

# Northumberland

Northumberland County Council

Your  
Ref:  
Our Ref:  
Enquiries to: Mrs H Bowers  
Direct Line: (01670) 622609  
E-mail: Heather.Bowers@northumberland.gov.uk

Date: 17 October 2017

Dear Sir or Madam,

Your attendance is requested at a meeting of the **LICENSING AND REGULATORY COMMITTEE** to be held in **COMMITTEE ROOM 1**, on **WEDNESDAY, 25 OCTOBER 2017** at **1:30 PM**.

Yours faithfully,



Interim Chief Executive

**To Members of the Licensing and Regulatory Committee as follows:-**

**J I Hutchinson (Chair), R M Gibson (Vice Chair), T Cessford, B Crosby, J A Lang, K Nisbet, K Parry, W Pattison, M A Purvis, M E Richards, G Roughead, C Seymour, A Sharp, K Stow, T S Wilson,**

## **AGENDA**

### **PART I**

It is expected that the matters included in this part of the agenda will be dealt with in public.

#### **1. MEMBERSHIP AND TERMS OF REFERENCE**

The Committee are asked to note the membership and terms of reference for the Licensing and Regulatory Committee as agreed at the Annual County Council held on 24 May 2017 and to the subsequent changes.

Therefore the membership and terms of reference for the Licensing and Regulatory Committee for the ensuing Council year are reported as follows:-

Chair: J I Hutchinson

Vice Chair: R M Gibson

<b>Conservative</b>	<b>Labour</b>	<b>Bedlington Independents</b>	<b>Liberal Democrat</b>	<b>Independents (Non-grouped)</b>
T Cessford	J Lang	B Crosby	A Sharp	
R M Gibson	K Nisbet			
J I Hutchinson	K Parry			
W Pattison	M Purvis			
G Roughead	M E Richards			
C Seymour	T S Wilson			
K Stow				

#### **Terms of Reference**

- (1) Except where the matter is delegated either expressly to the Head of Public Protection, or alternatively to officers in accordance with the Public Protection internal scheme of management, the Licensing and Regulatory Committee has the following delegated powers:-
  - (a) to be responsible for licensing matters relating to the following areas, including suspension and revocation of licences and applications where there has been a refusal to grant, renew or vary a licence, or where there are relevant objections to grant, vary or renew:-

(i) amusements with prizes	(xiv) prize bingo
(ii) animal boarding establishments	(xv) sex establishments
(iii) betting tracks	(xvi) street collections
(iv) dangerous wild animals	(xvii) street trading - prohibited areas
(v) dog breeding establishments	(xviii) theatres and cinemas
(vi) game dealers	(xix) film classification
(vii) hackney carriage drivers and proprietors	(xx) use of land as a caravan site
(viii) hypnotism	(xxi) use of moveable dwellings and camping sites
(ix) lotteries	(xxii) premises for acupuncture, ear piercing and electrolysis
(x) motor salvage operators	(xxiii) safety certificates for sports grounds
(xi) pet shops	(xxiv) zoos
(xii) pleasure boats and navigators	(xxv) knackers yards
(xiii) private hire vehicle drivers, proprietors and operators	(xxvi) scrap metal

- (b) to be responsible for any other licensing matters, including applications for licenses or registrations which are not delegated to any other body.
  - (c) to make recommendations on licensing policy.
  - (d) to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption.
  - (e) to make recommendations to full Council in respect of bye-laws, including making new, or amending or revoking existing bye-laws.
  - (f) to consider and respond on behalf of the Council to consultation exercises where it is appropriate to do so following agreement with the Chairman of the Committee.
- (2) Where the Licensing and Regulatory Committee exercises the function of determining any application or similar matter, it may do so through a Sub Committee.

**2. APOLOGIES FOR ABSENCE**

**3. MINUTES**

Minutes of the meeting of the Licensing and Regulatory Committee, held on Wednesday 26 April 2017, as circulated, to be confirmed as a true record and signed by the Chair.

**4. SUB-COMMITTEE MINUTES**

To receive for information the Minutes of the Licensing and Regulatory Sub-Committees:

29 June 2017

3 August 2017

8 September 2017

**5. DISCLOSURE OF MEMBERS' INTERESTS**

Unless already entered in the Council's Register of Members' interests, members are required to disclose any personal interest (which includes any disclosable pecuniary interest) they may have in any of the items included on the agenda for the meeting in accordance with the Code of Conduct adopted by the Council on 4 July 2012, and are reminded that if they have any personal interests of a prejudicial nature (as defined under paragraph 17 of the Code Conduct) they must not participate in any discussion or vote on the matter and must leave the room

NB Any member needing clarification must contact Liam Henry, Legal Services Manager, on 01670 623324. Please refer to the guidance on disclosures at the rear of this agenda letter.

**6. REPORTS OF THE CHIEF FIRE OFFICER**

**(i) Testing of Berwick area based Private Hire Vehicles and Hackney Carriages**

To inform Members of representations received from taxi drivers in the Berwick area who object to having to travel to Alnwick to have their vehicles tested.

**(ii) Age UK Complaint**

To inform Members of a complaint from Age-UK regarding issues they feel are discriminatory in the current NCC Hackney Carriage and Private Hire Licensing Policy and to seek approval for an amendment that will remove this non-compliance. This report seeks to correct an apparent inconsistency between the issues surrounding medical fitness of older drivers and their ability to access licences of longer duration. By being licensed for three years instead of one, the driver will save £50 and will reduce his annual administrative burden.

**(iii) Taxi & Private Hire Working Group**

To inform Members of a new Parliamentary Taxi and Private Hire Working Group.

**(iv) Case Law - Oldham Borough Council v. Mr Mohammed Sajjad**

To inform Members of Case Law.

**7. URGENT BUSINESS (IF ANY)**

To consider such other business as, in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

**IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:**

- Declare it and give details of its nature before the matter is discussed or as soon as it becomes apparent to you.
- Complete this sheet and pass it to the Democratic Services Officer.

<b>Name (please print):</b>
<b>Meeting:</b>
<b>Date:</b>
<b>Item to which your interest relates:</b>
<b>Nature of Registerable Personal Interest i.e. either disclosable pecuniary interest (as defined by Annex 2 to Code of Conduct or other interest (as defined by Annex 3 to Code of Conduct) (please give details):</b>
<b>Nature of Non-registerable Personal Interest (please give details):</b>
<b>Are you intending to withdraw from the meeting?</b>

**1. Registerable Personal Interests** – You may have a Registerable Personal Interest if the issue being discussed in the meeting:

- a) relates to any Disclosable Pecuniary Interest (as defined by Annex 1 to the Code of Conduct); or
- b) any other interest (as defined by Annex 2 to the Code of Conduct)

The following interests are Disclosable Pecuniary Interests if they are an interest of either you or your spouse or civil partner:

(1) Employment, Office, Companies, Profession or vocation; (2) Sponsorship; (3) Contracts with the Council; (4) Land in the County; (5) Licences in the County; (6) Corporate Tenancies with the Council; or (7) Securities - interests in Companies trading with the Council.

The following are other Registerable Personal Interests:

(1) any body of which you are a member (or in a position of general control or management) to which you are appointed or nominated by the Council; (2) any body which (i) exercises functions of a public nature or (ii) has charitable purposes or (iii) one of whose principal purpose includes the influence of public opinion or policy (including any political party or trade union) of which you are a member (or in a position of general control or management ); or (3) any person from whom you have received within the previous three years a gift or hospitality with an estimated value of more than £50 which is attributable to your position as an elected or co-opted member of the Council.

**2. Non-Registerable Personal Interests** - You may have a non-registerable personal interest when you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are, or ought reasonably to be, aware that a decision in relation to an item of business which is to be transacted might reasonably be regarded as affecting your well being or financial position, or the well being or financial position of a person described below to a greater extent than most inhabitants of the area affected by the decision.

The persons referred to above are: (a) a member of your family; (b) any person with whom you have a close association; or (c) in relation to persons described in (a) and (b), their employer, any firm in which they are a partner, or company of which they are a director or shareholder.

### **3. Non-Participation in Council Business**

When you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are aware that the criteria set out below are satisfied in relation to any matter to be considered, or being considered at that meeting, you must : (a) Declare that fact to the meeting; (b) Not participate (or further participate) in any discussion of the matter at the meeting; (c) Not participate in any vote (or further vote) taken on the matter at the meeting; and (d) Leave the room whilst the matter is being discussed.

The criteria for the purposes of the above paragraph are that: (a) You have a registerable or non-registerable personal interest in the matter which is such that a member of the public knowing the relevant facts would reasonably think it so significant that it is likely to prejudice your judgement of the public interest; **and either** (b) the matter will affect the financial position of yourself or one of the persons or bodies referred to above or in any of your register entries; **or** (c) the matter concerns a request for any permission, licence, consent or registration sought by yourself or any of the persons referred to above or in any of your register entries.

**This guidance is not a complete statement of the rules on declaration of interests which are contained in the Members' Code of Conduct. If in any doubt, please consult the Monitoring Officer or relevant Democratic Services Officer before the meeting.**