

NORTH LINCOLNSHIRE COUNCIL

LICENSING COMMITTEE

12 September 2024

PRESENT: - Councillor K Vickers (Chairman)

Councillors P Vickers (Vice-Chair), P Clark, T Ellerby, Matthews, T Mitchell, H Rayner, H Rowson, C Sherwood and Bell

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

2099 **SUBSTITUTIONS** - Councillor M Bell substituted for Councillor S Armitage.

2100 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, AND SIGNIFICANT CONTACT WITH APPLICANTS, OBJECTORS OR THIRD PARTIES (LOBBYING), IF ANY** - There were no declarations of any disclosable pecuniary interests and personal or prejudicial interests, significant contact with applicants, objectors or third parties.

2101 **TO TAKE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 13 JUNE 2024 AS A CORRECT RECORD AND AUTHORISE THE CHAIRMAN TO SIGN - Resolved** – That the minutes of the proceedings of this committee held on 13 June 2024 having been printed and circulated amongst the members, be taken as read and correctly recorded and signed by the chairman.

2102 **SUB-COMMITTEE PROCEEDINGS - TO RECEIVE AND WHERE NECESSARY CONFIRM THE MINUTES OF THE MEETINGS OF THE LICENSING MISCELLANEOUS SUB-COMMITTEES** - That the minutes of the meetings of the Licensing (Miscellaneous) Sub-Committee held on 20 June 2024 and 18 July 2024 be received

2103 **SUB-COMMITTEE PROCEEDINGS - TO RECEIVE AND WHERE NECESSARY CONFIRM THE MINUTES OF THE MEETINGS OF THE LICENSING ACTIVITIES SUB-COMMITTEES - Resolved** – That the minutes of the meeting of the Licensing (Activities) Sub-Committee held on 17 June 2024 be received.

2104 **GAMBLING ACT 2005 - REVIEW OF THE STATEMENT OF PRINCIPLES** - The Director: Communities circulated a report that informed the committee that the Statement of Principles must be reviewed in accordance with Section 349 of the Gambling Act 2005 by January 2025. The Director was therefore seeking approval from the Licensing Committee to start the consultation process.

Resolved – That the consultation on the Statement of Principles commence, in accordance with statutory requirements.

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- 2105 **OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014 -**
The Director: Communities circulated a report that informed the committee of all decisions taken by elected members or officers under delegated powers, in relation to licenses, registrations, permits and consents, were available on the council's website.

Resolved – That the report be noted.

- 2106 **LEGISLATION UPDATE, IF ANY -** The Director: Transformation and Outcomes informed the Committee there were no legislation updates.

- 2107 **APPEALS SUBMITTED TO THE MAGISTRATE'S COURT, IF ANY -** The Director: Transformation and Outcomes informed the Committee that there had been no new appeals submitted against the decisions of the Licensing (Activities) Sub-Committee or the Licensing (Miscellaneous) Sub-Committee. The Committee were also informed that the recent Judicial Review had been withdrawn and the appellant had been ordered to pay costs of £1500. The costs would cover the majority of the council's barrister's fees.

- 2108 **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.

- 2109 **EXCLUSION OF PRESS AND PUBLIC - Resolved -** That the public be excluded from the meeting for consideration of the following item (Minute 2110 refers) on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

- 2110 **AUTHORISED OFFICER ENFORCEMENT REPORT -** The Director: Communities submitted a report advising the Committee of Enforcement carried out by Authorised Officer 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.

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Officers often worked outside of 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 complaint and inform the business or person who was being investigated.

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

A summary of all recent enforcement action carried out by Authorised Licensing Officers between 15 May 2024 and 19 August 2024 was attached to the report.

Resolved – That the report be noted.