



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Heather Bowers

Email:

Heather.Bowers@northumberland.gov.uk

Tel direct: 01670 622609

Date: 15 August 2023

Dear Sir or Madam,

Your attendance is requested at a meeting of the **LICENSING & REGULATORY COMMITTEE** to be held in **CONFERENCE ROOM 1 - COUNTY HALL** on **WEDNESDAY, 23 AUGUST 2023** at **1.30 PM**.

Yours faithfully

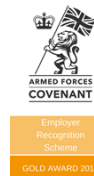
Dr H Paterson
Chief Executive

To Licensing & Regulatory Committee members as follows:-

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



Dr H Paterson 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. TERMS OF REFERENCE

The committee is asked to note the following membership and terms of reference for the Licensing & Regulatory Committee which were agreed by Council on 17 May 2023.

15 Members (7:4:2 Ind Gp, 1 LD, 1 Min Gp)
(same membership and chair/vice chair as Licensing Committee)

Quorum – 4

Chair: C. Humphrey

Vice Chair: E. Chicken

Conservative	Labour	Independent Group	Liberal Democrats	Green Party	Ind Non-Grouped
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) Except where the matter is delegated either expressly to the Head of Housing and 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) animal boarding establishments	(xiii) sex establishments
(ii) betting tracks	(xiv) street collections
(iii) dangerous wild animals	(xv) street trading – prohibited areas
(iv) dog breeding establishments	(xvi) theatres and cinemas
(v) game dealers	(xvii) film classification
(vi) hackney carriage drivers and proprietors	(xviii) use of land as a caravan site
(vii) hypnotism	(xix) use of moveable dwellings and camping sites
(viii) lotteries	(xx) premises for acupuncture, tattooing, ear piercing and electrolysis
(ix) motor salvage operators	(xxi) safety certificates for sports grounds
(x) pet shops	(xxii) zoos
(xi) pleasure boats and navigators	(xxiii) knackers yards
(xii) private hire vehicle drivers, proprietors and operators	(xxiv) 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. 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. 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.

- 4. MINUTES** (Pages 1 - 4)
- Minutes of the meeting of the Licensing and Regulatory Committee held on Wednesday 26 April 2023, as circulated, to be confirmed as a true record and signed by the Chair.
- 5. SUBCOMMITTEE MINUTES** (Pages 5 - 6)
- To receive information the Minutes of the Licensing and Regulatory Subcommittee held on Thursday 27 April 2023.
- 6. REPORTS OF THE HEAD OF PUBLIC PROTECTION** (Pages 7 - 14)
- TAXIS AND PRIVATE HIRE VEHICLES (SAFEGUARDING AND ROAD SAFETY) ACT 2022**
- To update members on the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 (Sian's Law) and the statutory guidance.

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - AUTHORISED TESTING STATIONS

To seek approval for independent garages to be authorised to complete taxi and private hire vehicle testing in circumstances where the current garages cannot fulfil the demand.

7. URGENT BUSINESS

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:		Date of meeting:	
Meeting:			
Item to which your interest relates:			
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):			
Are you intending to withdraw from the meeting?		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.