



### LICENSING COMMITTEE AGENDA

**Date:** Tuesday, 11 July 2023

**Time:** 6.30 pm

**Venue:** Committee Room A, Town Hall, Buxton

You can view the agenda online by using a smart phone camera and scanning the code below:



**3 July 2023**

#### PART 1

1. Apologies for absence
2. To receive Disclosures of Interest on any matters before the Committee
  - i) Disclosable Pecuniary Interests
  - ii) Other Interests
3. To approve the Minutes of the previous meeting (**Pages 3 - 4**)
4. Update and Future Work Items (verbal)
5. Enforcement Update (**Pages 5 - 10**)

#### **MARK TRILLO EXECUTIVE DIRECTOR AND MONITORING OFFICER**

##### Membership of Licensing Committee

Councillor R Baker (Chair)  
Councillor J Benzer  
Councillor S Evans  
Councillor I Huddleston  
Councillor P Mackie  
Councillor P Roberts

Councillor S De Pee (Vice-Chair)  
Councillor D Capper  
Councillor P Hardy  
Councillor K Kirkham  
Councillor R McKeown  
Councillor G Scott

This page is intentionally left blank



### LICENSING COMMITTEE

**Meeting: Thursday, 2 March 2023 at 6.30 pm in a Virtual Meeting**

**Present:** Councillor Baker (Chair)

Councillors C Farrell, P Hardy, I Huddleston, E Kelly, R McKeown, J Perkins and S Young

**In Attendance:** Councillor(s) A Barrow and A McKeown

Apologies for absence were received from Councillors L Dowson and Sloman.

#### **23/6 CHAIR'S ANNOUNCEMENT**

The Chair announced that the meeting was being broadcast live to the internet via the Council's website and was capable of repeated viewing. The images and sound recording may be used for training purposes within the Council. All were asked to keep to the speaking guidelines which were outlined. Any views expressed by any speaker in the meeting are the speaker's own and do not necessarily reflect the views of High Peak Borough Council.

#### **23/7 TO RECEIVE DISCLOSURES OF INTEREST ON ANY MATTERS BEFORE THE COMMITTEE** (Agenda Item 2)

None

#### **23/8 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING** (Agenda Item 3)

RESOLVED:

That the minutes of the meeting held on 3 November 2022 be approved as a correct record.

#### **23/9 CHARITY COLLECTION CONSULTATION** (Agenda Item 4)

The Committee considered an approach for consultation upon a proposed Charitable Collections Policy. The consultation will be undertaken with a range of statutory bodies and other organisations, and would also be placed on the website should members of the public wish to comment. It was proposed that the consultation process will run for 6 weeks in May and June

and the responses received will be presented to the next Licensing Committee for consideration, with a recommendation to undertake further consultation or to recommend the Policy to Council for adoption.

In response to a query regarding ID badges, the Head of Service commented that a sample ID badge could be included within the draft policy and that, subject to resources, information could also be posted on the website so residents could check which collections are taking place at any time. Concerns were also expressed about collectors calling late at night, and organisers would be recommended to avoid this. It was also requested that ward councillors be provided with a copy of the street collections schedule. It was also recommended that Street Collection organisers be recommended to avoid refuse collection days when asking residents to leave their donations out for collection. Regarding national charities, members were advised that local branches do not have to be licensed by the local authority but are encouraged to make contact about their collection.

RESOLVED:

1. That the draft policy be approved for consultation, together with the consultation timetable as set out in paragraph 7.9 of the report;
2. That, following the consultation period, the proposed policy (together with a summary of the key consultation comments) be considered further by the committee at its next meeting, with a view to recommending the policy to Full Council for formal adoption by the Council.

**23/10 ENFORCEMENT ACTIVITY UPDATE**  
(Agenda Item 5)

The Committee considered an update in relation to the enforcement activity undertaken within the Licensing Section.

Members thanked officers and fellow councillors for their work on the Licensing Committee and Sub-Committees during this Council.

RESOLVED:

That the report be noted.

The meeting concluded at 6.55 pm

**CHAIRMAN**

## HIGH PEAK BOROUGH COUNCIL

### Licensing Committee

11 July 2023

<b>TITLE:</b>	<b>Enforcement Update</b>
<b>EXECUTIVE COUNCILLOR:</b>	<b>Councillor Fiona Sloman - Executive Councillor for Housing and Licensing</b>
<b>CONTACT OFFICER:</b>	<b>Alicia Patterson – Head of Environmental Health</b>
<b>WARDS INVOLVED:</b>	<b>ALL</b>

#### 1. Reason for the Report

- 1.1 To update members in relation to the enforcement activity undertaken within the Licensing Section.

#### 2. Recommendation

- 2.1 That the committee notes the contents of the report.

#### 3. Executive Summary

- 3.1 In the period February 2023 to May 2023 the Licensing service has engaged in a number of enforcement actions. These activities have involved reactive responses to complaints and intelligence received from the public and partner agencies as well as proactive compliance checks. We are pleased to report that the Licensing Section has noted a good level of compliance overall
- 3.2 Officers seek to encourage licence holders to conduct their activity in a safe manner, maintain good standards and to comply with the law. Officers have to exercise considerable discretion when approaching individual licence holders. Licensees are often anxious to comply with the law and for such cases the officer's role will be to provide guidance and advice. However, in carrying out their functions officers are authorised with a wide range of powers and may, for example, require entry at all reasonable times or require the production of certain documents.

3.3 If on enquiry officers find evidence that the law is being broken enforcement is required, they can respond in various ways. They may instruct or warn by letter; revoke or suspend a licence; and, where the circumstances warrant it, they may formally caution or prosecute without prior warnings and without recourse to alternative sanctions. Officers will have due regard to the relevant Enforcement Policies when determining the most appropriate course of action.

3.4 Below is a summary of enforcement activity carried out during this period. The figures shown below include the contacts made with the Taxi Drivers and Operators, all contacts have been in relation to the renewal process. Licences to drive hackney carriages and private hire vehicles need to be renewed annually or three yearly. The Authority sends one reminder out to our drivers 60 days before their licence is due to expire, advising of any additional checks including DBS and Medical assessments, MOT requirements etc.

- The Authority has not issued any penalty points to drivers or operators since the last report.
- Consultation is in progress and emails have been sent to all interested parties including previous applicants for a House to House collection Permits and Street Collection Permits with regards to consultation on the New Charity Collection Policy.
- Emails/Letters to all HPBC licensed drivers & operators with regards to the increase in Tariff charges

Area	Applications Received / letters sent out	Processed	Rejected
<b>Charity Collections</b>			
House to House - Home Office Exempt	5		
House to House - Direct Debit Collections	8		
House to House	1	1	
Street Collections	33	33	0
<b>Pavement Licenses</b>			
New Applications	3	3 still in consultation period	
Renewals	3	3	
<b>Personal Alcohol Licenses</b>			
New	24	24	
Renewals / updates	17	17	
<b>Road Closure Orders</b>			
	34	32	2
<b>Small Society Lotteries</b>			
New Applications	13	10	3
Small Society Lottery Chase Ups	6		
Small Society Lottery Renewals	12		
Small Society Lottery Renewals Processed		13	
Small Society Lottery cancellations	1	1	
<b>Taxis</b>			
Taxi Drivers Renewal letters	68		
Taxi Hackney Vehicles Renewal Letters	96		
Taxi Operators Renewal Letters	5		
Taxi Private Hire Vehicles Renewal Letters	93		
Driver Licences issued	77	28 Renewals; 9 New ; 38 Updates; 2 surrenders	
Operator Licences issued	6	4 Renewals ; 1 Transfer ; 1 Cancelled	
Hackney Licences issued	87	78 renewals ; 7 Vehicle Changes ; 1 Transferred ;	

		1 cancelled	
Private Hire licences issued	73	6 New ; 58 Renewals ; 4 Vehicle Changes ; 1 Transfer ; 4 Cancelled	
<b>TENS</b>			
TENS with Alcohol	87	78	9
TENS with Alcohol LATE	21	21	
TENS without Alcohol	7	7	
TENS without Alcohol LATE	0	0	

#### 4. How this report links to Corporate Priorities

- 4.1 The appropriate enforcement of licensing Legislation in partnership with relevant agencies is a key tool in assuring the maintenance of community safety.

#### 5. Alternative Options

- 5.1 There are no alternative options to consider.

Mr Mark Trillo  
Executive Director (Governance & Commissioning)

#### Web Links and Background Papers

All supporting papers

#### Contact details

Alicia Patterson  
Head of Environmental Health  
Alicia.patterson@highpeak.gov.uk

#### 6. Detail

- 6.1 The primary focus of enforcement work to date has been on ensuring that the law in relation to all relevant licensing legislation and guidance is properly observed. In considering the focus of this activity the Licensing service has had reference to:

- Those premises/vehicles against which complaints have been received.
- Those premises which do not hold a licence but where intelligence suggests licensable activity is taking place.

- 6.2 A variety of breaches were identified in the course of these activities, but were addressed by a voluntary change of behaviour on the part of the licence



holder or via specific action by the Licensing Service and partners. In none of the cases was further legal action or the application of criminal sanction necessary.

6.3 During this period no complaints have been received relating to smoking on licensed premises, specifically:

- As part of the Health Act 2006 and associated Regulations, premises have to comply with signage requirements. All premises visited are now compliant with displaying the required signage.
- No fixed penalty tickets in relation to offences of witnessed or reported smoking in premises have been issued.

This page is intentionally left blank