

Notice of Licensing Committee

Date: Thursday, 4 March 2021 at 10.00 am

Venue: Virtual Meeting



Membership:

Chairman:

Cllr J J Butt

Vice Chairman:

Cllr J Bagwell

Cllr S C Anderson
Cllr D Brown
Cllr R Burton
Cllr N Decent
Cllr B Dion

Cllr B Dove
Cllr G Farquhar
Cllr D Farr
Cllr D A Flagg
Cllr A Hadley

Cllr T Johnson
Cllr D Kelsey
Cllr L Williams

All Members of the Licensing Committee are summoned to attend this meeting to consider the items of business set out on the agenda below.

The press and public are welcome to view the live stream of this meeting at the following link:

<https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?MId=4362>

If you would like any further information on the items to be considered at the meeting please contact: Jill Holyoake 01202 127564 or email democratic.services@bcpCouncil.gov.uk

Press enquiries should be directed to the Press Office: Tel: 01202 454668 or email press.office@bcpCouncil.gov.uk

This notice and all the papers mentioned within it are available at democracy.bcpCouncil.gov.uk

GRAHAM FARRANT
CHIEF EXECUTIVE

24 February 2021



Available online and
on the Mod.gov app



Maintaining and promoting high standards of conduct

Declaring interests at meetings

Familiarise yourself with the Councillor Code of Conduct which can be found in Part 6 of the Council's Constitution.

Before the meeting, read the agenda and reports to see if the matters to be discussed at the meeting concern your interests

Do any matters being discussed at the meeting relate to your registered interests?

Disclosable Pecuniary Interest

Yes

Declare the nature of the interest

Do NOT participate in the item at the meeting. Do NOT speak or vote on the item EXCEPT where you hold a dispensation

You are advised to leave the room during the debate

Local Interest

Yes

Declare the nature of the interest

Applying the bias and pre-determination tests means you may need to refrain from speaking and voting

You may also need to leave the meeting. Please seek advice from the Monitoring Officer

No

Do you have a personal interest in the matter?

Yes

Consider the bias and pre-determination tests

You may need to refrain from speaking & voting

You may also need to leave the meeting. Please seek advice

No

You can take part in the meeting speak and vote

What are the principles of bias and pre-determination and how do they affect my participation in the meeting?

Bias and predetermination are common law concepts. If they affect you, your participation in the meeting may call into question the decision arrived at on the item.

Bias Test

In all the circumstances, would it lead a fair minded and informed observer to conclude that there was a real possibility or a real danger that the decision maker was biased?

Predetermination Test

At the time of making the decision, did the decision maker have a closed mind?

If a councillor appears to be biased or to have predetermined their decision, they must NOT participate in the meeting.

For more information or advice please contact the Monitoring Officer
(susan.zeiss@bcpcouncil.gov.uk)

Selflessness

Councillors should act solely in terms of the public interest

Integrity

Councillors must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships

Objectivity

Councillors must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias

Accountability

Councillors are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this

Openness

Councillors should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing

Honesty & Integrity

Councillors should act with honesty and integrity and should not place themselves in situations where their honesty and integrity may be questioned

Leadership

Councillors should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs

AGENDA

Items to be considered while the meeting is open to the public

1. **Apologies**

To receive any apologies for absence from Councillors.

2. **Substitute Members**

To receive information on any changes in the membership of the Committee.

Note – When a member of a Committee is unable to attend a meeting of a Committee or Sub-Committee, the relevant Political Group Leader (or their nominated representative) may, by notice to the Monitoring Officer (or their nominated representative) prior to the meeting, appoint a substitute member from within the same Political Group. The contact details on the front of this agenda should be used for notifications.

3. **Declarations of Interests**

Councillors are requested to declare any interests on items included in this agenda. Please refer to the workflow on the preceding page for guidance.

Declarations received will be reported at the meeting.

4. **Confirmation of Minutes**

To confirm and sign as a correct record the minutes of the Licensing Committee meeting held on 4 February 2021 and the Licensing Sub Committee meeting held on 21 January 2021.

5 - 20

5. **Public Issues**

To receive any public questions, statements or petitions submitted in accordance with the Constitution, which is available to view at the following link:

<https://democracy.bcpccouncil.gov.uk/ieListMeetings.aspx?CommitteeID=151&Info=1&bcr=1>

The deadline for the submission of a public question is 4 clear working days before the meeting.

The deadline for the submission of a public statement is midday the working day before the meeting.

The deadline for the submission of a petition is 10 working days before the meeting.

6. **Harmonisation of Licensing Fees for BCP Council**

The purpose of this report is for the Committee to consider a review of the non-statutory set fees charges for licences/registrations which are administered by the Licensing Committee.

21 - 30

This is the first time the Licensing Authority for BCP Council has assessed the non-statutory set fees since the its creation on the 1st April 2019.

Currently licence holders in the three legacy council areas are paying different fees for the same licences. This disparity causes confusion for applicants and makes administering the licensing function challenging.

The fees being proposed cover the following areas of licensing activity:-

- The Taxi and Private Hire function issues licences to drivers, vehicles and Operators and the fees the Local Government (Miscellaneous Provisions) Act 1976 allows the local authority to charge fees on a cost recovery basis only.
- The Gambling Act 2005 sets statutory fees for certain activities in addition the Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 allows local authorities to set fees up to a statutory maximum for certain types of premises such as casinos, bingo halls and betting shops.
- Licenses are also issued for pleasure boats which are hired and self driven or provide passage for up to 12 passengers. This function is covered under the Public Health Act 1907 and the Local Government (Miscellaneous Provisions) Act 1976.

7. Forward Plan

To consider the Committee's Forward Plan and receive any updates, as appropriate.

31 - 32

No other items of business can be considered unless the Chairman decides the matter is urgent for reasons that must be specified and recorded in the Minutes.