



# LICENSING COMMITTEE

BURNLEY TOWN HALL

Wednesday, 24th October, 2018 at 6.30 pm

## PRESENT

## MEMBERS

Councillors A Royle (Chair), F Cant (Vice-Chair), I Emo, D Fleming, S Hussain, A Kelly, A Khan, S Malik, P Reynolds and C White

## OFFICERS

Joanne Swift	– Head of Streetscene
David Talbot	– Senior Solicitor
Peter Henderson	– Principal Licensing Officer
Alison McEwan	– Democracy Officer

### 9. Apologies

Apologies were received from Cllrs Carmichael & Sumner.

### 10. Minutes

To minutes of the meeting held on 14<sup>th</sup> June 2018 were approved as a correct record and signed by the Chair.

### 11. Taxi Licence Fees 2019

Members considered the level of taxi licence fees to be effective from January 2019.

Members noted that the balance of the taxi reserve would be utilised to support the work plan for the coming year and enable fees to be maintained at the current level.

## RESOLVED

That the taxi licence fees be maintained at the current level and no changes be made for 2019 for the following licences:

Private Hire Operator, Private Hire Driver, Private Hire Vehicle, Hackney Carriage Driver and Hackney Carriage Vehicle.

## **12. Gambling Act 2005 Policy for 2019 - 2021**

Members gave consideration to the Council's Gambling Act Policy for 2019-2021.

The Gambling Act 2005 requires the Council to review and publish its licensing policy every 3 years.

The draft Statement of Principles attached at Appendix A had been the subject to widespread consultation between July and October 2018 and the responses had been considered in detail and where appropriate had been included in the draft Statement of Principles.

Members considered and accepted two minor wording changes to the policy.

### **Paragraph 7.2**

The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the data protection legislation (as defined in Section 3 of the Data Protection Act 2018) will not be contravened.

Reason: The General Data Protection Regulation is not the only piece of legislation that covers data protection requirements and obligations.

### **Paragraph 8.7**

Any such prosecution shall be commenced and conducted by the Head of Legal and Democratic Services in accordance with the powers delegated by the Council.

Reason: The Council's structure has changed resulting in the post of Head of Governance, Law and Regulation being replaced by the Head of Legal and Democratic Services.

## **RESOLVED**

That the draft Statement of Principles for the Gambling Act 2005 Policy for the period 3rd January 2019 to 31<sup>st</sup> December 2021 be recommended to the Council for approval.

### **Licensing Training**

The Chair reminded members that there was a training session scheduled for 25th October at 6pm for those Members who had not already completed the compulsory licensing training.

### **Thanks**

On behalf of the Committee, the Chair expressed thanks and best wishes to Peter Henderson who was retiring in November.