

Minutes

Licensing Committee
Tuesday, 4 October 2022
Meeting held at Committee Room 5 - Civic Centre



Members Present:

Roy Chamdal (Chairman)
Shehryar Ahmad-Wallana
Reeta Chamdal
Scott Farley
Janet Gardner
Kuldeep Lakhmana
Barry Nelson-West
Colleen Sullivan

Officers Present:

Mark Braddock, Democratic Services
Daniel Ferrer, Licensing Services
Salleh Jobbi, Legal Services
Chantelle McLeod, Legal Services
King-Yip Cheung, Trading Standards

15. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Smallwood and Davies.

16. DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING

There were no interests declared by Members present.

17. TO APPROVE THE MINUTES OF THE MEETING HELD ON 6 JULY 2022

The minutes of the meeting held on 6 July 2022 were agreed as a correct record.

18. TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND ANY ITEMS OF BUSINESS MARKED PART 2 IN PRIVATE

It was confirmed that items marked public and private would be heard as set out on the agenda.

19. STATEMENT OF GAMBLING POLICY

The Licensing Team Manager updated the Committee on the review of the Council's Statement of Gambling Policy, which was currently out for consultation and that the views of the Licensing Committee were sought.

It was noted that the Policy had been updated to reflect recent guidance, including that from the Gambling Commission. It was explained that whilst there had been no changes to gambling policies in the meantime, the revised document provided improved guidance and links to relevant legislation, including obligations under the Human Rights Act 1998.

The Chairman welcomed the requirement for regular reviews of the policy in order to respond to Hillingdon specific issues wherever possible within it. The Chairman raised whether the Council had received any 'Occasional Use Notices', which it was confirmed by officers was zero.

Members also raised comments regarding the references used in the Equality Impact Assessment that was carried out and the potential difficulties of English not being the first language for some premises operators and staff.

The Committee asked if figures could be requested from the trade sector in relation to self-exclusion records kept at gambling premises within the Borough and the Licensing Service stated they would seek, if possible, such information and report back. Members welcomed the inclusion of new sections in the Policy including Modern Day Slavery.

RESOLVED:

That the Committee considers the revisions to the Statement of Gambling Policy and offers comments to be considered by Cabinet at the end of the consultation period.

20. COMMITTEE FORWARD PLANNER 2022/23

The Committee noted the Forward Planner as set out on the agenda. A request that the Police attend a subsequent meeting to outline the process they go through when applications are notified to them and reviewed. Additionally, the Chairman requested that a site visit to an exemplar premises, particularly to benefit new Members, which the Licensing Services said it would arrange.

RESOLVED:

That the Committee note the Forward Planner.

21. LEGISLATIVE & INDUSTRY UPDATE

The Committee received an update on the one-year extension of off-sales from premises, which had been a temporary measure to boost the economy in response to the Covid 19 pandemic.

As requested at the last meeting, Members considered in-depth legal and service advice on the benefits and disadvantages of the audio recording of any private licensing sub-committee hearings. After considering all factors, it was agreed to proceed with the recording of such hearings via existing technology, so long as all parties were agreeable. Whilst it was noted that the minutes and decision notice would continue to be the core elements of the official record of proceedings, Members on balance considered that a full recording of the hearing would, if needed in specific cases, provide a more rounded account of proceedings and potentially useful, should it ever be relied on at Court.

RESOLVED:

That the Committee:

- 1. Consider the report and;**
- 2. Agree to introduce the recording of Part 2 (private) Licensing Sub-Committee hearings based on the officer advice received.**

This item was considered in Part II as it contained information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. That the public interest in withholding the information outweighed the public interest in disclosing it (exempt information under paragraph 7 of Part 1 of Schedule 12A to the Local Government [Access to Information] Act 1985 as amended).

22. RATIFICATION OF LICENSING SUB-COMMITTEE MINUTES

Members were updated on recent Licensing Sub-Committee decisions since the last meeting and ratified the minutes of the recent sub-committees hearing.

RESOLVED:

That the Committee, with the agreement of any Members present at the following Sub-Committees that they are a correct record, ratify the minutes of the following meetings:

- 1) 29 June 2022, 10.00 am - Public minutes / Restricted Minutes**
- 2) 26 August 2022, 1pm – Public Minutes**

This item was considered in Part II as it contained information relating to an individual, information which is likely to reveal the identity of an individual and information relating to any 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 1, 2 & 7 of Part 1 of Schedule 12A to the Local Government [Access to Information] Act 1985 as amended).

23. PRESENTATION AND DEMONSTRATION FROM TRADING STANDARDS - COUNTERFEIT AND SEIZED GOODS (VERBAL UPDATE)

The Council's Senior Trading Standards Officer gave a presentation to Members of the Committee on counterfeit and seized goods and also recent investigation activity by the Service which it was explained was predominately intelligence-led. Additionally, products seized by the Trading Standards Team for investigation from off-licences were shown to Members of the Committee, which included vaping equipment, alcohol and cigarettes. The Committee were given an explanation of the key signs that showed certain products were illegal. Recent successes were also noted, including a day of action in September which had resulted in a large seizure of illegal goods.

Members of the Committee thanks the Officer for his presentation. They also raised other trading standards matters including Nitrous Oxide canisters and the selling of medicinal painkillers. An in-depth discussion took place on vaping, in particular, the increase in vaping being sold around the Borough, and increasingly to younger people. Officers reassured Members that they had plans to visit premises selling vapes to ensure their products were legal and take action accordingly. A briefing on vaping and what to look for when being sold, was requested to be sent to Councillors

This item was considered in Part II as it contained information relating 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 paragraph 7 of Part 1 of Schedule 12A to the Local Government [Access to Information] Act 1985 as amended).

24. ANY OTHER ITEMS THE CHAIRMAN AGREES AS URGENT OR RELEVANT

No further items were raised.

The meeting ended at 11:35am.