

Blackpool Council

23 September 2022

To: Councillors Baker, Brookes, G Coleman, Collett, Cox, Cross, Farrell, Hutton, O'Hara, D Scott, Sloman and Wilshaw

The above members are requested to attend the:

LICENSING COMMITTEE

Tuesday, 4 October 2022 at 5.45 pm
in Committee Room A, Town Hall, Blackpool, FY1

A G E N D A

1 DECLARATIONS OF INTEREST

Members are asked to declare any interests in the items under consideration and in doing so state:

(1) the type of interest concerned either a

- (a) personal interest
- (b) prejudicial interest
- (c) disclosable pecuniary interest (DPI)

and

(2) the nature of the interest concerned

If any member requires advice on declarations of interests, they are advised to contact the Head of Democratic Governance in advance of the meeting.

2 MINUTES OF THE LAST MEETING HELD ON 24 MAY 2022 (Pages 1 - 4)

To agree the minutes of the last meeting held on 24 May 2022 as a true and correct record.

3 FORMATION OF A PUBLIC PROTECTION SUB-COMMITTEE (Pages 5 - 8)

Members are requested to consider the formation of a Public Protection Sub Committee for the remainder of Municipal Year 2022/23.

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Sarah Chadwick, Democratic Governance Senior Advisor, Tel: 01253 477153, e-mail sarah.chadwick@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Present:

Councillor Hutton (in the Chair)

Councillors

Baker	Cross	O'Hara	Sloman
Brookes	Farrell	D Scott	Wilshaw
G Coleman	Hunter	Mrs Scott	

In Attendance:

Sarah Chadwick, Democratic Governance Senior Advisor
Sharon Davies, Senior Licensing Solicitor
Lee Petrak, Trading Standards and Licensing Manager
Ben Williams, Barrister for Blackpool Council

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE LAST MEETING HELD ON 21 SEPTEMBER 2021

The Licensing Committee considered the minutes of the last meeting held on 21 September 2021.

Resolved:

That the minutes of the meeting of the Licensing Committee held on 21 September 2021 be approved and signed by the Chair as a correct record.

3 FORMATION OF A PUBLIC PROTECTION SUB-COMMITTEE

The Committee considered the formation of a Public Protection Sub-Committee for the Municipal Year 2022/2023 and the appointment of a Chairman and Vice-Chairman of the Sub-Committee.

During consideration of decision 4, appointment of Chairman of the Public Protection Sub-Committee, Councillor Hutton vacated the chair and the Democratic Governance Senior Advisor conducted the election for this post.

Resolved:

1. To agree to the formation of a politically balanced Public Protection Sub Committee with a membership of 6 (3 Labour, 3 Conservative).
2. To note the membership of the proposed Sub-Committee as informed by the Group Leaders as follows: Councillors Cox, Farrell, Hunter, Hutton, D Scott and Wilshaw.
3. To agree that the functions assigned to the Public Protection Sub-Committee

MINUTES OF LICENSING COMMITTEE MEETING - TUESDAY, 24 MAY 2022

continue to be those as set out in Part 3 of the Council's Constitution.

4. To appoint Councillor Adrian Hutton as Chairman of the Public Protection Sub-Committee for the Municipal Year 2022-2023.
5. To appoint Councillor Danny Scott as Vice-Chairman of the Public Protection Sub-Committee for the Municipal Year 2022-2023.
6. To request the Public Protection Sub-Committee to consider the start-time of its future meetings.

4 POLICIES UPDATE

The Licensing Committee received an update on the status of policies within its area of responsibility.

Mrs Sharon Davies, Senior Solicitor, explained that the Hackney Carriage and Private Hire Licensing Policy, Horse Drawn Hackney Carriage Licensing Policy and the Statement of Policy and Principles – Gambling Act 2005 were due for review. It was intended that the Licensing Committee would be asked to consider drafts of the Gambling Act and Hackney Carriage and Private Hire policies at a meeting in the autumn and that the Public Protection Sub-Committee would be presented with a revised Horse Drawn Hackney Carriage Policy for consideration in September.

The Statement of Licensing Policy – Licensing Act 2003 and Sex Establishment Policy were not scheduled for review until 2025 and 2026 respectively.

Resolved:

To note the update on the status of policies within the Licensing Committee's area of responsibility.

5 LICENSING UPDATE

The Licensing Committee received an update on the details of licences applied for, dealt with and appealed in the period 01 September 2021 to 30 April 2022 together with an update on licensing enforcement activities.

Mrs Sharon Davies, Senior Solicitor, advised that during that period, under the Licensing Act 2003, 17 applications for new Premises Licences had been granted without objection and three had been refused at a hearing. One appeal was ongoing in relation to the Licensing Panel's decision to grant a new Premises Licence for Marvin's, 19-23 Highfield Road, which was listed to be heard at Court on 8 June 2022.

Mr Lee Petrak, Trading Standards and Licensing Manager, updated the Committee on the work of the Licensing Enforcement team. In the same period, 17 complaints had been received in relation to premises licensed under the Licensing Act, 18 in relation to taxis and 10 relating to unlicensed animal boarding establishments, all of which had been successfully dealt with. The Public Protection team had begun collaborative working with Lancashire Constabulary and Lancashire Fire and Rescue Service to tackle problem premises and Mr Petrak reported that this joined up approach had been a success.

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A taxi enforcement operation had taken place in conjunction with Roads Policing in March which had identified a number of minor vehicle defects, all of which had been resolved. Monitoring of licensed premises over the "Young Farmers" weekend at the start of May had taken place alongside the Police and further control options were being considered for the event in future years.

The Committee thanked Mr Petrak and the Licensing Team for their work and welcomed the engagement with the Police and Fire Services.

Resolved:

To note the update on licences considered, dealt with and appealed and to note the update on Licensing Enforcement.

Chairman

(The meeting ended 6.07 pm)

Any queries regarding these minutes, please contact:
Sarah Chadwick Democratic Governance Senior Advisor
Tel: 01253 477153
E-mail: sarah.chadwick@blackpool.gov.uk

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Report to:	LICENSING COMMITTEE
Relevant Officer:	Mark Towers, Director of Governance and Partnerships
Date of Meeting:	4 October 2022

FORMATION OF A PUBLIC PROTECTION SUB-COMMITTEE

1.0 Purpose of the report:

1.1 Members are requested to consider the formation of a Public Protection Sub-Committee for the remainder of Municipal Year 2022/23.

2.0 Recommendation(s):

2.1 To agree to the formation of a politically balanced Public Protection Sub-Committee with a membership of 5.

2.2 Subject to the approval of 2.1 above, to note the membership of the proposed Sub-Committee as informed by the Group Leaders as Councillors Farrell, Hunter, Hutton, D Scott and Wilshaw.

2.3 That the functions assigned to the Public Protection Sub-Committee continue to be those as set out in Part 3 of the Council's Constitution.

2.4 To consider whether or not to appoint at this meeting, the Chairman and Vice-Chairman of the Public Protection Sub-Committee.

2.5 To request the Public Protection Sub-Committee to consider the start time of its future meetings.

3.0 Reasons for recommendation(s):

3.1 Following the recommended confirmation of the Committee structure at the Council meeting on 21 September 2022, if the Licensing Committee wishes to delegate functions to a Public Protection Sub-Committee such a body needs to be created.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

4.1 Not to create a Public Protection Sub-Committee which would mean that all the functions previously delegated would remain the responsibility of the Licensing Committee.

5.0 Council priority:

5.1 The relevant Council priority is

- “Communities: Creating stronger communities and increasing resilience”

6.0 Background information

6.1 The Council at its meeting on 21 September 2022 considered the political balance and agreed to recommend to the Licensing Committee the re-appointment of a politically balanced Public Protection Sub-Committee with a membership of 5. The functions assigned to the Sub-Committee are as set out in Part 3 of the Council’s Constitution. The Council recommended that the Sub-Committee continues to meet on a monthly basis.

6.2 The functions of the Licensing Committee under the Licensing Act 2003 would continue to be discharged by panels consisting of 3 members of the Licensing Committee. Members are reminded that these Panels are appointed as required by the Head of Democratic Governance.

6.3 If the Committee agrees to the creation of a Public Protection Sub-Committee, it should also consider whether it wishes to appoint a Chairman and Vice-Chairman at this meeting or to leave the appointments for consideration by the Sub-Committee itself.

6.4 In line with the decision at its annual meeting on 18 May 2022 and previous years the Council did not agree a set meeting time for the Public Protection Sub-Committee as given the length of the previous meetings it is considered that 6pm may on occasion not be suitable. The Public Protection Sub-Committee would be asked to agree that meetings start at 6pm except where the business to be transacted will in the view of officers take significantly longer than two hours when a revised start time will be agreed after consultation with the Chairman and Vice-Chairman.

6.6 Does the information submitted include any exempt information? No

7.0 List of Appendices:

7.1 None.

8.0 Financial considerations:

8.1 None.

9.0 Legal considerations:

9.1 This Committee was reconstituted at the meeting of the Council on 21 September 2022 and as such the Public Protection Sub-Committee has to be reconstituted for the remainder of this Municipal Year, in order for it to carry out its duties.

10.0 Risk management considerations:

10.1 None.

11.0 Equalities considerations:

11.1 None.

12.0 Sustainability, climate change and environmental considerations:

12.1 None.

13.0 Internal/external consultation undertaken:

13.1 None.

14.0 Background papers:

14.1 None.

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