

# Agenda

## Environment and Licensing Committee

Date: **Tuesday 6 February 2024**

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Time: **4.15 pm**

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Place: **Council Chamber**

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For any further information please contact:

**Democratic Services**

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# 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

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- 1 **Apologies for Absence and Substitutions.**
- 2 **To approve, as a correct record, the minutes of the meeting held on 9 January 2024.** 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 **Application for a one year Joint Hackney Carriage/Private Hire Drivers Licence- AN** 11 - 12  
Report of Head of Environment
- 7 **Application for a one-year Joint Hackney Carriage/Private Hire Drivers Licence- MMK** 13 - 40  
Report of Head of Environment
- 8 **Change of circumstance of joint Hackney Carriage/Private Hire Drivers Licence - NS** 41 - 67  
Report of Head of Environment

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## MINUTES ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 9 January 2024

Councillor Alison Hunt (Chair)

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

Absent:

Officers in Attendance: J Brough, L Chaplin, B Hopewell, A Hutchinson, K Nealon and R Towlson

### 1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

None.

### 2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 31 OCTOBER.

#### RESOLVED:

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

### 3 DECLARATION OF INTERESTS.

None.

### 4 NATIONAL REGISTER OF TAXI LICENCE REFUSALS, REVOCATIONS AND SUSPENSIONS (NR3S)

Consideration was given to a report of the Head of Environment, which had been circulated in advance of the meeting, informing Members of the legal position regarding the use of the NR3S register (the 'Register'), pursuant to the Taxis and Private Hire Vehicle (Safeguarding and Road Safety) Act 2022. The report also sought approval to input into the Register retrospective, qualifying decisions made by the Council after consideration of the NAFN (National Anti-Fraud Network) best practice advice.

#### RESOLVED to:

- 1) Note the legal position regarding the use of NR3S register;

- 2) Authorise officers to write to all licence holders current and historic where decisions have been made regarding their Hackney Carriage/Private Hire Drivers licences that merit inclusion on the register;
- 3) Consider any responses to the letters, in consultation between the Head of Environment and Chair of Environment and Licensing Committee, to decide if it is fair and appropriate in each individual case to include that data on the register;
- 4) Following the 28 day response period to the above letters, authorise officers to arrange the bulk upload of historic data for the previous 5 years to the register in accordance with the procedural advice from NAFN; and
- 5) Amend the Hackney Carriage/Private Hire Driver Licence Conditions to state that if the licence holder is informed that they have been included in the NAFN register, been subject to disciplinary proceedings, been suspended or revoked by another Authority with which they hold a licence then they must notify the Council, in writing, within 48 hours, preferably by email.

**5 AMENDMENTS TO EQUALITY ACT 2010 FOLLOWING THE INTRODUCTION OF THE TAXI & PRIVATE HIRE VEHICLES (DISABLED PERSONS) ACT 2022**

The Chair moved to defer this item to the next available committee to allow officers time to consider representations made by a member of the trade and amalgamating the policy with the Gedling Borough Council's Statement of Policy and Guidelines for the Licensing of Hackney Carriage Drivers, Private Hire Drivers and Operators.

**RESOLVED:**

To defer the item to the next available committee.

**6 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.**

None.

**7 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.



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**CHANGE OF CIRCUMSTANCE OF JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MTAK**

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.

MTAK attended the meeting and 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 MTAK, giving MTAK 21 days to surrender the licence.

MTAK was advised of the reasons for the decision and of the right to appeal against the decision of the Committee.

The meeting finished at 7.20 pm

Signed by Chair:  
Date:

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