

**LICENSING COMMITTEE  
7TH AUGUST 2018**

PRESENT: The Chair (Councillor Pacey)  
The Vice Chair (Councillor Tillotson)  
Councillors Bentley, Capleton, Gaskell, Hamilton,  
Hunt, Parton, Radford, Savage, Smith and  
Sutherland

Head of Regulatory Services  
Licensing Manager  
Head of Strategic Support  
Democratic Services Officer (LS)

APOLOGIES: Councillor Lowe, Brookes and Murphy

*Apologies from Councillor Brookes were received following the meeting.*

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. He also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

1. MINUTES OF PREVIOUS MEETING

The minutes of the meeting of the Committee held on 27th February 2018 were confirmed as a correct record and signed.

2. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

Councillor Hunt declared a personal interest as the Secretary of Loughborough Chamber of Trade and Commerce, following reference to the organisation during discussion under Item 5 on the agenda.

3. QUESTIONS UNDER OTHER COMMITTEE PROCEDURES 12.8

No questions had been submitted.

4. REVIEW OF THE GAMBLING STATEMENT OF PRINCIPLES 2019-2022

A report of the Head of Regulatory Services was submitted to consider the Council's draft Statement of Principles made under the Gambling Act 2005, for consultation prior to submission to Council for approval (item 5 on the agenda filed with these minutes).

In summary, the Committee discussed:

- (i) The population increase stated in paragraph 1.2 of the Statement was 177,000\* (up from 176,000).

- (ii) The Operator Licence required was a matter for the Gambling Commission to decide, the Council was responsible for the Premise Licence.
- (iii) With reference to paragraph 1.9 of the Statement, there had not been any incidents of gambling enforcement in the Borough. Inspections of gambling premises were undertaken by Council staff each year, this year a few premises had required a re-visit, but all had ultimately been compliant. No unlicensed premises had been discovered.
- (iv) Regarding local risk assessments, larger operators usually had a template for the purpose which could be adapted for the locality concerned. The Council would expect the assessment to suit the local position and the local area profile assisted that. The Council did not provide a template and would not wish to do so, but the Gambling Commission might have one available. The Licensing Manager would include a link to that in the Statement, if available.
- (v) There was brief discussion regarding “one-off” gambling events, for example gambling that was included in the price of the entry ticket for a Christmas function. To date, such events of which the Council had been notified had not fallen under the requirements of the premise licence.
- (vi) With reference to paragraph 3.7 of the Statement, the Council’s approach in respect of betting/gaming machines was briefly outlined, in particular the requirements for premise staff to be able to monitor those.
- (vii) With reference to paragraph 3.8 of the Statement, there was not a track in Charnwood, but some premises might have that facility available, so the Statement needed to cover that.
- (viii) The Licensing Manager noted a typographical error on page 21 of the report, which she would correct. Also, on page 28, that Leicestershire Chamber of Commerce was now East Midlands Chamber, and that Loughborough Chamber of Trade and Commerce should also be listed.
- (ix) LRSB was Leicestershire and Rutland Safeguarding Board, with which the Council would consult on any applications that indicated there may be concerns over access for children or vulnerable persons (as customers), further explanation of which was given, including that anyone could report such concerns. The Licensing Manager would check that the web address stated was correct and would inform members of the Committee if that was different.

*\*Note:* Since the meeting, the Licensing Manager has stated the correct figure as 176,700.

*Councillor Sutherland arrived at the meeting at 5.20pm.*

## **RESOLVED**

1. That, subject to the amendments set out in (iv), (viii) and (ix) above, the draft Statement of Principles made under the Gambling Act 2005, set out in Appendix 1 to the report of the Head of Regulatory Services, be approved for consultation and, subject to the outcome of that consultation and resolution 2 below, that the Statement of Principles be recommended to Council for approval;
2. that, following the consultation set out in resolution 1 above, the Head of Regulatory Services be given delegated authority to make minor amendments

and alterations to the Statement of Principles, in consultation with the Chair of the Licensing Committee, prior to submission to Council.

### Reasons

1. To ensure that, under Section 349 of the Gambling Act 2005, the Council has an up to date Statement of Principles to adhere to which sets the Council's policy in respect of meeting the licensing objectives and responsibilities under the Gambling Act 2005.
2. To ensure the relevant minor changes can be made to the Statement of Principles, prior to submission to Council for implementation in January 2019.

### 5. REVIEW OF TAXI TESTING ARRANGEMENTS FOR HACKNEY CARRIAGE/PRIVATE HIRE TEST

A report of the Head of Regulatory Services was submitted to consider a proposal to review the taxi testing garages set out in Schedule 2 of the Council's Hackney Carriage and Private Hire Licensing Policy (item 6 on the agenda filed with these minutes).

In summary, the Committee discussed:

- (i) Any of the Council's nominated garages could be used for the required test.
- (ii) There was brief discussion regarding age of vehicle, that another authority had become stricter in that respect, and that this Council's policy was that a vehicle must be less than 6 years when first licensed, but could remain licensed with no age restriction for as long as it passed compliance tests. Older vehicles could be exceptionally well maintained.
- (iii) A typographical error in paragraph 1 of Part B of the report was noted, the address of ARK Motors being Cossington Road (rather than Crossington);
- (iv) Reference was made to a recent inspection exercise and the valuable outcome of that.
- (v) In response to a question, further explanation was provided of the difference between an MOT test and the Certificate of Compliance test. This was also set out in paragraph 7 of Part B of the report.
- (vi) Exemptions from taxi licensing included wedding and funeral cars. Certain stretch limousines did require licensing, but there were currently none of those in the Borough.
- (vii) Cross-border hiring was referred to. The Council had no control over the safety of taxis licensed by other authorities. That was of concern if the authority concerned was not as stringent as Charnwood. Any complaints received would be passed on to the licensing authority concerned, but feedback was not received from those authorities. Customers could check the plate on the rear of the taxi to find out the licensing authority.
- (viii) Risk 1 stated on page 2 of the report referred to the level of risk should the action recommended in the report not be taken.
- (ix) The safety of the public was the priority when considering all matters relating to taxi licensing.

**RESOLVED** that, following the procurement exercise set out in the report of the Head of Regulatory Services, Schedule 2 of the Council's Hackney Carriage and Private Hire Licensing Policy be amended.

Reason

To ensure that suitable and sufficient testing facilities are available within the Borough for vehicles to be checked in line with the Council's Hackney Carriage and Private Hire Licensing Policy.

NOTES:

1. No reference may be made to these minutes at the Council meeting on **3rd September 2018** unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Licensing Committee.