation of CCTV in Hackney Carriages.

The council's policy had not changed and remained the same around the installation of CCTV, however following the meeting on 3 November 2022, members were interested to know what other authorities had in place

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surrounding CCTV in Hackney Carriage Vehicles.

In summary, other authorities appeared to be sharing the council's view on data protection issues and were currently steering away from making CCTV mandatory in Hackney Carriage Vehicles.

The Director: Economy and Environment distributed information to members relating to the number of Wheelchair Accessible Vehicles licensed by North Lincolnshire Council.

The Chairman, along with other members, informed the Committee that they had been contacted by concerned North Lincolnshire Council residents over the availability of Wheelchair Accessible Vehicles.

The Chairman facilitated a discussion and the Director: Economy and Environment responded to the points made by the Chairman and members of the Committee.

**Resolved** – That the position be noted, and enquires into other neighbouring authorities in relation to the number of Wheelchair Accessible Vehicles on their fleet be made.

1932 **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 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 12 October 2022 and 7 December 2022 was made available on the council's website.

**Resolved** – That the report be noted.

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1933 **LEGISLATION UPDATE (IF ANY)** – The Director: Economy and Environment informed the Committee of two pieces of legislation that had been amended. Revised guidance to the Scrap Metal Dealers Act 2013; and revised guidance issued under section 182 of the Licensing Act 2003. Details of the amendments made to both pieces of legislation were discussed.

**Resolved** – That the information be noted.

1934 **APPEALS SUBMITTED TO MAGISTRATES COURT (IF ANY)** – The Director: Governance and Communities informed the Committee that no appeals against decisions of the Licensing (Activities) Sub-Committee or Licensing (Miscellaneous) Sub-Committee had been submitted to the Magistrates Court for consideration.

**Resolved** – That the position be noted.

1935 **ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT BY REASON OF SPECIAL CIRCUMSTANCES WHICH MUST BE SPECIFIED** – **Resolved** – There were no urgent items for consideration by the Committee.

1936 **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 where the most appropriate action available was to do nothing. Where this was the case, officers would notify any complainant and inform the business

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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 18 October 2022 and 13 December 2022 was attached to the report.

**Resolved** – That the report be noted.