

Minutes

Licensing Committee

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| Venue: | Microsoft Teams - Remote |
| Date: | Thursday, 20 August 2020 |
| Time: | 10.00 am |
| Present remotely via Teams: | Councillors K Ellis (Chair), R Sweeting (Vice-Chair), J Chilvers, S Duckett, I Chilvers, T Grogan, J Duggan, M McCartney and P Welch |
| Officers present remotely via Teams: | Alison Hartley, Solicitor to the Council and Monitoring Officer, Jade Reynolds, Solicitor, Sharon Cousins, Licensing Manager; and Dawn Drury, Democratic Services Officer |

Before the meeting business, the Chair welcomed attendees to the first remote and live-streamed meeting of the Licensing Committee and asked all Committee Members and Officers to confirm their attendance.

The Chair reminded all participants that the meeting was being streamed live publicly and was accessible to a wide audience; as such, asked Members to remain muted unless invited to speak.

1 APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillor Jordan

2 MINUTES

The Committee considered the minutes of the meeting held on 3 February 2020.

RESOLVED:

To approve the minutes of the Licensing Committee meeting held on 3 February 2020.

3 DISCLOSURES OF INTEREST

There were no disclosures of interest.

4 CHAIR'S ADDRESS TO THE LICENSING COMMITTEE

The Chair welcomed the Committee to the first virtual licensing committee which was being streamed live to the public, and looked forward to a respectful debate about the matters on the agenda.

The Chair informed Members that where possible licensing fees had been deferred to coincide with the deadline of the government Furlough scheme, if the applicant so wished, and explained that this was in order to support the cash flow for local businesses at this time of continued uncertainty.

5 SELBY ANIMAL LICENSING POLICY 2020

The Licensing Manager presented the report, which asked the Committee to consider the responses to the consultation on the draft Animal Licensing Policy 2020 attached at Appendix B and refer any comments to the Executive; and recommend to Full Council that the Solicitor to the Council be authorised to suspend Animal Activities Licences and amend part 3 of the constitution accordingly.

The Committee were informed that the adoption of the policy was an Executive function and would be reported at the meeting of the Executive on 3 September 2020 with any comments the Licensing Committee may have.

Members noted that there was a star rating system to allow customers to see how businesses performed, and this was issued by the inspecting licensing officer/animal specialist.

The Committee raised concerns around the licensing of commercial dog walker's, the Licensing Manager confirmed that they were not licensable. The Chair confirmed that following the meeting he would speak with the Solicitor to the Council around the regulations for commercial dog walkers, and report back at the next Committee.

The Committee confirmed that it was satisfied with the contents of the report and had no further comments to make.

RESOLVED:

- i. To note the consultation responses to the draft Animal Licensing Policy 2020 attached at Appendix B.**
- ii. To recommend to Full Council that the Solicitor to the Council be authorised to suspend Animal Activities Licences and amend part 3 of the constitution accordingly.**

- iii. **To ask the Chair of Licensing to speak with the Solicitor to the Council around the regulations for commercial dog walkers, and report back at the next Committee.**

Reason for decision:

Adoption of the Animal Licensing Policy 2020 would help to protect the welfare of animals within the Selby district, support the Council's statutory position; and help protect public safety.

6 REVIEW OF THE STATEMENT OF LICENSING POLICY 2020

The Licensing Manager presented the report, which asked the Committee to consider the results of the public consultation exercise as summarised in Appendix B of the report; and to recommend to Full Council that the amended Statement of Licensing Policy attached at Appendix A be adopted.

The Committee noted that the Licensing Act 2003 required a licensing authority to prepare and publish a Statement of Licensing Policy at least every five years; the Council's current policy was due to expire at the end of 2020.

The Licensing Manager explained that a six-week consultation had taken place between 29 June 2020 to 10 August 2020, 3 responses had been received from the Environmental Health team, North Yorkshire Police and North Yorkshire Public Health, relevant recommendations had been made, and all consultation responses had been considered and the proposed amendments to the Policy had been made, and were shown in additional tracked changes in Appendix A of the report.

Members heard that the Policy Review committee had also been consulted via email, it was confirmed that no comments had been received.

The Committee confirmed that it was satisfied with the contents of the report.

RESOLVED:

- i. **To consider the results of the public consultation on the Statement of Licensing Policy 2020 as summarised in Appendix B of the report.**
- ii. **To recommend to Full Council that the amended Statement of Licensing Policy 2020 attached at Appendix A be adopted.**

Reason for decision:

Adoption of the Statement of Licensing Policy 2020, and the measures within it would support the Council's statutory position and help protect public safety.

7 TEMPORARY PAVEMENT LICENSES

The Licensing Manager presented the report which updated the Committee on the urgent decisions taken by the Chief Executive in consultation with the Chairman of the Licensing Committee on the 24 July and 31 July 2020.

The Committee were informed that the Business and Planning Act 2020 received Royal Assent on 22 July 2020 and came into force immediately, the Act introduced a new Pavement Licence to provide a fast track procedure for the grant of a licence through temporary changes to the current regulatory procedures until 30 September 2021. It was further explained that this was a new responsibility for the Council and the Council had to react expediently to put a procedure in place.

Members heard that on 31 July 2020, the Chief Executive and the Chairman of the Licensing Committee, agreed to lower the fee for the pavement licence from £100 to £50 to help businesses further during the COVID pandemic.

Discussion took place regarding waiving the pavement licence fee as the Committee felt that it was not appropriate to charge when the Council could be helping the small businesses who had been hit by the pandemic. One of the Members had contacted other local councils; Bradford, Wakefield and Leeds amongst others and found they had not introduced the fee.

The Solicitor to the Council and Monitoring Officer confirmed that if the Committee were all in agreement that it was within their remit to set fees, and a decision could be taken at the meeting.

The Committee were informed that the original decisions made by the Chief Executive and the Chairman of Licensing Committee attached at Appendix 1 would still be reported to Council, and that no applications had been determined for a pavement licence so there would be no impact if the fee were now set at £0.

It was proposed, and seconded that the pavement licence fee be waived, the vote was unanimous.

RESOLVED:

To note the urgent decisions taken and refer the same to Council for noting, and to waive the fee for Pavement Licences.

Reason for decision:

To help support businesses within the Selby district to recover from the disruption caused by COVID-19 and to succeed in these challenging times, while allowing members of the public to benefit from this outdoor environment.

The meeting closed at 10.55 am.