



Northumberland

County Council

Your ref:

Our ref:

Enquiries to: Heather Bowers

Email:

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Tel direct: 01670 622609/07873 700 976

Date: Wednesday, 16 August 2023

Dear Sir or Madam,

Your attendance is requested at a meeting of the **LICENSING COMMITTEE** to be held in **CONFERENCE ROOM 1 - COUNTY HALL** on **WEDNESDAY, 23 AUGUST 2023 at 2.00 PM**, or on the rising of the **Licensing & Regulatory Committee**, whichever is the later.

Yours faithfully

Dr Helen Paterson
Chief Executive

To Licensing 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 Helen 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. 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	Ind 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) 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
- 6)

Minutes of the meetings of the Licensing Committee, held on Wednesday 26 October 2022 and 15 February 2023, as circulated, to be confirmed as a true record and signed by the Chair.

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. 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

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.

NORTHUMBERLAND COUNTY COUNCIL

LICENSING COMMITTEE

At a meeting of the **Licensing Committee** held on Wednesday, 26 October 2022 at 2:20 pm.

PRESENT

Councillor I Hutchinson
(Chair, in the Chair)

MEMBERS

T Cessford
J Foster
B Gallacher
C Hardy

S Lee
K Parry
A Sharp
M Swinbank

OFFICERS

H Bowers
L Brooks

M Bulman
T Hardy
D Wilson

Democratic Service Officer
Trading Standards and Animal
Health Manager
Solicitor
Licensing Manager
Business Compliance and Public
Safety Manager

05. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Beynon, Chicken, Humphrey, Seymour, Wallace and P Soderquest.

06. MINUTES

The minutes of the meeting of the Licensing Committee held on Wednesday 15 June 2022, as circulated be confirmed as a true record and signed by the Chair.

Ch.'s Initials.....

07. REPORTS OF THE DIRECTOR OF HOUSING AND PUBLIC PROTECTION

07.1 GAMBLING ACT

Members were advised of a proposed consultation regarding the Statement of Principles Policy and approval was sought to consult on the proposed Statement of Principles for the Gambling Act 2005.

There had been no notable changes in the regulations issued by the Secretary of State or guidance by the Gambling Commission that materially affected the current Statement of Principles.

As significant changes to the policy had been carried out in 2015, officers were not proposing any significant changes to the current policy and to seek views of consultees as to whether any changes were required. The current statement was attached as Appendix A to the report.

RESOLVED that the content of the report and intention to undertake consultation be noted.

07.2 TRADING STANDARDS UPDATE

Laura Brooks, Trading Standards and Animal Health Manager shared a presentation with members which provided information on under age restricted sales and illicit tobacco products. (Presentation attached to the signed minutes).

Following the presentation, the following information was given in response to questions:-

- Trading Standards would work with shop owners and educate on Proxy sales and current law.
- There was no specific marking on packaging for alcohol, but there were lot numbers which could be traced back. Work would be carried out with the supplier and also intelligence shared with the police.
- Trading Standards carried out work across the country, regionally and nationally and also used an Intelligence Data Base (IDB), which was actively shared with other authorities.
- Ms Brooks explained that she had been in her present post for just over one year and covid restrictions had still been in place when she had commenced her post. It was an ideal time to start building up relationship with partners to share information.
- The Refusals Register was a contentious issue, and sometimes not completed truthfully. Often staff did not know how to complete register.

- With reference to black market tobacco sales, this very much depended on intelligence and more work was to be carried out to identify issues but this was not straight forward in terms of regulation.
- It was difficult identifying illegal vapes as this depended on tank size. Often illegal vapes were hidden away.
- The new legislation for energy drinks had not yet come into force and this had to be dealt with on an advisory basis until law came into force.
- It was not a criminal offence to sell multipack items providing food labelling was correct and all information included.
- With respect to visiting premises - every piece of intelligence was acted on and a KPI for Trading Standards. People could only be contacted if they were on record however, because of GDPR that information could not be shared with anyone else.

The officer was thanked for her presentation.

RESOLVED that the information was noted.

8. DATE OF NEXT MEETING

RESOLVED that the next meeting of the Licensing Committee will be held on Tuesday 20 December 2022.

CHAIR _____

DATE _____

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NORTHUMBERLAND COUNTY COUNCIL

LICENSING COMMITTEE

At a meeting of the **Licensing Committee** held on Wednesday, 15 February 2023 at 3:07 pm.

PRESENT

Councillor C Humphrey
(Vice Chair, in the Chair)

MEMBERS

T Cessford
E Chicken
B Gallacher
C Hardy
S Lee

K Parry
C Seymour
A Sharp
M Swinbank
A Wallace

OFFICERS

H Bowers
M Bulman
T Hardy
D Wilson

P Soderquest

Democratic Service Officer
Solicitor
Licensing Manager
Business Compliance and Public
Safety Manager
Director of Housing & Public
Protection (Virtual)

09. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Foster.

10. MINUTES

The minutes of the meeting of the Licensing Committee held on Wednesday 26 October 2022, as circulated be confirmed as a true record and signed by the Chair and to note that Councillors Beynon, Chicken, Humphrey and Seymour were in attendance.

Ch.'s Initials.....

11. REPORT OF THE DIRECTOR OF HOUSING AND PUBLIC PROTECTION

11.1 Gambling – Statement of Principles Policy

Members were asked to agree a policy for consideration by the County Council at its meeting on 22 March 2023, following a consultation on the Statement of Principles for the Gambling Act 2005 which had been prepared in accordance with the Gambling Act 2005 and associated guidance.

The current Statement of Principles Policy in place had been agreed in January 2019 and was due to be reviewed. During that time there had been no major changes to the policy.

Officers sought views and comments to the policy from 1 November 2022 to 23 January 2023. No responses had been received.

Councillor Wallace moved acceptance of the draft policy for adoption by Council. This was seconded by Councillor Parry and unanimously agreed.

RESOLVED that the draft policy be agreed.

12. DATE OF NEXT MEETING

RESOLVED that the next meeting of the Licensing Committee will be held on Wednesday 26 April 2023.

CHAIR _____

DATE _____