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Dear Councillor

FULL COUNCIL - TUESDAY, 13TH DECEMBER, 2022

I now enclose, for consideration the following minutes which were marked as 'to follow' when the agenda was published.

| Agenda No | Item |
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| f) | <u>General Purposes Committee - 1 December 2022</u> (Pages 2 - 4) |
| g) | <u>Licensing Committee - 1 December 2022</u> (Pages 5 - 7) |

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **General Purposes Committee** held in the Castle House, Great North Road, Newark, Notts. NG24 1BY on Thursday, 1 December 2022 at 6.17 pm.

PRESENT: Councillor I Walker (Vice-Chairman)

Councillor L Brazier, Councillor Mrs B Brooks, Councillor A Freeman, Councillor P Harris, Councillor Mrs S Michael, Councillor S Saddington, Councillor T Thompson, Councillor K Walker, Councillor R White, Councillor T Wildgust and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor Mrs R Crowe (Chairman), Councillor M Cope (Committee Member) and Councillor R Jackson (Committee Member)

17 DECLARATIONS OF INTERESTS FROM MEMBERS AND OFFICERS

NOTED that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

18 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

The Chairman advised that the proceedings were being recorded by the Council and that the meeting was being livestreamed and broadcast from the Civic Suite, Castle House.

19 MINUTES OF THE MEETING HELD ON 22 SEPTEMBER 2022

AGREED that the Minutes of the meeting held on 22 September 2022 were a correct record and signed by the Chairman.

20 GENERAL PURPOSES COMMITTEE FORWARD PLAN (DECEMBER 2022 TO NOVEMBER 2023)

NOTED the General Purposes Committee's Forward Plan from 1 December 2022 to 30 November 2023.

21 POTENTIAL REMOVAL OF THE KIRK GATE, NEWARK TAXI RANK

The Committee considered the report of the Senior Licensing Officer which sought to inform Members of the results of the consultation exercise to potentially remove the Taxi Rank on Kirk Gate, Newark.

The report set out the number and location of existing taxi ranks within Newark Town Centre and that during the early months of the pandemic a number of temporary traffic regulations had been introduced, one of which was the Kirk Gate taxi rank's designation being amended to become a temporary parking space with limited waiting. This temporary regulation remained in force and had resulted in some local businesses approaching Councillor Saddington asking that the arrangement be made permanent to provide additional town centre parking. During Autumn 2021 a survey

of taxi users and trade had been undertaken with the Kirk Gate Rank being mentioned four times. Those responses were set out in paragraph 1.5 of the report. A further consultation exercise on whether the rank should be permanently used as a parking space was carried out, the results of which were attached as Appendix A to the report.

In considering the report, a Member queried whether the respondent suggesting that reducing the number of taxi rank spaces available should result in a reduction in the taxi licence fee, had a valid point. In response, the Business Manager – Public Protection advised that he did not believe the argument was valid as there were other rank spaces available and the fee was for all taxis within the district and not just those operating in Newark Town Centre.

AGREED (unanimously) that:

- (a) The comments from the licensed trade and businesses regarding the removal of the Taxi Rank at Kirk Gate, Newark be noted; and
- (b) Nottinghamshire County Council Highways be informed that Members of the General Purposes Committee had determined that they wished to see the permanent removal of the Taxi Rank on Kirk Gate, Newark to provide additional short stay parking.

22 DEPARTMENT OF TRANSPORT TAXI & PRIVATE HIRE VEHICLE STATISTICS 2021/2022

The Committee considered the report of the Business Manager – Public Protection which sought to inform Members of the latest vehicle figures relating to taxi and private hire vehicles collected and collated by the Department for Transport and also to highlight the national trends and changes in the taxi and private hire fleet.

The report set out both the national and local picture for: licensed vehicles; drivers; wheelchair accessible vehicles; fit and proper policies; and age and fuel type of vehicles. It was reported that the Council would continue to develop its policies and procedures to ensure compliance with national regulations and also to meet the expectations of Members and the public. It was noted that the use of incentives to encourage a more rapid move towards the use of electric vehicles within the fleet would be explored on the coming 12 months.

In considering the report, a Member queried what type of incentive may be used to encourage the use of electric vehicles. In response, the Business Manager advised that this could be reflected in the cost of the application for a licence.

AGREED (unanimously) that the contents of the report be noted.

23 IMPLICATIONS OF THE TAXIS & PRIVATE HIRE VEHICLES (SAFEGUARDING & ROAD SAFETY) ACT 2022

The Committee considered the report of the Business Manager – Public Protection which sought to set out for Members the contents of the Taxis & Private Hire Vehicles (Safeguarding & Road Safety) Act 2022.

It was reported that there were two main aspects to the Act. One was in relation to the sharing of information about a taxi or PHV driver licensed by another authority that was relevant to safeguarding or road safety and secondly, in relation to a central database where licensing authorities were required to enter the details of any taxi or PHV driver who had had an application refused; suspended; not renewed; or revoked based wholly or in part on information relating to the driver concerning safeguarding or road safety. Paragraph 1.6 of the report set out how the Act defined the information that would constitute a safeguarding and road safety concern. It was also reported that in relation to the second part, that prior to the Act coming into force, information sharing on a central database had been voluntary and that the Council had signed up to that.

AGREED (unanimously) that the contents of the Taxis & Private Hire Vehicles (Safeguarding & Road Safety) Act 2022 and that suitable and sufficient processes were in place to comply with the Act be noted.

24 UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report of the Senior Licensing Officer which sought to present to Members the activities and performance of the Licensing Team which included details of current ongoing enforcement issues.

Information contained within the report related to the number of applications for grants and renewal of licences for Hackney Carriage; Private Hire; and Ambulance Drivers together with those for Hackney Carriage and Private Hire Vehicles. A note of ongoing enforcement activity was also listed with information as to what action had been taken to-date.

In considering the report and noting the report of a driver operating a shuttle bus, a Member queried how the Gate to Southwell Festival could, in the future, offer transport to festival goers. The Business Manager – Public Protection advised that he would give the matter some consideration and speak to the festival organisers.

AGREED (unanimously) that the report be noted.

25 EXCLUSION OF THE PRESS AND PUBLIC

That, under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 1 of part 1 of Schedule 12A of the Act.

26 MINUTES OF HACKNEY CARRIAGE & PRIVATE HIRE DRIVERS SUB-COMMITTEE

NOTED the exempt Minutes of the Hackney Carriage & Private Hire Drivers Sub-Committee.

Meeting closed at 6.42 pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Licensing Committee** held in the Castle House, Great North Road, Newark NG24 1BY on Thursday, 1 December 2022 at 6.00 pm.

PRESENT: Councillor I Walker (Vice-Chairman)

Councillor L Brazier, Councillor Mrs B Brooks, Councillor A Freeman, Councillor P Harris, Councillor Mrs S Michael, Councillor S Saddington, Councillor T Thompson, Councillor K Walker, Councillor R White, Councillor T Wildgust and Councillor Mrs Y Woodhead

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22 MINUTES OF THE MEETING HELD ON 22 SEPTEMBER 2022

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23 FORWARD PLAN (DECEMBER 2022 TO NOVEMBER 2023)

NOTED the Licensing Committee's Forward Plan from 1 December 2022 to 30 November 2023.

24 DRINK SPIKING

The Committee considered the report of the Business Manager – Public Protection which sought to inform Members of the Government's response to the Home Affairs Select Committee report on drink spiking and also to identify any changes required to Newark & Sherwood District Council's Statement of Licensing Policy.

The report set out the definition of both drink and needle spiking and provided statistical information on the number of recorded crimes for drink spiking for 2019, noting that it was likely that it was an underreported crime. It was reported that the Home Affairs Committee published report "Drink Spiking", set out 12 recommendations with the report before Members, setting out the Government's response to each of the 12 recommendations.

AGREED (unanimously) that:

- (a) the Home Affairs Select Committee's recommendations and the Government's response be noted;
- (b) the inclusion of spiking, sexual harassment and gender-based violence in the Statement of Licensing Policy at its next review be supported; and
- (c) the work taking place with the Police and licensed trade to address drink spiking and violence against women and girls be supported.

25 REVIEW OF THE POOL OF POTENTIAL CONDITIONS

The Committee considered the report of the Business Manager – Public Protection which sought Members' approval for the use of a reviewed set of potential conditions that could be used when licence conditions were required to be attached to a licence.

The report set out that the conditions had been drafted by the Nottinghamshire Authorities Licensing Group and had been designed to provide a consistency of approach across the county as well as providing a framework for Officers and Members when considering the addition of conditions to a licence. The pool of conditions had been revised following changes in guidance, experience from licensing hearings and a general need for them to be reviewed. Paragraph 1.4 of the report detailed the series of considerations which must be taken into account before attaching any condition to a licence. It was noted that the pool of potential conditions had only undergone minor amendment.

In presenting the report, the Business Manager – Public Protection advised of a further amendment to the pool of potential conditions. He sought approval for a Condition 17a to be added as follows: *Vertical drinking shall only be permitted in the area identified by the red line on the plan submitted with the application and a maximum number of XXX shall be permitted to be drinking in this area at any time whilst not seated.* A Member queried whether its inclusion would have an impact on outside entertainment, for example at a festival type event. In response, the Business Manager advised that such a condition would only be imposed on a premise where there was a known issue with crime and disorder and its imposition was considered necessary.

AGREED (unanimously) that Version 4 of the Pool of Potential Conditions, subject to the inclusion of the additional condition in relation to vertical drinking as referred to above, be adopted.

26 FEEDBACK FROM LICENSING COMMITTEE NIGHT-TIME ECONOMY VISITS

The Committee considered the report of the Business Manager – Public Protection which sought to provide Members with feedback from the Night-Time Economy visits made by Members of the Licensing Committee on Friday, 14 October 2022.

The report set out that the Members had been able to speak to the Managers of a number of premises and sought their views on a wide spectrum of subjects. These had included: use of drugs in licensed premises; parking charges imposed in the town; visibility of the Police; availability of taxis in the town; and events and the promotion of events held in the town. It was noted that none of the licensees spoken with had suggested that the Council's approach to licensing was not appropriate for the town.

AGREED (unanimously) that the report be noted.

27 TEMPORARY EVENT NOTICES (JULY TO SEPTEMBER 2022)

The Committee considered the report of the Senior Licensing Officer in relation to Temporary Event Notices (TENs) received between 1 July and 30 September 2022. The appendix to the report listed all the TENs received.

AGREED (unanimously) that the report be noted.

28 UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report of the Senior Licensing Officer in relation to the activity and performance of the Licensing Team between 1 July and 30 September 2022.

AGREED (unanimously) that the report be noted.

Meeting closed at 6.16 pm.

Chairman