

Licensing Committee

10 SEPTEMBER 2018

PRESENT: Councillor J Brandis (Chairman); Councillors T Mills (Vice-Chairman), M Hawkett, A Huxley, S Morgan, G Powell, S Renshell, B Russel and Sir Beville Stanier Bt (ex-Officio)

APOLOGIES: Councillors S Lambert and L Monger

1. MINUTES

RESOLVED –

That the Minutes of the meeting held on 2 July 2018 be approved as a correct record.

2. UPDATE ON TAXI UNMET DEMAND SURVEY

In September 2017 the Licensing Committee had agreed to defer carrying out an unmet demand survey to give hackney carriage vehicle proprietors the opportunity to upgrade their vehicles in accordance with the pending revised vehicle specifications. The Committee considered the unmet demand survey on 21 May 2018 and agreed to defer it until the BCC situation was resolved as there was the distinct possibility of the findings of the survey not being meaningful after publication. Moreover, Members felt that undertaking the survey now was not prudent given the current situation of the trade and the potential outcome of increasing the number of hackney carriages operating in the town centre.

The Committee received a report which provided an update on the situation. The Principal Licensing Officer had continued liaising with the BCC Parking Manager, and the Parking Manager has also attended AVDC's Taxi Working Group to discuss the matter with officers and trade representatives of the local taxi and private hire vehicle operators. The Parking Manager had reported that the situation in Aylesbury Town Centre was now a priority in the work programme and was keen to work with the Aylesbury town centre hackney carriage drivers and their representative.

A final consultation would be carried out from September until 8 October 2018 to regularise the current existing parking arrangements. The feedback would then be considered when reviewing town centre parking arrangements which would include locations of town centre taxi ranks.

The Committee considered whether or not there was a limit on the amount of times the survey could be deferred. The advice from officers was that the survey was not a statutory function and that AVDC would refer to its deferral rationale should any challenge arise.

RESOLVED –

That the decision to carry out the unmet demand survey in respect to AVDC's hackney carriage quantity control policy for Aylesbury Town be deferred.

3. UPDATE ON GAMBLING POLICY CONSULTATION

The Committee received a report which informed Members of the proposed new Gambling Act 2005 Licensing Policy and the separate Local Area Profile that accompanied it. The Committee had previously considered the Local Area Profile

document in July 2018 and agreed that it should be a separate, statistical document to allow changes to be made in a timely manner. The policy consultation had run from 9 July to 31 August 2018 with a variety of stakeholders contacted. GamCare were the only organisation to submit a response. It was proposed that the new policy would be presented to the Environment and Living Scrutiny for comment in September prior to referral to Full Council for adoption in October.

Members discussed the policy page by page and received advice from officers on topics which included Licensing Enforcement and measures in place to protect those at risk of gambling addiction. Members were also advised that:-

- i. There were no card schools in Aylesbury Vale but the guidance covered this in case of its eventuality.
- ii. The terminology of being 'reasonably consistent' was the wording from the statutory Act and guidance.
- iii. The onus was on the applicant to provide proof of any claims of robust procedures if referred to in their application.

The Committee considered procedures that betting establishments had in place and how online gambling mitigated some of these procedures. The Licensing team's experience was that problem gamblers often varied the methods of gambling and also moved between premises.

RESOLVED –

That the new gambling policy be noted. Members also agreed that the Committee should be updated when changes are made from time to time.

4. NEW ANIMAL WELFARE LICENSING REGIME

The Licensing Committee received a report that proposed new arrangements for the licensing of activities involving animals and revised fees. New legislation would come into effect from 1 October 2018 that would repeal and amend legislation that governed AVDC's activities in relation to animal establishments. The report highlighted the key changes that license holders, applicants and businesses would experience under the new legislation. The council would have to undertake additional work and so a new fee structure would be needed to cover costs. Regulation 13 of the legislation allowed for local authorities to charge 'reasonable' costs for this service. Officers explained that AVDC was one of the few local authorities to have published new fees and that a recent conference had indicated the council was ahead of others.

The expectation was that operators were unlikely to have issues complying with the legislation but issues may arise for premises that needed to update their facilities. AVDC's inspection numbers would increase due to all premises requiring an inspection prior to the granting of a new license or license renewal so AVDC would have to consider training more officers or outsourcing to accredited bodies/organisations. The council had a positive working relationship with local veterinarians as they had to attend site visits to assess new applications and renewals. The fees for the vets would vary depending on the extent of the work that needed to be carried out. Regular, unannounced visits would also take place to license holders in Aylesbury Vale.

Members considered the effect the legislation would have on various businesses that worked with animals, for instance dog walking, animal boarding and dog sitting. Officers were mindful of these questions and other queries that would be raised by the new legislation but would investigate instances on a case by case basis. It was noted that farms and dangerous wild animals were covered in separate legislation.

RESOLVED –

That the new animal licensing activities and their associated revised fee levels be approved.