

Agenda

Environment and Licensing Committee

Date: **Tuesday 5 September 2023**

Time: **4.15 pm**

Place: **Council Chamber**

For any further information please contact:

Democratic Services

committees@gedling.gov.uk

0115 901 3844

Environment and Licensing Committee

Membership

Chair Councillor Alison Hunt

Vice-Chair Councillor Marje Paling

Councillor Boyd Elliott
Councillor Rachael Ellis
Councillor Des Gibbons
Councillor Julie Najuk
Councillor Sue Pickering
Councillor Alex Scroggie
Councillor Martin Smith
Councillor Clive Towsey-Hinton
Councillor Paul Wilkinson

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Responsibility of Committee:

- 1) All non-executive functions of the Council with regard to:
 - a) Environmental health
 - b) Health and safety at work (other than the exercise of the functions of the Council in the capacity of employer)
 - c) Food hygiene and safety
 - d) Animal health and hygiene
- 2) The determination of applications for licences, approvals, consents, permission or registration or direct regulation of any person or the enforcement of any such licence, approval, consent, permission or regulation with regard to the functions in relation to contaminated land, control of pollution, air quality and noise and statutory nuisance listed in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

- a) All non-executive functions of the Council with regard to licensing and registration of:
 - 1) Caravan sites
 - 2) Hackney Carriages and Private Hire Vehicles, drivers and operators
 - 3) Entertainments
 - 4) Betting, gaming and lotteries
 - 5) Theatres and cinemas
 - 6) Street trading and markets
 - 7) All other licensing functions listed in Part B of Schedule 1 to the Regulations other than those relating to streets and highways.
- b) Any function relating to contaminated land
- c) The discharge of any function relating to the control of pollution or the management of air quality.
- d) The service of an abatement notice in respect of a statutory nuisance
- e) The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area.
- f) The inspection of the authority's area to detect any statutory nuisance
- g) The investigation of any complaint as to the existence of a statutory nuisance.

1. Power to issue licences authorising the use of land as a caravan site.
2. Power to license the use of movable dwellings and camping sites.
3. Power to license Hackney Carriages and Private Hire Vehicles.
4. Power to license drivers of Hackney Carriages and Private Hire Vehicles.
5. Power to grant permits in respect of premises with amusement machines.
6. Power to register societies wishing to promote lotteries.
7. To consider applications for hazardous substances consent.
8. Power to grant permits in respect of premises where amusements with prizes are provided.
9. Power to consider and determine applications for public entertainment licences.
10. Power to license sex shops and sex cinemas.
11. Power to license performances of hypnotism.
12. Power to license premises for acupuncture, tattooing, ear piercing and electrolysis.
13. Power to license markets and street trading.
14. Power to license night cafes and take away food shops.
15. Power to license dealers in game and the killing and seeking of game.
16. Power to register and license premises for the preparation of food.
17. Power to license scraps yards.
18. Power to license premises for the breeding of dogs.
19. Power to license pet shops and other establishments where animals are kept or bred for the purposes of carrying on a business.
20. Power to license dangerous wild animals.
21. Power to license knackers' yards.
22. Power to license persons to collect for charitable and other causes.
23. Power to approve meat product premises and to approve premises for the production of minced meat or meat preparations.
24. Power to approve dairy establishments and egg product establishments.
25. Power to issue licences to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling both raw meat and ready to eat foods.
26. To keep a register of food business premises.
27. Power to register food business premises.
28. Power to issue arena and theatre licences.
29. Power to license zoos.
30. To consider and determine applications for public entertainment licences.

31. The functions of the Council under the following legislation:

- I. House to House Collections Act 1939 as amended by the Local Government Act 1972;
- II. Betting, Gaming and Lotteries Act 1963 - 1971 as amended by the Gaming and Lotteries (Amendment) Act 1980.
- III. Gaming Act, 1968 as amended by the Lotteries and Amusement Act 1976.

32. Power to fix those fees and charges falling within the remit of the Committee.

AGENDA

Page

- 1 **Apologies for Absence and Substitutions.**
- 2 **To approve, as a correct record, the minutes of the meeting held on 08 August 2023.** 7 - 9
- 3 **Declaration of Interests.**
- 4 **Any other item which the Chair considers urgent.**
- 5 **Exclusion of the Press and Public.**
To move that under Section 100(A)(4) of the Local Government Act 1972 the public and press be excluded from the meeting during consideration of the ensuing report on the grounds that the report involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972.
- 6 **Change of circumstance of joint Hackney Carriage/Private Hire Drivers Licence - IK** 11 - 35
Report of Head of Environment

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MINUTES ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 8 August 2023

Councillor Alison Hunt (Chair)

Present: Councillor Marje Paling
Councillor Rachael Ellis
Councillor Des Gibbons
Councillor Julie Najuk
Councillor Sue Pickering
Councillor Alex Scroggie
Councillor Martin Smith
Councillor Clive Towsey-Hinton
Councillor Paul Wilkinson

Absent: Councillor Boyd Elliott

Officers in Attendance: C Allcock, J Brough, B Hopewell and R Pentlow

16 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Elliott.

17 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 11 JULY 2023.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

18 DECLARATION OF INTERESTS.

None.

19 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

20 EXCLUSION OF THE PRESS AND PUBLIC.

RESOLVED:

That, the Members being satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information that under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during the consideration of the ensuing reports on the grounds that the report involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

21

APPLICATION FOR A ONE YEAR HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - NS

A decision was made by the Chair to move item 7 forward on the agenda.

Consideration was given to a report of the Head of Environment which had been circulated prior to the meeting, regarding an application for a one year joint Hackney Carriage/Private Hire Driver's Licence for NS.

NS attended the meeting and he addressed the Committee.

In making the decision the Committee applied the Council's approved Policy and Guidelines.

RESOLVED to:

Approve NS's application for a one year Joint Hackney Carriage/Private Hire Driver's Licence.

Issue a warning to the applicant that he must read carefully and adhere to the Joint Hackney Carriage/ Private Hire licence conditions in future.

22

CHANGE OF CIRCUMSTANCES OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVER - ND

Consideration was given to a report of the Head of Environment, which had been circulated in advance of the meeting, regarding a change of circumstances following information received about the holder of a Joint Hackney Carriage/ Private Hire Driver's Licence.

ND attended the meeting along with his operator and they both addressed the Committee.

In making the decision the Committee applied the Council's approved Policy and Guidelines.

RESOLVED:

To revoke the Hackney Carriage/Private Hire Driver's Licence held by ND with immediate effect.

ND was advised of the right of appeal against the decision of the Committee.

The meeting finished at 6.20 pm

Signed by Chair:
Date:

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of the Local Government Act 1972.

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