

Agenda

Environment and Licensing Committee

Date: **Tuesday 4 February 2025**

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 Paul Hughes
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 licence sex shops and sex cinemas.
- 11. Power to licence performances of hypnotism.
- 12. Power to licence premises for acupuncture, tattooing, ear piercing and electrolysis.
- 13. Power to licence markets and street trading.
- 14. Power to licence night cafes and take away food shops.
- 15. Power to licence dealers in game and the killing and seeking of game.
- 16. Power to register and licence premises for the preparation of food.
- 17. Power to licence scraps yards.
- 18. Power to licence premises for the breeding of dogs.
- 19. Power to licence pet shops and other establishments where animals are kept or bred for the purposes of carrying on a business.
- 20. Power to licence dangerous wild animals.
- 21. Power to licence knackers' yards.
- 22. Power to licence 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 licence 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 meetings held on 14 and 21 January 2025.** 7 - 13
- 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 reports on the grounds that the reports involve 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 4042- AA** 15 - 33
Report of Director of Place.
- 7 **Application for a one year Joint Hackney Carriage/Private Hire Drivers Licence - OE** 35 - 37
Report of Director of Place.
- 8 **Application for a one year Joint Hackney Carriage/Private Hire Drivers Licence - AQ** 39 - 43
Report of Director of Place.

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MINUTES ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 14 January 2025

Councillor Alison Hunt (Chair)

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

Absent: Councillor Marje Paling

Officers in J Brough, T Buttle, L Chaplin, B Cox, B Hopewell, A Hutchinson,
Attendance: W Langston, K Nealon and R Towlson

56 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Paling.

57 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 3 DECEMBER 2024.

RESOLVED:

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

58 DECLARATION OF INTERESTS.

None.

59 BOROUGH WIDE SMOKE CONTROL AREA DECLARATION

The Community Protection Manager introduced a report, which had been circulated in advance of the meeting, advising Members of the outcome of the consultation on the proposals to review the Smoke Control Order areas within the Borough and introduce a borough wide smoke control area and to consider the revocation of all existing smoke control orders.

RESOLVED to:

- 1) Agree to make an Order (Appendix I) revoking all existing pre 1980 smoke control orders and authorise officers to undertake the relevant notification and publishing requirements and request confirmation from the Secretary of State;

- 2) Agree and authorise officers to publish a notice in the Gazette and local newspaper for two weeks notifying of the council's intention to revoke all existing post 1980 smoke control orders, allowing six weeks for any objections to be received;
- 3) Receive a report to the next suitable meeting of the committee for a decision whether to make such an order revoking the existing post 1980 smoke control orders, having regard to any objections inside which are not subsequently withdrawn;
- 4) Delegate authority to the Director of Place, in consultation with the Chair to make any minor amendments to the orders prior to their publication as may be seemed necessary;
- 5) Delegate authority to the Director of Place in consultation with the Chair, subject to no objections being received, to make the order revoking the post 1980 smoke control orders (Appendix II); and
- 6) Subject to confirmation from the Secretary of State regarding the revoking of the pre 1980 smoke control orders and no objections being received regarding the revocation of the post 1980 smoke control orders, delegate authority to Director of Place, in consultation with the Chair to make the borough wide smoke control order attached at Appendix III to come into force in line with revocations.

60

DEPARTMENT OF TRANSPORT STATUTORY TAXI & PRIVATE HIRE VEHICLE STANDARDS

Councillor Rachael Ellis joined the meeting.

The Community Protection Manager introduced a report, which had been circulated in advance of the meeting, informing Members of the results of the consultation carried out in 2021 regarding the impact of the Department of Transport's Statutory Taxi & Private Hire Vehicle Standards on the Council's policies, procedures and conditions. The report also sought to advise Members of the recommendations of the working group, appointed at the meeting held in August 2020, following their consideration of the results of the consultation carried out in 2021 and to request that the revised policy document containing the working group's recommendations be subject to a further 4-week consultation.

RESOLVED to:

- 1) Note the results of the consultation carried out in 2021 and the recommendations of the working group at appendices 1 & 2 that are now contained in the revised policy document at Appendix 3;

- 2) Approve that the revised policy document at Appendix 3 be subject to a further 4-week consultation;
- 3) Authorise the Director, in consultation with the Chair, to consider any responses to the consultation and should they consider that the responses require any proposed amendments to the Policy or Conditions, they be referred back to Committee for consideration; and
- 4) Authorise officers to implement the necessary changes to the taxi licensing policy, conditions and procedures to meet the recommendations of the Working Group if no responses are received to the consultation or, if the Director in consultation with the Chair does not consider any responses received require referral back to the Committee.

61 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 4.38 pm

Signed by Chair:
Date:

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**MINUTES
ENVIRONMENT AND LICENSING COMMITTEE**

Tuesday 21 January 2025

Councillor Alison Hunt (Chair)

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

Officers in Attendance: C Allcock, J Brough, B Hopewell and A Hutchinson

62 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Roxanne Ellis and Towsey-Hinton. Councillor Hughes attended as substitute.

63 DECLARATION OF INTERESTS.

None.

64 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

65 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.

66 CHANGE OF CIRCUMSTANCE OF JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE NO 3513 - FHA

Consideration was given to a report of the Director of Place, 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.

FA attended the meeting and addressed the Committee.

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

RESOLVED to:

Issue a warning to FA that such conduct fell short of the expected standard for Hackney Carriage Drivers and that further such incidents would result in another appearance before the Committee.

**67 CHANGE OF CIRCUMSTANCE OF JOINT HACKNEY CARRIAGE /
PRIVATE HIRE DRIVERS LICENCE NO 3645- AQN**

Consideration was given to a report of the Director of Place, 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.

AN attended the meeting and addressed the Committee.

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

RESOLVED to:

Issue a warning to AN that such conduct fell short of the expected standard for Hackney Carriage Drivers and that further such incidents would result in another appearance before the Committee.

**68 CHANGE OF CIRCUMSTANCE OF JOINT HACKNEY CARRIAGE /
PRIVATE HIRE DRIVERS LICENCE NO 4042 - AA**

Consideration was given to a report of the Director of place, 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.

AA attended the meeting.

It was noted that the interpreter for AA had been unable to attend the meeting.

RESOLVED:

To defer the decision to the next available committee.

The meeting finished at 5.49 pm

Signed by Chair:
Date:

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