

Minutes

Licensing Committee
Thursday, 12 July 2018
Meeting held at Committee Room 5 - Civic Centre,
High Street, Uxbridge



Members Present:

Roy Chamdal (Chairman)
Teji Barnes (Vice-Chairman)
Simon Arnold
Janet Gardner
Patricia Jackson
Allan Kauffman
Eddie Lavery
Brian Stead
John Oswell

Before the start of the meeting, the Committee paid its gratitude to Mr Ian Meens from the Licensing Team, who would shortly be retiring from the Council.

3. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Lynne Allen.

4. DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING

No interests were declared by Members present.

5. TO AGREE THE MINUTES OF THE LICENSING COMMITTEE MEETING ON 9 JANUARY 2018

The minutes of the Licensing Committee held on 9 January 2018 were agreed as a correct record.

6. TO AGREE THE MINUTES OF THE LICENSING COMMITTEE MEETING ON 10 MAY 2018 (AGM)

The minutes of the Licensing Committee held on 10 May 2018 were agreed as a correct record.

7. TO AGREE THE BUSINESS MARKED IN PART 1 WILL BE CONSIDERED IN PUBLIC AND THAT IN PART 2, PRIVATE

Reports to be considered in public and private were agreed as set out on the agenda for the meeting.

8. PRESENTATION FROM THE HOME OFFICE ON THE UK BORDER AGENCY AND IMMIGRATION ACT POWERS IN RELATION TO LICENSED PREMISES

The Committee received a presentation from Immigration Officers Jonathan Burton and Paul Smith based at the West London Immigration Compliance and Enforcement (ICE) Team for the Home Office. The Officers outlined the work they undertake in relation to immigration matters with particular reference to those working illegally in licensed premises and off-licences. This included:

- The size and scope of the local team based in West London, covering Hillingdon Borough;
- The powers ICE Officers have in terms of arrest and power of entry;
- Their intelligent led approach and priority setting regime for undertaking enforcement action against individuals and businesses;
- The important community based role the Officers also undertake, assisting illegal immigrants to leave the UK voluntarily along with working with local faith groups and charities to help people return to their native home. It was noted that across West London there were approximately 30-40 voluntary returns each month.
- That ICE teams were now a responsible authority on behalf of the Home Office, that could submit representations or initiate a review for those premises that sold alcohol or late night refreshments.
- The local work with Hillingdon Police and Hillingdon Licensing Team, providing useful intelligence on certain premises where illegal workers may be located.
- The potential fines of up to £20,000 that could be applied per illegal worker upon businesses.

Members of the Committee welcomed the presentation which provided a useful insight into the working of ICE Teams and of particular benefit to them when considering related matters at Sub-Committee level. Members also raised the following key points:

- The importance of cross-council team working, e.g. with Trading Standards also, to provide useful intelligence to ICE.
- Timescales for illegal immigrants to leave by voluntary means and the arrangement of their travel documentation;
- How fines levied are collected and pursued by Debt Collection Teams;
- The importance of the building of trust within local communities to work to secure leaving arrangements for illegal immigrants;
- The sources of intelligence, which included Crimestoppers, disgruntled employees and also competitor businesses;
- That paying for someone to leave the UK voluntarily was far cheaper than utilising full law enforcement methods;
- How ICE handle the victims of Human Trafficking assisting those who were forced away from their native country.

9. OVERVIEW OF LICENSING COMMITTEE RESPONSIBILITIES - TERMS OF REFERENCE, DELEGATIONS, POLICIES TIMETABLE AND STATUTORY RETURNS

Members considered an information report which detailed the Committee's Terms of Reference, the scheme of delegations in respect of licensing decisions and the various Licensing policies in force and their dates for revision. Members were also provided with details of all licenced premises within the Borough.

In noting the information, the Committee discussed briefly whether the delegations in relation the number of Fixed Odd Betting Terminals needed to be reviewed, but decided not to make any recommendation on this, at this time.

RESOLVED:- That the Committee note the information.

10. DISPENSING WITH A SUB-COMMITTEE HEARING FOR APPLICATIONS MADE UNDER THE LICENSING ACT 2003

The Committee considered a supplementary procedure for the Hearing Protocols for the Licensing Act 2003 and the Gambling Act 2005 that enabled for the possible dispensation of a scheduled hearing, where all parties had subsequently agreed it need not take place and that the decision could be made "on the papers" or via digital means. It was noted that this could provide for a more efficient process in certain case, but that the Licensing Sub-Committee members would still retain the discretion to refuse any application to dispense with a hearing.

RESOLVED:- That the Licensing Committee agree the procedure for dispensing with a formal Licensing Sub-Committee hearing.

11. GAMBLING ACT 2005 - UPDATE ON FIXED ODD BETTING TERMINALS

Members received an update on the Government's decision to reduce the maximum stake of Fixed Odd's Betting Terminals to £2 following a consultation. It was noted that this change could take a while to be implemented, but that it should have a positive impact in tackling Gambling addiction.

The Vice-Chairman raised the prospect of whether gambling addiction should be included within School PSHE lessons so, along with other social issues, a preventative approach could be taken at younger age. Additionally, assurances over the quality of the training that Betting Shops give their staff on addictive gamblers was sought.

The Chairman noted the number of suicides associated with Gambling which was of particular concern to the Committee.

RESOLVED:- That the Committee note the information in the report.

12. COMMITTEE FORWARD PLANNER

The Committee looked ahead at planned business and agreed to add potential new items to future meetings on:

- Local addiction support services (Gambling & Alcohol);
- Update on national initiatives to tackle Gambling addiction, including GAMSTOP and GAMCARE;
- Training regimes provided by key betting operators for their staff in respect of addictive gamblers.

RESOLVED: That the Committee note the updated Forward Planner.

13. PAST SUB-COMMITTEE DECISIONS & RATIFICATION OF MINUTES

The Committee noted the decisions and agreed the minutes of previous Licensing Sub-Committee hearings as correct records.

RESOLVED:- That the Committee note the decisions of the Licensing Sub-Committees since the last Licensing Committee meeting and approve the minutes as a correct record:

- a) Licensing Sub-Committee 23 January 2018 at 11am
- b) Licensing Sub-Committee 23 January 2018 at 2pm
- c) Licensing Sub-Committee 6 February 2018
- d) Licensing Sub-Committee 20 February 2018
- e) Licensing Sub-Committee 23 April 2018 at 1pm
- f) Licensing Sub-Committee 23 April 2018 at 3pm
- g) Licensing Sub-Committee 6 June 2018
- h) Licensing Sub-Committee 20 June 2018

This item was considered privately in Part II as it contained restricted minutes for approval, which included information revealing the identify of individuals and information relating to action taken or to be taken in connection with the prevention, investigation or prosecution of crime. That the public interest in withholding the information outweighed the public interest in disclosing it (exempt information under paragraphs 2 & 7 of Part 1 of Schedule 12A to the Local Government [Access to Information] Act 1985 as amended).

14. ANY ITEMS AGREED BY THE CHAIRMAN AS URGENT

No additional items were considered by the Committee.

The meeting closed at 10:51am