

Agenda

Environment and Licensing Committee

Date: **Tuesday 16 July 2024**

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 Roxanne Ellis
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 11 June 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 **Change of Circumstance of Joint Hackney Carriage / Private Hire Drivers Licence No 3273- BI** 11 - 30
Report of Head of Environment

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MINUTES ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 11 June 2024

Councillor Alison Hunt (Chair)

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

Absent: Councillor Roxanne Ellis and Councillor Martin Smith

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

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Roxanne Ellis and Smith.

2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETINGS HELD ON 16 AND 23 APRIL 2024

RESOLVED:

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

3 DECLARATION OF INTERESTS.

None.

4 PAVEMENT LICENCES - THE LEVELLING UP AND REGENERATION ACT 2023 MAKING PERMANENT THE PROVISIONS SET OUT IN THE BUSINESS AND PLANNING ACT 2020

Consideration was given to a report of the Head of Environment, which had been circulated in advance of the meeting, updating Members that the functions under Part 1 of the Business and Planning Act 2020 ("the B&P 2020 Act") had been made permanent under The Levelling Up and Regeneration Act 2023 ("the LUR 2023 Act") and the work officers are doing with regards to it. The report also sought approval that the functions under Part 1 of the Business and Planning Act 2020 be delegated to Director.

RESOLVED to:

- 1) Note that the functions under Part 1 of the Business and Planning Act 2020 had been made permanent by The Levelling Up and Regeneration Act 2023;
- 2) Delegate the functions under Part 1 of the Business and Planning Act 2020 to Director;
- 3) Note that officers are drafting a policy for pavement licensing and this will be submitted to the Committee for approval in due course; and
- 4) Note that officers are working on the fee setting for pavement licensing and this will be submitted to the Committee for approval in due course.

5 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

6 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.

7 APPLICATION FOR A ONE YEAR JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE- KC

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 KC.

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

8 CHANGE OF CIRCUMSTANCES OF A THREE HACKNEY CARRIAGE/ PRIVATE HIRE VEHICLE DRIVERS LICENCE NUMBER 2380. MA

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.

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

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

The meeting finished at 5.35 pm

Signed by Chair:
Date:

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