

LICENSING & PUBLIC PROTECTION COMMITTEE

Tuesday, 12th March, 2024
Time of Commencement: 7.00 pm

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Present:	Councillor Andrew Parker (Chair)		
Councillors:	Barker MBE Heesom Wilkes Adcock	Dymond Wright Allport J Williams	G Williams Brown
Apologies:	Councillor(s) Whieldon, S White, Sweeney and Skelding		
Substitutes:	Deputy Mayor - Councillor Barry Panter Councillor John Tagg Councillor Jill Waring		
Officers:	Matthew Burton Geoff Durham Nesta Barker Darren Walters	Licensing Administration Team Manager Civic & Member Support Officer Service Director - Regulatory Services Environmental Health Team Manager	

1. DECLARATIONS OF INTEREST IN RELATION TO LICENSING MATTERS

There were no declarations of interest stated.

2. MINUTES OF A PREVIOUS MEETING

Resolved: That the minutes of the meeting held on 12th December 2023 be agreed as accurate record.

3. REVIEW OF THE CUMULATIVE IMPACT ASSESSMENT

The Licensing Administration Team Manager presented the report on the Cumulative Impact Assessment introduced by the Licensing Act 2003 by the Policing and Crime Act 2017 and for which a public consultation was required.

Resolved:

1. That a period of public consultation be approved to allow for written representations to be submitted in review of the Cumulative Impact Assessment.
2. That, following the consultation, a report be presented to this Committee to determine whether the Council still require a Cumulative Impact Assessment and if so the scope of it and an implementation date for it.

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4. HOME OFFICE CONSULTATION - AGE VERIFICATION AND REMOTE SALES

The Licensing Administration Team Manager presented the report on the current Government Consultation and proposed response relating to the sale of alcohol, age verification and remote sales.

Members commented and officers responded as follows.

Cllr J Williams asked for clarification about remote sales. – These were sales not taking place face to face such as those made over the phone, on the internet or using an app. The consultation was proposing that more checks be carried out including at the end of the transaction when the goods were delivered. About controls at the point of purchase which Cllr J Tagg also asked about, the purchase of equipment was not addressed by the consultation. The use of digital identities and ID scanning was suggested alongside traditional identity documents.

Cllr Brown asked about the involvement of organisations representing workers. – Organisations that had been contacted were mainly trade associations from different sectors in the hospitality business. Training would be available for members of staff involved in licensing and using the technologies.

Cllr G Williams asked who would be responsible if a delivery driver did not proceed to the necessary checks resulting in a young person getting drunk. – It was an offense to sell alcohol to someone who was not old enough or who was intoxicated for which the company making that sale would be responsible. An additional offense was proposed by the consultation that would apply to the delivery driver failing to do the checks, making training and guidance an essential aspect of the proposal.

The Chair asked if the Challenge 25 asking for IDs whenever the customers looked younger than 25 years old was a legal requirement. – The law only required for alcohol not to be sold to people under 18 years old. Challenges 21 and 25 were training standards to make it easier.

The Chair commented the proposals were relevant considering the multiplications of services to order foods and alcohol online. – The consultation was offering different options to see where local authorities stood and the response proposed by officers was supporting the creation of a new offense making ID checks at the point of delivery mandatory.

Cllr J Williams asked about safeguards in relation to delivery companies and staff. – The business selling the goods would have to ensure that the people contracted have the necessary skills and training, and are suitable for the role, which would make third party companies who comply stronger.

The Service Director for Regulatory Services added that other regulations in relation to Employment and Health and Safety would still apply and protect delivery drivers. The consultation was a national consultation and many other views would be expressed before the actual text of the regulation be drafted.

Resolved: That the proposed response to the Government consultation be considered and agreed.

[Watch the debate here](#)

5. **DECLARATIONS OF INTEREST IN RELATION TO PUBLIC PROTECTION MATTERS**

There were no declarations of interest stated.

6. **PUBLIC PROTECTION SUB-COMMITTEE PROGRAMME**

7. **UPDATE ON RESULTS OF TAXI LICENSING APPEALS**

The Licensing Administration Team Manager updated members on the recent taxi licensing appeals.

Members commented and officers responded as follows.

The Chair asked about the impact of Covid on processes. – These were slowed down and the situation had not improved yet with appeals being adjourned and some of them now scheduled for 2025. The Chair wondered if something could be put forward, perhaps for the government or other organisations involved. – This may be contrary to public law. Some provisions implied decisions with immediate revocations or suspensions. There were also different circuits of courts and the workload / capacity had to be taken into account.

Cllr Brown asked about appeals that had been withdrawn. – Reasons varied, sometimes they appealed so that they could continue driving until the documents were sorted, some other times it was just legal advice suggesting they would be unsuccessful and would have to pay the costs associated with the process. They could also have applied with another authority to get their license however there was now a national register keeping track of suspension and revocations of licenses.

Resolved: That the contents of the report be noted.

[Watch the debate here](#)

8. **CONSULTATION ON REVOCATION OF THE MAYBANK, WOLSTANTON AND PORTHILL AQMA**

The Environmental Health Team Manager presented the report on the revocation of the May Bank, Wolstanton and Porthill air quality management area (AQMA) for which a consultation was required.

Cllr J Williams asked if a six week consultation was long enough, also wondering about the opportunity of the revocation considering the nearby traffic jam. – This was the duration that had been traditionally allocated. The devices were located where people lived and the air quality recorded in the area showed compliance.

The Service Director for Regulatory Services added that with the public consultation comments would come back so that an opinion could emerge as to whether or not the air quality management area should be maintained.

Resolved: 1. That officers be authorised to enter into a six week consultation exercise with relevant stakeholders with a view to revocation of the May Bank, Wolstanton and Porthill AQMA.

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2. That a further report containing proposals for the May Bank, Wolstanton and Porthill AQMA be received along with details of consultee responses.

[Watch the debate here](#)

9. MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETINGS

Resolved: That the minutes of the meeting held on 17th January 2024 be received.

10. DISCLOSURE OF EXEMPT INFORMATION

There were no confidential items.

11. URGENT BUSINESS

There was no urgent business.

**Councillor Andrew Parker
Chair**

Meeting concluded at 7.47 pm