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**North East
Derbyshire**
District Council

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Date: Thursday, 7 September 2023

To: **Members of the Licensing & Gambling Acts Committee**

Please attend a meeting of the Licensing & Gambling Acts Committee to be held on **Friday, 15 September 2023 at 11.00 am (or upon the conclusion of the General Licensing Committee)** in the District Council Offices, 2013 Mill Lane, Wingerworth, Chesterfield, S42 6NG.

Yours sincerely

A handwritten signature in black ink that reads "Sarah Steuberg".

Assistant Director of Governance and Monitoring Officer

Members of the Committee

Conservative Group	Labour Group
Councillor Michael Roe Councillor Martin E Thacker MBE JP Councillor Richard Welton	Councillor Clive Fletcher Councillor Daniel Higgon Councillor Carol Lacey - Chair Councillor Fran Petersen

For further information about this meeting please contact: Alan Maher 01246 217391

AGENDA

1 Apologies for Absence

2 Declarations of Interest

Members are requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

3 Minutes of the Last Meeting (Pages 4 - 6)

To approve as a correct record and the Chair to sign the attached Minutes of the meeting of the Licensing and Gambling Acts Committee held on 7 February 2023.

4 Licensing Act 2003 Policy Update

Presentation of the Environmental Team Manager (Licensing)

5 Licensing Team Update

Presentation of the Environmental Team Manager (Licensing)

6 Matters of Urgency

To consider any other matter which the Chair of the Committee is of the opinion should be considered as a matter of urgency.

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LICENSING & GAMBLING ACTS COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY, 7 FEBRUARY 2023

Present:

Councillor Heather Liggett (Chair) (in the Chair)
Councillor Michael Roe (Vice-Chair)

Councillor Pat Antcliff
Councillor Stephen Pickering
Councillor Philip Wright

Councillor Mark Foster
Councillor Pam Windley

Also Present:

L Ingram	Legal Team Manager & Deputy Monitoring Officer
C Terry	Environmental Health Team Manager (Licensing)
P Denton	Environmental Protection Team Manager
A Maher	Governance Manager
A Bond	Governance Officer
T Scott	Governance and Scrutiny Officer

LGA/ Apologies for Absence

14/2

2-23 Apologies were received from Councillors Michelle Emmens, Pat Kerry, Tracy Reader and Martin E Thacker MBE JP.

LGA/ Declarations of Interest

15/2

2-23 None.

LGA/ Minutes of the Last Meeting

16/2

2-23 RESOLVED - That the Minutes of the meeting held on 11 October 2022 were approved as a correct record and signed by the Chair.

LGA/ Licensing & Gambling Acts Committee and Sub-Committees Meeting Arrangements

17/2

2-23 The Committee considered the arrangements for Licensing & Gambling Acts Committee and Sub-Committees meetings for the forthcoming 2023-24 Municipal Year.

The report included proposals for meeting dates, an addition to the scheme of delegation, and changes to procedures for Sub Committee meetings.

The report proposed that for procedures relating to drivers not being in attendance, the most appropriate approach would be for each case to continue to be judged on its merits. In particular, when advance notice had been given of the applicant not attending, the Chair of Committee could be asked to determine if it would be appropriate for the hearing to take place, following advice from the appropriate officers. When no notice or very short

notice was given then this could be decided by the Sub Committee Members by a simple majority, again following advice from the appropriate officers. Members agreed that this proposed approach offered the Sub Committees the most flexibility.

RESOLVED –

- (1) That Committee noted the schedule of draft dates for the Licensing & Gambling Acts Committee during the 2023-24 Municipal Year.
- (2) That Committee noted the schedule of draft dates for the Licensing & Gambling Acts Sub Committee meetings for the 2023-24 Municipal Year.
- (3) That the Assistant Director of Governance and Monitoring Officer would continue to appoint Members to serve on scheduled and unscheduled meetings of the Licensing & Gambling Acts Sub-Committee and that Committee recommends to Standards Committee that a specific delegation be included in the Scheme of Delegation in the Constitution.
- (4) Committee considered the Procedural Arrangements for Licensing & Gambling Sub Committee meetings, and agreed that each case would continue to be judged on its merits. In particular, when advance notice had been given of the applicant not attending, the Chair of Committee could be asked to determine if it would be appropriate for the hearing to take place, following advice from the appropriate officers. When no notice or very short notice was given then this could be decided by the Sub Committee Members by a simple majority, again following advice from the appropriate officers.

LGA/ Licensing Act Review

18/2

2-23

The Environmental Health Team Manager (Licensing) informed Members that the Council's Licensing policy required an update every 5 years in law, and so a review of the policy would take place in 2024. The Environmental Health Team Manager (Licensing) added that Members should inform Licensing officers of any suggestions for what the review should include.

RESOLVED – That the update be noted.

LGA/ Duty to Protect 'Martyn's Law' - Update

19/2

2-23

The Environmental Health Team Manager (Licensing) informed Members of the Government's plan to introduce a piece of legislation called 'Martyn's Law', and the implications this law would have for the Council.

Members were informed that the Bill would impose a duty on the owners and operators of certain locations to increase their preparedness for and protection from a terrorist attack. Buildings would be sorted into two lists ('Enhanced' and 'Standard') based on their size.

Members were informed that all Council assets would fall within the 'Standard' tier (100 to 800 capacity). This would result in the need for regular awareness training

for staff, a counter terrorism risk assessment, and implementation of mitigating actions and emergency procedures in the event of a terror attack.

RESOLVED – That the update be noted.

LGA/ Matters of Urgency

20/2

2-23 None.