

Minutes of a meeting of the Licensing and Appeals Committee

Held at 7.00 pm on Monday 22nd November, 2021 in the Council Chamber, Cedar Drive, Thrapston, NN14 4LZ

Present:-

Members:

Councillor Jonathan Ekins (Chair)
Councillor John Currall
Councillor Clive Hallam
Councillor Barbara Jenney
Councillor Lora Lawman

Councillor Jennie Bone
Councillor Anne Lee
Councillor Dorothy Maxwell
Councillor Anup Pandey
Councillor Lee Wilkes

Officers:

Iain Smith, Assistant Director of
Regulatory Services
Amanda Wilcox, Interim
Environmental Health Manager,
Russell Howell,
Health Service Manager

Louise Tyers, Senior Democratic
Services Officer,
Carol Mundy, Senior Democratic
Services Officer (Committees/Members)
Banke Thomas, Legal Adviser

Also in attendance was Councillor Jim Hakewill as a substitute for Councillor Tubbs.

1 Apologies for non-attendance

Apologies were received from Councillors McEwan, Shacklock and Tubbs.

2 Members' Declarations of Interest

The chair invited those who wished to do so to declare any interests in respect of items on the agenda.

No declarations were made.

3 Licensing Act 2003 - Statement of Licensing Policy

The committee considered a report of the Assistant Director of Regulatory Services proposing the adoption by full Council of the Licensing Act 2003, Statement of Licensing Policy, as appended thereto. The report was marked 'item 3' on the agenda.

The new policy for North Northamptonshire Council had been drawn taking into consideration the former sovereign councils' existing policies, which had been previously prepared as a county-wide project. Consultation on the documentation had taken place, and the responses received thereto were also appended to the report. The policy would commence from 31 January 2022 for a five year period, until 31 January 2027.

The committee raised various issues to which officers responded as follows:

- i. Trading Standards service – what was its role within North Northants Council and how could the service be contacted. The assistant director clarified that there was a national agreement in place whereby contact was made via Citizens Advice with calls then being triaged to the relevant area. He also clarified that there was to be a portfolio holder briefing relating to trading standards and he would ensure that this was circulated to all councillors. The chair confirmed that he would raise the issue of how contact was made with trading standards with the Leader of the Council, Councillor Smithers.
- ii. Reference was also made to 6.6 of the report and the section headed 'Climate Impact', which stated there was 'no climate impact', this was questioned as one councillor considered there had been a significant climate impact in printing the reports for the committee. The assistant director explained that the statement referenced within the report related to the actual policy, which would not have an impact on climate change. It was acknowledged that the words 'on the policy' could have been added to the sentence for the purpose of clarity. Councillor Ekins assured the committee that he would raise the printing of agenda and reports with Portfolio Holder, Councillor Pentland.
- iii. Concern was expressed about the potential for Children to be served with alcohol, particularly with the use of technology to order drinks directly to a table. It was clarified that it remained the responsibility of the designated premises supervisor/ licence holder to ensure that those who were underage were not served alcohol.

RESOLVED:

That full council be recommended to approve the adoption of the Statement of Licensing Policy 2022-2027.

4 Gambling Act 2005 - Statement of Licensing Principles

The committee considered a report from the Assistant Director of Regulatory Services, proposing the adoption by full Council of the Gambling Act 2005, Statement of Licensing Principles, as appended to the report.

The policy was consulted on over a four-week period and the responses thereto were appended to the report. No substantive changes had been made to the contents of the previous sovereign council's documentation.

The adoption of the Gambling Act 2005, Statement of Licensing Principles by North Northamptonshire Council was proposed and seconded and on being put to the vote declared carried.

The committee was also asked to consider whether Council should consider whether to make a 'no-casino' resolution under section 166 of the Gambling Act 2005. The chair explained that under section 175(4) of the Gambling Act 2005 the Secretary of State had the power to determine the geographical distribution of casino premises licences. The Act set out an overall limit nationally of no more than one regional casino, eight large casinos and eight small casinos. In 2005 local authorities, with an interest in hosting a casino, were asked to indicate their interest and take part in a selection process. None of the former sovereign councils had done so and there were no sites identified in North Northamptonshire.

The committee considered two options, as detailed in the report.

A lengthy discussion ensued and it was concluded that whilst there were significant rural areas within North Northamptonshire there were also areas with a good night-time economy and that the option to consider having a casino in the future may be beneficial.

It was proposed, seconded and on being put to the vote resolved that it be recommended to full Council *not* to pass a 'no-casino' resolution under Section 166 of the Act.

RESOLVED:

To recommend to full Council:

- (a) To adopt the Gambling Act 2005, Statement of Licensing Principles 2022-2025;
- (b) *not* to pass a 'no-casino' resolution.

5 Mobile Homes - Fees and Assessment Policy

The committee considered a report of the Assistant Director Regulatory Services, proposing a Mobile Homes Fees and Assessment Policy for North Northamptonshire for adoption by the committee.

The Executive, at its meeting on 18 November, approved the fee setting structure for the above with the charge for an application being agreed at £250.00.

Under the Mobile Homes Act 2013 and the Mobile Homes (Requirement for Manager of Site to be a Fit and Proper Person (England) Regulation 2020 there was a new requirement for a 'Fit and Proper Person Assessment', which would apply to managers and or owners of caravan and mobile home sites in the North Northamptonshire area. The officer explained that sites varied in size and that a fit and proper person assessment would consider the applicant's legal interest in the site along with conduct including criminal record, financial arrangements and management arrangements.

The committee referenced various sites in the North Northamptonshire area and asked if there was a public register of licensed sites. Officers confirmed that this was available on the council's website, the chair asked if the link could be forwarded to all councillors.

RESOLVED that the Mobile Homes Fees and Assessment Policy, as detailed in Appendix A of the report, be adopted.

6 Close of Meeting

The Chair closed the meeting at 8.40pm.

Chair.....

Date