

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
LICENSING & REGULATORY COMMITTEE MEETING

Minutes

FRIDAY, 1 APRIL 2022

PRESENT: Councillor L D Lea (Chair)

Councillors J Aberley, B Cawley, E Fallows, B A Hughes,
B Johnson, I Plant, D Shaw, L Swindlehurst and M Worthington

IN ATTENDANCE: S Bradbury Licensing Officer
A Patterson Head of Environmental Health
M Towers Senior Officer (Housing, Public Health and
Licensing)
M Trillo Executive Director (Governance &
Commissioning) & Deputy Chief Executive
S Hampton Democratic Services Officer
P Trafford Democratic Services Officer

37 **MINUTES OF THE MEETING OF THE LICENSING AND REGULATORY
COMMITTEE HELD ON 29 JANUARY 2021**

RESOLVED – That the minutes of the meeting of the Licensing and Regulatory Committee held on 29 January 2021 be **APPROVED** as a correct record and signed by the Chair.

38 **URGENT ITEMS OF BUSINESS, IF ANY.**

There were no urgent items.

39 **DECLARATIONS OF INTEREST, IF ANY.**

There were no declarations of interest made.

40 **CHAIR/MEMBERS' QUESTIONS/ISSUES.**

There were no Chair / Members Questions / Issues.

41 **REVIEW OF GAMBLING POLICY**

The Gambling Act 2005 required the Council to consult and publish a revised Statement of Principles every 3 years.

Consultation with all relevant Stakeholders was undertaken between 5 October and 4 November 2021 and only 1 response was received – from the National Association of Bookmakers Ltd who had no suggested amendments.

Amendments to the previous Policy had been made and incorporated into the new Statements of Principles Policy as summarised below:-

Licensing & Regulatory Committee - 1 April 2022

Page No.	Detail
2	Any reference made to “Guidance issued to Licensing Authorities by the Gambling Commission” is the latest version which was published 1 April 2021 and last updated 13 May 2021.
3(2)	(Census date from 2021 is currently being processed and will be published at www.ons.gov.uk).
4	The consultation took place between 5 October 2021 and 4 November 2021.
5	Licensing-1@staffs Moorlands.gov.uk
6,5C	8.12 and 8.15
10 Part B (1)	The Gambling Commission’s Licence Conditions and Code of Practice (LCCP) which were revised and published on 31 October 2020 requires operators to consider local risks from the provision of gambling at their premises.
29 (4)	A summary of gaming machine categories and entitlements can be found at Appendix B of the Guidance issued to Licensing Authorities by the Gambling Commission, https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensingauthorities
36	https://www.gamblingcommission.gov.uk/licencees-and-businesses/guide/local-area-risk-assessments

RESOLVED – That the Committee recommends the revised Statement of Principles 2022 – 2025 to Full Council for **APPROVAL**.

42 TAXI LICENSING POLICY REVIEW & CONSULTATION

Licensing Authorities were required to regularly review and update their policies to reflect changes in legislation, guidance and local circumstances. It was 5 years since the introduction of the Council’s Taxi and Private Hire Vehicle Licensing Policy and a detailed review was now required to consider the following specific areas:-

- Vehicle emissions / Air Quality;
- CCTV;
- General Legislation and Best Practice.

A proposed Timetable for the consultation was as follows:-

CONSULTATION ITEM	TIMESCALE & DETAIL
Vehicle Emissions/ CCTV in Vehicles (Mandatory or Discretionary)	<p>JUNE 2022 (12 Weeks)</p> <p>The proposed options are contained in Appendices 1 & 2 attached to the report.</p> <p>The consultation will seek to engage all of the Hackney Carriage and private hire trade including all licensed operators and drivers within the District as follows:</p> <ul style="list-style-type: none"> • A questionnaire will be sent out to all Hackney Carriage and Private Hire Drivers and Vehicle owners (Appendix 3 sample questionnaire) • Copies of consultation proposals be available to view on the Council’s website and a hard copy will be made available at the Reception in Moorlands House. • Correspondence will be sent out to all Hackney Carriage and Private Hire operators and drivers licensed with the Authority.

Licensing & Regulatory Committee - 1 April 2022

CONSULTATION ITEM	TIMESCALE & DETAIL
	<ul style="list-style-type: none">• Several drop-in sessions will be scheduled to take place at Leek and Biddulph within the 12 week consultation period to accommodate representatives from the trade and other organisations to discuss any concerns or questions they may have about the proposed amendments.• The dates of the sessions will be included and advertised in the consultation information.
Consultation Responses	September/October 2022 <ul style="list-style-type: none">• Consultation responses received by the Council will be collated, discussed and presented to the Licensing & Regulatory Committee for consideration, and a decision to undertake further consultation or to recommend a revised Policy to Council for adoption may be taken.
Adoption of the revised policy	November to January 2023

It was noted that there were no drop in sessions in Cheadle. This would be rectified once a suitable venue could be secured.

Discussion took place around CCTV and its benefits to the safety of all parties. It was clarified that if CCTV was mandated in the policy, SMDC would become the Data Recorder. Caution was required to ensure that any CCTV coverage was not shared and, whilst each owner would be subject to ICO (Information Commissioner's Office) requirements, the Council needed to be able to manage the situation. The situation would be considered fully during the consultation and reported back to the Committee in Autumn 2022, including cost implications to the Council and owners. Most Licensing Authorities were following the same review process.

70% of the current 64 licenced vehicles did not comply with proposed emissions requirements. The review would therefore encourage owners to invest in newer engine designs in order to comply.

RESOLVED –

- That the Committee **APPROVE** the key areas of the Policy for consultation and the consultation timetable as outlined in the report' and
- That, following the consultation period, the proposed revised Policy (together with a summary of key consultation comments) be considered further by the Committee at its meeting in October 2022, with a view to recommending a revised Policy to Full Council for formal adoption by the Council.

43 LICENSING ENFORCEMENT ACTIVITY

The Licensing Service had remained operational throughout the Covid-19 Pandemic and the report highlighted enforcement activities between November 2021 and February 2022. Overall, there had been a good level of compliance, with no penalty points having been issued to drivers or operators since the previous report.

Licensing & Regulatory Committee - 1 April 2022

Area	Applications Received / letters sent out	Issued	Rejected
Charity Collections House to House	6	6 Permits issued	0 Rejected
Charity Collections Street Collections	6	2 Permits issued	0 Rejected
Pavement Licenses	1	New Application	
Personal Alcohol Licenses	25	25 of which 17 were new applications and 5 were changes to Holders' details 1 addition of convictions 2 surrenders	
Road Closure Orders	8	8 RCO issued	0 Rejected
Small Society Lottery Chase up letters	23		
Small Society Lottery Renewal Letters	76		
Taxi Drivers	25		
Taxi Hackney Vehicles	9		
Taxi Operators	1		
Taxi Private Hire Vehicles	16		
TENS with Alcohol	13		
TENS LATE with Alcohol	10		
TENS without Alcohol	0		
TENS LATE without Alcohol	0		
Vary DPS	18		
Transfers	7		
Street Trading Renewals	1		
Lapsed Premises Licence	1		
Time Limited Premises Licence Applications	2		
Full Variation of a Premises Licence	1		
Applications for the Grant of a Premises Licence	2		
Surrender of Premises Licences	4		
Surrender of Gambling Premises	1		

Licensing & Regulatory Committee - 1 April 2022

Pub watch attendance	3		
Joint enforcement visits with Staffs Police	12		
Joint enforcement with Immigration	1		

In addition, the Licensing Section had responded to a number of complaints and requests for service in relation to the Covid-19 Pandemic.

Responding to member queries, Alicia Patterson – Head of Environmental Health – confirmed that a) there was no evidence of Charity house-to-house collectors targeting terraced areas and b) with regard to the Queen’s Platinum Jubilee there was no charge for street closures but that ‘TEN’ Licenses were still needed as normal, at a cost of £21.

RESOLVED – That the report be **NOTED**.

44 **DATE OF NEXT MEETING - TO BE CONFIRMED**

The meeting closed at 10.30 am

_____ Chairman _____ Date