

LICENSING AND APPEALS COMMITTEE

Minutes of a meeting of the Licensing and Appeals Committee held at 10.00 am on 15 May 2018 in the Council Chamber, Council Offices, Holt Road, Cromer.

Members Present:

Mrs A Claussen-Reynolds	Mr J Rest
Mr S Hester (Chairman)	Mr R Reynolds
Mr M Knowles	Mr R Shepherd
Mrs M Millership	Mr B Smith
Mr N Pearce	

Officers in attendance:

Public Protection Manager, Legal Advisor and Democratic Services & Governance Officer (Regulatory)

1 APOLOGIES FOR ABSENCE

Dr P Bütikofer, Mrs P Grove-Jones, Mr P Moore and Mr S Shaw sent apologies.

2 PUBLIC QUESTIONS

None received.

3 MINUTES

The minutes of the meeting of the Licensing and Appeals Committee held on 5 March 2018 and Licensing and Appeals Sub-Committees held on 7 March and 9 April 2018 were approved as correct records and signed by the Chairman.

4 ITEMS OF URGENT BUSINESS

None.

5 DECLARATIONS OF INTEREST

None.

6 HACKNEY CARRIAGE FARE CHANGE

The Public Protection Manager presented a report which recommended changes to Hackney Carriage fares in response to a request by the taxi trade for a review. Consultation had been carried out with the trade and it was recommended that the revised fare structure in Appendix B to the report be agreed. The fare table would then be published in a local newspaper and if no objections were received, the revised fares would take effect on 1 July 2018.

Councillor R Reynolds considered that the changes were sensible. However, he noted that the fares were last revised in 2013 and considered that they should be reviewed annually.

The Public Protection Manager agreed that it would be fair to review the fares annually.

Councillor R Shepherd considered that the fare increases were reasonable considering that there was little community transport and taxis were a lifeline for elderly people.

Councillor Mrs A Claussen-Reynolds referred to an inconsistency between the table in Appendix A on page 17 of the report and Appendix B. The Public Protection Manager confirmed that the table in Appendix B was correct.

RESOLVED

That the proposed fare changes set out in Appendix B to the Officer's report be agreed.

7. NEW ANIMAL WELFARE REGULATIONS – LICENSING

The Public Protection Manager presented a report which updated Members on the Draft Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018 and outlined the key differences from the existing regime. The legislation was due to be introduced in October 2018 but the exact date and implementation process were not yet known. The regulations were currently in draft and could be subject to change although any amendments were not likely to be significant.

The Public Protection Manager outlined the main features of the draft Regulations and key changes from the existing legislation. Officers who would be dealing with licensing under the Regulations would be required to undertake training.

Councillor R Reynolds requested clarification as to whether anyone who bred one litter per year would require a licence.

The Public Protection Manager stated that she would need to refer to the specifics of the legislation but understood that a pet owner could breed and sell a litter, but a business which bred litters more regularly would fall under the legislation. She would provide clarification on this point.

Councillor Mrs A Claussen-Reynolds asked if the prohibition of the sale of puppies below eight weeks of age applied to anyone or only those who bred three or more litters per year.

The Public Protection Manager explained that the eight week restriction would apply to commercial breeders only. However, she would check whether a general age restriction was covered elsewhere in the legislation.

In response to a question by Councillor J Rest, the Public Protection Manager explained that all licences currently ran from January to December but the new legislation would provide for applications to be made throughout the year, which would be easier to administer. Licences would generally last for one year but it might be possible to grant longer licences if the new legislation allowed risk rating.

Councillor J Rest asked if licences could be transferred if a business changed hands. The Public Protection Manager stated that current licences were not transferable but she would confirm whether or not the new legislation allowed transfers.

Councillor R Shepherd asked whether the Council had an inspection policy or only undertook inspections in response to complaints, and if advance notice was given of inspections.

The Public Protection Manager explained that premises were inspected annually where possible. The new legislation allowed for a risk rated approach with low-risk establishments being inspected less frequently. Inspections could take place at any reasonable time with no prior notice although 24 hours' notice had to be given to inspect domestic premises. These requirements were not likely to change with the new legislation.

Councillor Mrs H Cox considered that it would be helpful for all Members to have relevant information to help avoid problems. It was important to give animals as much protection as possible as they did not have a voice.

The Chairman considered that anyone who bred dogs should be registered and asked if this could be investigated.

Councillor Mrs M Millership asked if there was a limit on the number of breeding bitches that could be kept.

The Public Protection Manager stated that the maximum number of bitches was not set out in the legislation, but it was necessary to meet all the requirements, eg. in terms of suitability of premises and staffing.

In answer to a question by the Chairman, the Public Protection Manager explained that inspections were normally carried out by one Inspector, but if it was known that there could be a problem the Inspector would be accompanied by another member of staff or by the Police.

Councillor R Reynolds supported the Councillor Cox's comments and considered that there should be much closer control.

The Committee noted the report.

8. UPDATE ON GENERAL LICENSING ISSUES

The Public Protection Manager updated the Committee on the following matter:

Gambling Policy

The review of the Gambling Policy would go out to consultation shortly, following which a report would be brought to the Committee.

9. UPDATE ON TASK AND FINISH GROUPS

None

The meeting closed at 10.26 am.

Chairman