

# Public Document Pack



## Northumberland County Council

**Your ref:**

**Our ref:**

**Enquiries to:** Heather Bowers

**Email:**

Heather.Bowers@northumberland.gov.uk

**Tel direct:** 01670 622609

**Date:** 07 June 2022

Dear Sir or Madam,

Your attendance is requested at a meeting of the **LICENSING COMMITTEE** to be held in **MEETING SPACE - BLOCK 1, FLOOR 2 - COUNTY HALL** on **WEDNESDAY, 15 JUNE 2022** at **2.00 PM** or on the rising of the **Licensing & Regulatory Committee**, whichever is the later.

Yours faithfully

Daljit Lally  
Chief Executive

**To Licensing Committee members as follows:-**

**J Beynon, T Cessford, E Chicken, J Foster, B Gallacher, C Hardy, C Humphrey (Vice-Chair), JI Hutchinson (Chair), S Lee, K Parry, C Seymour, A Sharp, M Swinbank and A Wallace**

Any member of the press or public may view the proceedings of this meeting live on our YouTube channel at <https://www.youtube.com/NorthumberlandTV>. Members of the press and public may tweet, blog etc during the live broadcast as they would be able to during a regular Committee meeting.

***Members are referred to the risk assessment, previously circulated, for meetings held in County Hall. Masks should be worn when moving round but can be removed when seated, social distancing should be maintained, hand sanitiser regularly used and members requested to self-test twice a week at home, in line with government guidelines.***



**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

#### 15 Members (7:4:1 Ind Gp, 1 LD, 2 Min Gp)

(same membership and chair/ vice chair as Licensing and Regulatory Committee)

Quorum - 4

Chair: I. Hutchinson

Vice Chair: C. Humphrey

Conservative	Labour	Independent Group	Liberal Democrats	Green Party	Independent
J. Beynon	B. Gallacher	S. Lee	A. Sharp	M. Swinbank	
T. Cessford	J. Foster				
E. Chicken	K. Parry				
C. Hardy	A. Wallace				
C. Humphrey					
I. Hutchinson					
C. Seymour					

#### Terms of Reference

- (1) The Licensing Committee will exercise all the powers and duties of the Council under the Licensing Act 2003 and the Gambling Act 2005, except for those functions that are reserved to the Council.
- (2) The Licensing Committee may arrange for any functions which it exercises to be discharged by:-
  - (a) a Sub Committee established by it; or
  - (b) an officer of the Council as Licensing Authority.

The Committee will report to the Council on any such arrangements it may make.

- (3) Where the Licensing Committee exercises the function of determining any application or similar matter, it will do so through a Sub Committee.

### 2. APOLOGIES FOR ABSENCE

### 3. MINUTES

(Pages 1  
- 4)

#### **4. DISCLOSURE OF MEMBERS' INTERESTS**

Unless already entered in the Council's Register of Members' interests, members are required where a matter arises at a meeting;

- a. Which directly relates to Disclosable Pecuniary Interest ('DPI') as set out in Appendix B, Table 1 of the Code of Conduct, to disclose the interest, not participate in any discussion or vote and not to remain in room. Where members have a DPI or if the matter concerns an executive function and is being considered by a Cabinet Member with a DPI they must notify the Monitoring Officer and arrange for somebody else to deal with the matter.
- b. Which directly relates to the financial interest or well being of a Other Registrable Interest as set out in Appendix B, Table 2 of the Code of Conduct to disclose the interest and only speak on the matter if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain the room.
- c. Which directly relates to their financial interest or well-being (and is not DPI) or the financial well being of a relative or close associate, to declare the interest and members may only speak on the matter if members of the public are also allowed to speak. Otherwise, the member must not take part in discussion or vote on the matter and must leave the room.
- d. Which affects the financial well-being of the member, a relative or close associate or a body included under the Other Registrable Interests column in Table 2, to disclose the interest and apply the test set out at paragraph 9 of Appendix B before deciding whether they may remain in the meeting.
- e. Where Members have or a Cabinet Member has an Other Registerable Interest or Non Registerable Interest in a matter being considered in exercise of their executive function, they must notify the Monitoring Officer and arrange for somebody else to deal with it.

NB Any member needing clarification must contact [monitoringofficer@northumberland.gov.uk](mailto:monitoringofficer@northumberland.gov.uk). Members are referred to the Code of Conduct which contains the matters above in full. Please refer to the guidance on disclosures at the rear of this agenda letter.

#### **5. DATE OF NEXT MEETING**

The next meeting will be held on Wednesday 24 August 2022.

#### **6. URGENT BUSINESS**

**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:</b>		<b>Date of meeting:</b>	
<b>Meeting:</b>			
<b>Item to which your interest relates:</b>			
<b>Nature of Interest i.e. either disclosable pecuniary interest (as defined by Table 1 of Appendix B to the Code of Conduct, Other Registerable Interest or Non-Registerable Interest (as defined by Appendix B to Code of Conduct) (please give details):</b>			
<b>Are you intending to withdraw from the meeting?</b>		Yes - <input type="checkbox"/>	No - <input type="checkbox"/>

## Registering Interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

**"Disclosable Pecuniary Interest"** means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

**"Partner"** means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

### Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

### Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

### Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a relative or close associate; or
- c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well- being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

## NORTHUMBERLAND COUNTY COUNCIL

### LICENSING COMMITTEE

At a meeting of the **Licensing Committee** held on Wednesday, 9 March 2022 at 3.45 p.m.

#### PRESENT

Councillor I Hutchinson  
(Chair, in the Chair)

#### MEMBERS

J Foster  
B Gallacher  
C Hardy  
C Humphrey

S Lee  
C Seymour  
A Wallace

#### OFFICERS

H Bowers  
T Hardy  
N Masson  
P Soderquest

D Wilson

Democratic Service Officer  
Licensing Manager  
Principal Solicitor  
Head of Housing and Public  
Protection  
Business Compliance and Public  
Safety Manager

#### 06. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Beynon, Cessford, Ferguson, Nisbet. And Parry.

#### 07. MINUTES

The minutes of the meeting of the Licensing Committee held on Tuesday 24 August 2021, as circulated be confirmed as a true record and signed by the Chair.

Ch.'s Initials.....

## **08. REPORTS OF THE HEAD OF HOUSING AND PUBLIC PROTECTION**

### **(1) Statement of Licensing Policy**

Members were advised that licensing authorities were required to prepare and publish a statement of its licensing policy every 5 years and under obligation to reconsult on policy statements every 5 years.

The policy was scheduled to be revisited in 2020, but due to the impact of Covid restrictions, it had been impossible to adequately progress with the consultation.

Under the circumstances, the Home Office had agreed that the process could be extended.

Consultation with the trade had taken place last year and the responses received were within the report documentation. General amendments had been made to the policy to update it in relation to changes on legislation and guidance.

If members approved the document in its revised form, approval would be sought from full Council.

Comments were raised in relation to parish and town councils not being consulted on, the consultation timescale and the Pubwatch Scheme.

It was explained the Council did not have a statutory function to consult with parish and town councils and the legislation of the Licensing Act was clear that the Council would be acting beyond its authority to do so.

Consultation had been carried out following guidance set out by the Department for Business, Innovation and Skills.

The Pubwatch Scheme was operated by Northumbria Police, which the Council supported. The Council had a strong working relationship with licensed premises and the police, particularly where there was greater grounds for concern.

The recommendations set out in the report were proposed by Councillor Hutchinson and seconded by Councillor Hardy and unanimously agreed.

**RESOLVED** that:-

1. The outcome of the consultation exercise be noted and the content of the report and proposed amendments or revisions to the Statement of Licensing Policy be agreed.
2. The revised Statement of Licensing Policy be adopted for the period 2022 – 2027.

**09. DATE OF NEXT MEETING**

**RESOLVED** that the next meeting of the Licensing Committee will be held on Wednesday 27 April 2022.

**CHAIR** \_\_\_\_\_

**DATE** \_\_\_\_\_

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