

Unconfirmed



Minutes of a Meeting of the **Licensing Committee** held Remotely on **Monday 20 July 2020** at **6:30pm**

Members of the Committee present:

Councillor Paul Ashdown, Councillor Edward Back, Councillor Jocelyn Bond, Councillor Linda Coulam, Councillor Janet Craig, Councillor John Fisher, Councillor Tony Goldson, Councillor Colin Hedgley, Councillor Frank Mortimer, Councillor Trish Mortimer, Councillor Mark Newton, Councillor Keith Robinson, Councillor Steve Wiles

Other Members present:

Councillor Keith Patience, Councillor Mary Rudd

Officers present:

Katherine Abbott (Democratic Services Officer), Teresa Bailey (Senior Licensing Officer), Chris Bing (Legal and Licensing Services Manager), Sarah Carter (Democratic Services Officer)

1 Apologies for Absence and Substitutions

Apologies for Absence were received from Councillor Smith-Lyte.

2 Declarations of Interest

There were no Declarations of Interest.

3 Minutes

It was proposed by Councillor Goldson, seconded by Councillor Wiles and by majority vote (one abstention)

RESOLVED

That the Minutes of the Meeting held on 20 January 2020 be confirmed as a correct record and signed by the Chairman.

4 Adoption of the National Register of Taxi and Private Hire Licence Revocations and Refusals

The Committee received report **ES/0407** by the Cabinet Member for Community Health. The report, presented by the Senior Licensing Officer, referred to the implementation of a National Register of Taxi Licence (also incorporating Private Hire) Revocations and Refusals and sought the Committee's approval of the adoption of the

Register and associated guidance. The Committee was reminded that, when considering applications for hackney carriage and private hire vehicle drivers licences, the Council, as Licensing Authority, was responsible for ensuring that only fit and proper persons, suitable to be licensed drivers, were granted a licence and remained licensed. It was suggested that adoption of the National Register would provide a licence history nationally and so help to ensure applicants who had failed to disclose that a licence had previously been refused or revoked by another authority were not licensed in error.

The Chairman invited questions from the members of the Committee.

A member asked about the present arrangements and what would happen if an applicant failed to disclose that a previous licence had been refused or revoked. The Senior Licensing Officer said that, at the moment, there was no means of checking with other licensing authorities and, consequently, it was possible that a driver might be licensed without knowledge of the reasons for a prior revocation or refusal.

Another member of the Committee asked if a taxi driver would be able to access the database. The Senior Licensing Officer said this would not be possible, but a driver could ask to be told what information was held that related to him/her. The member also asked about the security of the Register which, for the time being, would be accessed by officers who were working at home. The Legal and Licensing Services Manager referred to the requirements on officers to comply with the Council's Working from Home Policy and also of the Officers' Code of Conduct which specified how confidential matters, including personal details, were to be managed in confidence.

There was general agreement that the National Register offered an improved system which would help to safeguard local residents and make the work of Officers easier.

There being no further questions or matters raised for debate, the Chairman moved to the recommendation. It was proposed by Councillor Goldson, seconded by Councillor Hedgley and by unanimous vote

RESOLVED

That the adoption of the National Register of Taxi Licence Revocations and Refusals (also known as NR3) and the associated Guidance produced by the Local Government Association and the National Anti-Fraud Network be approved

5 Introduction of a Drug Testing Policy for New and Existing Licensed Drivers

The Committee received report **ES/0408** by the Cabinet Member with responsibility for Community Health. The report, which was presented by the Senior Licensing Officer, documented the responses to the six-week consultation on the proposed draft Drug Testing Policy for New and Existing Licensed Drivers, as agreed by the Licensing Committee at its meeting in January 2020. The Committee was informed that during the consultation period no comments had been received on the draft policy.

The Chairman invited questions from members of the Committee.

A member of the Committee asked who had been consulted on the draft policy. The Senior Licensing Officer said all existing licensed private hire and hackney carriage drivers and private hire operators within the district had been notified of the draft policy by letter.

There was general support for the draft policy.

There being no further questions or matters raised for debate, the Chairman moved to the recommendation which was proposed by Councillor Ashdown, seconded by Councillor Newton and by unanimous vote

RESOLVED

That the draft Policy for Detecting the use of Illegal Drugs be adopted

6 Licensing Services Response to Covid-19

The Committee received report **ES/0441** by the Cabinet Member with responsibility for Community Health. The report, presented by the Legal and Licensing Services Manager, provided an overview of the actions taken by Licensing Services to assist licensees during the Covid-19 global pandemic and currently, during the easing of the lock down arrangements and the recovery phase.

The Legal and Licensing Services Manager referred to the severe adverse impact on the licensed premises between 23 March and 4 July 2020 and summarised the main steps Licensing Services had taken in support of licensees:

- The deferral of payments of Premises Licence Fees until 30 September 2020
- Assisting premises on how to provide takeaways and off sales
- Issuing credits for application fees for Temporary Event Notices for events which were unable to proceed
- Signposting central government grants and hardship funds to those who may have been eligible to claim

He continued to outline the support provided to hackney carriage and private hire drivers:

- Allowing the cost of renewing an annual licence to be spread by granting three-month licences
- Identifying alternative garages for mechanical inspections to enable vehicles to remain licensed
- Allowing drivers to install protective screens in vehicles without an alteration to the vehicle's specification being required
- Signposting central government grants and hardship funds to those who may have been eligible to claim

With regard to community events, the Committee was informed that the Council wanted to encourage outdoor events during the summer months and so a simplified application process for a single event trading licence had been implemented including a commitment to consider the application within 24 hours of receipt.

The Legal and Licensing Services Manager said the Business and Planning Bill was currently going through Parliament; it would allow the Licensing Authority to issue Pavement Licences to enable the use of pavements outside licensed premises for tables and chairs.

The Committee was referred to the analysis of the impact of Covid-19 and to the identifiable trends that were emerging. The Legal and Licensing Services Manager said that a more accurate reflection of the impact would be provided to the October meeting of the Committee and he assured the members of the continued efforts of Licensing Services to address the challenges faced by the licensing trade and to aid the regrowth of this sector. It was confirmed that the table on page 47 (paragraph 5.5) of the report included public houses, restaurants, off licences, social clubs etc.

The Chairman invited questions by members of the Committee.

A member of the Committee referred to the use of Council land by licensed premises and asked how long the licences would be valid. It was explained that the land licences were being issued by Asset Management and were valid for six months with no fee.

The Committee wished to record its thanks to the Licensing Services officers for all their work during a very challenging period.

There being no further questions or matters raised for debate, the Chairman moved to the recommendation. It was proposed by Councillor Goldson, seconded by Councillor Ashdown and, by unanimous vote

RESOLVED

That, having received and commented upon the report, the Committee noted its contents.

7 Issued Licenses in East Suffolk and an Overview of the Work of the Licensing Sub-Committees in 2020

The Committee received report **ES/0409** by the Cabinet Member with responsibility for Community Health. The report, presented by the Legal and Licensing Services Manager, provided an overview of the current number and type of licences issued by the Council. The report also summarised the applications received and the work of the Licensing Sub-Committee since the start of 2020.

The Committee noted that one virtual meeting of the Licensing Sub-Committee had been held. This had been successfully conducted remotely and favourably commented upon by the external participants. The Senior Licensing Officer said there were currently five very recently received premises licence applications; he added that applications from new taxi drivers would not be accepted until 20 August 2020 because of the face-to-face element of the application process.

There being no questions or matters raised for debate, the Chairman moved to the recommendation. It was proposed by Councillor Goldson, seconded by Councillor Newton and by unanimous vote

RESOLVED

That, having received and commented upon the report, the Committee noted its contents

8 Exempt/Confidential Items

It was proposed by Councillor Goldson, seconded by Councillor Wiles, and by unanimous vote

RESOLVED

That, under Section 100A(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act

9 Exempt Minutes

- Information relating to the financial or business affairs of any particular person (including the authority holding that information).

The Meeting concluded at 7:13 pm

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Chairman