



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Heather Bowers

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Tel direct: (01670) 622609

Date: 11 June 2018

Dear Sir or Madam,

Your attendance is requested at a meeting of the **LICENSING AND REGULATORY COMMITTEE** to be held in **COMMITTEE ROOM 1, COUNTY HALL, MORPETH, NE61 2EF** on **WEDNESDAY, 20 JUNE 2018 at 1:30 PM.**

Yours faithfully,

Daljit Lally
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



Daljit Lally, Chief Executive
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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

Chair: J I Hutchinson

Vice Chair: R M Gibson

Conservative	Labour	Bedlington Independents	Liberal Democrat	Independents Non-grouped
T. Cessford	J.J.Gobin	B. Crosby	A. Sharp	
R.M. Gibson	J. Lang			
J.I. Hutchinson	K. Nisbet			
W. Pattison	K. Parry			
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, tattooing, 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 25 April 2018, as circulated, to be confirmed as a true record and signed by the Chair.

4. DISCLOSURES 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.

5. SUB-COMMITTEE MINUTES

To receive for information the Minutes of the Licensing and Regulatory Sub-Committee held on 24 May 2018.

6. REPORTS OF THE INTERIM EXECUTIVE DIRECTOR OF PLACE

(1) Review of Hackney Carriage Tariffs

To provide the Licensing and Regulatory Committee with additional information concerning the existing hackney carriage fare tariff and to consider whether or not it is appropriate to increase the tariff to reflect increases in the general cost of living. (Attached to the agenda as **Appendix A.**)

(2) Hackney Carriage and Private Hire Drivers Licence Fees

To seek approval of the Committee for officers to consult on the proposed new licence fees in respect of Hackney Carriage and Private Hire Drivers Fees and to confirm arrangement for the consideration of representations. (Attached to the agenda as **Appendix B.**)

(3) Guidance on the Determining the Suitability of Applicants for Hackney Carriage and Private Hire Licences

To inform Members of the Committee of new guidance on determining the suitability of applicants and licensees in hackney carriage and private hire licensing. (Attached to the agenda as **Appendix C.**)

(4) New Regulations for Animal Licensing

To inform Members of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. (Attached to the agenda as **Appendix D.**)

(5) Case Report : Milton Keynes Council v Skyline Taxis and others

To bring to the attention of the Licensing & Regulatory Committee a recent High Court Decision. (Attached to the agenda as **Appendix E.**)

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.

Name (please print):
Meeting:
Date:
Item to which your interest relates:
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):
Nature of Non-registerable Personal Interest (please give details):
Are you intending to withdraw from the meeting?

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.