

Licensing Committee

Minutes of a Meeting of the Licensing Committee held in Committee Room No.2, Civic Centre, Tannery Lane, Ashford on the **17th November 2021**.

Present:

Cllr. Webb (Chairman);
Cllr. Krause (Vice-Chairman);

Cllrs. Buchanan, Burgess, Ledger, Michael, Pickering, Rogers, Shorter, Wright.

Apologies:

Cllrs. Feacey, Smith, L Suddards.

Also Present:

Environmental Protection and Licensing Team Leader, Principal Litigator, Regulatory Lawyer, Member Services Manager.

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Resolved:

That the Minutes of the Meeting of this Committee held on the 19th January 2021 be approved and confirmed as a correct record.

183 Statement of Principles for Gambling

The Chairman welcomed everyone to the meeting and said that as the Committee did not meet that often, she wanted to take the opportunity to update on a few matters relating to both the Licensing and Regulatory Committees. Both Committees would next meet on the 18th January 2022. The Licensing Committee would set Gambling Act fees and consider an amendment to the Licensing Act Policy which would be highlighted later at this meeting. The Regulatory Committee meeting would set the licensing fees for taxis, scrap metal dealers and the maximum fees for hackney carriages. Going forward, it was also planned for the Committees to meet during, or prior to, October 2022. The Licensing Committee would review the Council's Film Classification Policy and the Regulatory Committee would review the Sex Shops, Sex Cinemas and Sexual Entertainment Venues Policy and review the Taxi Licensing Policy. In the shorter term, there were also a couple of potential cases to be brought before the Regulatory Sub-Committee within the next month or so, in order to consider the suitability of drivers to continue to hold licences. Details would be provided in due course and it was hoped that Members would be able to make themselves available for the Sub-Committee hearings.

With regard to the taxi fees and fares, a Member said he again encouraged the trade to take more of an active part in the consultation this year and asked Officers to re-iterate this point to them. This was their opportunity to contribute and make their

case and the previous apathy had been extremely disappointing. The Committee echoed those sentiments.

The Environmental Protection and Licensing Team Leader then introduced the report which presented the review and consultation of the Council's Statement of Principles for Gambling for 2022-25. He outlined the Council's responsibilities with regard to gambling and those that lay with the Gambling Commission and advised that the Council's Statement of Principles had to be renewed every three years.

The report was then opened up to the Committee and the following responses were given to questions/comments: -

- There was no equivalent in gambling to the legal requirement for licensed premises not to serve people who were inebriated (i.e. to not allow people to gamble when they had an issue). Some gambling companies had begun to liaise with the Samaritans and offered advice and support to those who they suspected may have an issue, but this was completely voluntary. Premises did also display posters and contact information advising how and where to get help. With regard to gambling machines in pubs and bars, there was a requirement that these were located in sight of the bar area and whilst there were no specific rules around not using them whilst intoxicated, these did come under the general duty of care of the License Holder.
- Licenses for individuals involved with Gambling were issued by the Gambling Commission. The Council licensed the premises. The Gambling Commission did undertake background checks on individuals as part of their application process.
- Rates for gambling machines were set by the Gambling Commission and these had been reduced in 2018. There was currently only one Adult Gaming Centre in the Borough which was located at the Ashford Truck Stop. Machines there had a maximum pay out of £500.

Recommended:

- (i) **that the review of the existing statement of principles and consultation responses be noted.**
- (ii) **that the Statement of Principles for Gambling 2022 – 2025 be republished.**

184 Licensing Act Policy 2019 – 2024 - Amendment

The Environmental Protection and Licensing Team Leader introduced the report. He advised that following increasing national concern surrounding the safety of women, and linked to the recent 'Safer Streets' grant funding from the Government, Members had also highlighted a desire to amend the Council's Licensing Act Policy to include details of the expectations of the Licensing Authority. This was particularly with reference to the safety of women and other vulnerable groups in premises where

alcohol for consumption on the premises formed a significant part of the business operation. A short consultation with statutory consultees was proposed to occur during December 2021 and the results would be collated and brought back to this Committee in January 2022.

The Committee was very much in support of the proposals and welcomed the consultation. Concern was expressed however that if the proposals were to be a success, this would rely on availability of taxis and other public transport options. Anecdotally, it was becoming increasingly difficult to obtain a taxi, particularly in the evenings and this did cause a concern as, realistically, after about 11pm, if you had had a drink, the only way home was to use a taxi. The Environmental Protection and Licensing Team Leader advised that the taxi trade was experiencing a shortage of drivers nationally and they were struggling to get people to come forward. Indeed the majority of industries involving drivers were also experiencing similar issues. This situation was being felt in Ashford. There had been some suggestions nationally about relaxing licensing requirements, but this did raise a public safety concern. The trade was encouraging people to pre-book their taxis and, ahead of Christmas, it was considered that there should be some publicity of this fact as people who did not go out regularly were likely to get caught out thinking they would just be able to find a taxi. The Committee considered strongly that licensing requirements should not be relaxed by the Council. This was all about public safety and whilst the shortage of drivers did need to be addressed, the modest application fee (which only covered costs) was unlikely to put people off and the application process was an important one in undertaking tests and checks. A Member said this gave more weight to the plea for the taxi trade to get more involved with the fees and fares consultation. If they were having issues as a trade they should come forward and ask for help.

A Member mentioned the possibility of some sort of "2dial-a-bus" system, utilising under-used vehicles, however it was acknowledged that the biggest issue was still a lack of available drivers.

Concern was expressed about the removal of funding for PCSOs in certain areas and a danger that voluntary sector groups such as the Street Pastors would become too relied upon at the expense of replacing those officers. People did still want to see a uniformed police presence. The Environmental Protection and Licensing Team Leader advised that the police would be an important part of the consultation, He knew they had put extra resources in to patrolling the night time economy in Ashford and the Chairman advised that there were also plans to increase the number of PCSOs across Kent.

As part of the consultation, the Committee encouraged Officers to target those individuals and groups who were actually dealing with these issues on a week to week basis such as: - SIA door staff; the local Police Officers and PCSOs; Street Pastors etc. Their views on the proposals would be distinct from owners/operators and be extremely valuable as well as providing an opportunity to find out all of the things they were already doing.

There was some discussion about personal responsibility. Whilst it was right for the relevant authorities to do all they could to assist people, there were certain things that were out of their control and people did have to understand the potential

consequences of their actions. Part of the report focussed on messaging and warning posters etc. and that was also important.

The Environmental Protection and Licensing Team Leader thanked the Committee for their comments. This draft was just a starting point and a small part of an extremely large programme of work across many agencies. They wanted to attack this problem from as many angles as possible.

Resolved:

That the report be received and noted and consultation take place ahead of the January 2022 meeting of the Committee.

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