

**Minutes of a Meeting of the Licensing  
Committee held at Council Chamber,  
Surrey Heath House on 20 October 2021**

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+ Cllr Rodney Bates (Chairman)  
+ Cllr Dan Adams (Vice Chairman)

+ Cllr Peter Barnett	+ Cllr David Mansfield*
+ Cllr Richard Brooks	- Cllr John Skipper
+ Cllr Paul Deach	+ Cllr Pat Tedder
+ Cllr Tim FitzGerald	+ Cllr Helen Whitcroft
+ Cllr Shaun Garrett	+ Cllr Valerie White
- Cllr David Lewis	

+ Present  
- Apologies for absence presented

Officers Present: Paula Barnshaw, Rebecca Batten, Nathita Fleet, Helen Lolley and Frances Soper

\*Cllr David Mansfield was present virtually and did not participate in the voting

**9/L Minutes of the Last Meeting**

**RESOLVED** that the minutes of the meeting of the Licensing Committee held on 29<sup>th</sup> July 2021 be approved as a correct record and signed by the Chairman.

**10/L Draft Gambling Act 2005 Statement of Policy**

The Committee considered a report setting out the draft revised Statement of Gambling Principles for 2022-2025.

The Gambling Act 2005 placed a statutory requirement on licensing authorities to publish a Statement of Gambling Principles which set out the authority's expectations with regard to how gambling would be regulated in their area. The draft revised Statement was intended to replace the Council's current Statement of Principles which was scheduled to expire in January 2022.

The draft Statement had been prepared in accordance with the regulations within the Gambling Act 2005 and guidance issued by the Gambling Commission. It was anticipated that the new Statement would be largely unchanged from the current Statement however there would be an increased emphasis on the need for licence holders and applicants to prepare and maintain local risk assessments and the Licensing Authority would develop a Local Area Profile to support this process.

It was clarified that it was considered good practice to publish Local Area Profiles which could not only be used by operators to help them develop mitigating actions to reduce risks to vulnerable people in the vicinity of a licenced establishment but it would also help officers target resources appropriately.

The draft Statement would be subject to a six week public consultation period which would commence on the 8<sup>th</sup> November 2021. The consultation would be shared with both statutory consultees including the Chief Police Officer for the area and business associations as well as non-statutory consultees including the County Council, neighbouring authorities, ward councillors, parish councils and Collectively Camberley.

The outcomes of the consultation would be shared with the Licensing Committee at their meeting on 16<sup>th</sup> February 2022.

It was questioned whether the risk assessment might include guidance on how an operator might deal with customers who were known to have a gambling problem. It was agreed that this would be fed into the consultation.

It was requested that the details of any additional consultees be forwarded to officers.

**RESOLVED** that:

- i. The contents of the report be noted
- ii. The draft Statement of Principles 2022-2025, as set out in the annex to the report, be approved for consultation.

## **11/L      Review of Hackney Carriage Fares**

The Committee considered a report setting out proposals to update the Taxi Fare Chart for the hire of hackney carriages in Surrey Heath.

The Committee was informed that officers had received a number of verbal and written requests for the hackney carriage tariffs, which had last been updated in 2012, to be reviewed. In July 2021 the Licensing Committee had been advised that it was proposed that hackney carriage fares should be increased by the annual Consumer Price Index for each year that had elapsed between 2012 and 2021. Subsequent consultation with the trade on the proposed increases had elicited 4 written and 2 verbal responses, in addition a number of hackney carriage drivers had provided feedback on the proposed increases during discussions with the trade over the development of a new Taxi Licensing Policy. Feedback on the proposed increases had on the whole been positive.

The Committee was informed that the Tariff Table in Annex E to the report had been corrected and the fares under Tariff 4 Festive Period should have been:

- First 330 yards - £7.20
- 5 x 0.40p - £2.00

On occasion it had been necessary to round fare changes to enable the meters to be updated appropriately where this had occurred fares had been rounded down.

It was a statutory requirement that the changes were advertised in local newspapers and that any objections should be made within 14 days of the date of publication. The outcomes of the public consultation would be shared with the Committee at their meeting in February 2022. The changes would also be published on the Council's website and it was agreed that the changes would also be advertised through the Council's social media channels.

It was acknowledged that the changes could impact on the trade in favour of Uber. However, it was stressed that the fares were the maximum that could be charged and drivers would have some discretion over the fares that they charged customers. It was not known precisely how many Uber drivers operated in the Borough however this would be discussed with Uber at an upcoming meeting with the organisation and the outcomes circulated.

**RESOLVED** that:

- i. The contents of the report be noted.
- ii. The proposed new taxi fares, as set out in the revised Annex E to the report, be advertised in the local media and through the Council's social media channels.
- iii. The steps that will be taken once the fares are advertised be noted.
- iv. The taxi fares are reviewed by the Licensing Committee regularly, depending on the prevailing economic climate.

## **12/L Food Safety Service Plan 2021/22**

The Committee considered a report containing the draft Food Safety Service Plan for 2021/22.

The Food Standards Agency (FSA) required all local authorities to have a Food Safety Service Plan which set out how national priorities and standards in respect of food safety would be addressed and delivered at a local level. The drafting of the Plan had been delayed to enable officers to take the guidance and advice in the FSA's Covid-19 Local Authority Recovery Plan (2021) into account.

It was reported that there were 706 food businesses in Surrey Heath which were subject to inspection by the Council's food safety service. Over the course of 2020/21, the Council's Food and Safety Team had carried out 136 on-site food safety inspections, investigated 57 complaints about food or food premises and investigated 75 reports of food borne infectious diseases. The number of inspections had been lower than in previous year due to disruption caused by the Government's pandemic restrictions however it was considered that the service was well placed to ensure that food inspection programme was fully realigned with the original required inspection frequencies by the end of March 2023.

It was reported that 96.6% of the borough's food premises were currently classified as having a Food Hygiene Rating of 3 (Satisfactory), 4 (Good) or 5 (Very Good) with 78% having achieved the highest rating of 5. It was agreed that a breakdown of businesses in each rating category would be circulated.

It was confirmed that there had been no increase in the number of incidents of food poisoning being reported in the last year when compared to previous years.

The Committee commended the work of the officers to deliver such a comprehensive service over the course of a particularly difficult year.

**RESOLVED** that the Food Safety Service Plan 2021/22, attached as Annex A to the report, be approved.

## **13/L Health and Safety Service Plan 2021-22**

The Committee received a report setting out the draft Health and Safety Service Plan for 2021/22.

The Committee was informed that the Council's health and safety function was governed by the Health and Safety at Work Act 1974, the Health and Safety (Enforcing Authority) Regulations 1998 and the National Local Authority Enforcement Code. Work was monitored by the Health and Safety Executive (HSE) and all local authorities were

required to complete and submit an annual return on their enforcement activities to the HSE.

The draft Health and Safety Service Plan set out how the Council planned to discharge its statutory responsibilities in respect of health and safety and described how national priorities and standards would be addressed and delivered locally. The Plan had been delayed to enable the revised HSE priorities arising from the Covid-19 pandemic and Government guidance on working practices following the removal of pandemic related business restrictions to be taken into account in the Plan's development.

**RESOLVED** that the draft Health and Safety Service Plan 2021/22, as attached at Annex A to the report, be approved.

#### **14/L Business and Planning Act 2020 Pavement Licence Fees**

The Committee received a report seeking an extension to the waiver of the discretionary fee payable by businesses seeking a pavement licence.

Pavement Licences had been introduced, by the Business and Planning Act 2020, with the intention of making it easier for premises serving food and drink to seat and serve customers outside. The Act allowed licensing authorities to levy a charge of up to £100 to cover the cost of administering the licence application process and initially Surrey Heath chose to charge £100, the maximum allowable. However, in order to help support local businesses recover from the impacts of the Government's pandemic restrictions, the Licensing Committee agreed in March 2021 to waive charges and refund any payments already received. Regulations extending the provisions of the Business and Planning Act 2020 until 30<sup>th</sup> September 2022 had come into effect on 20<sup>th</sup> July 2021 and the Authority has subsequently received 15 applications for Pavement Licence. In line with the Licensing Committee's decision the application fees had been waived for the applicants.

In view of the time limited nature of Pavement Licence legislation, allied to a desire to continue to support local businesses, it was proposed that the Authority continue to waive the application fee until the extended powers for pavement licences elapsed on 30<sup>th</sup> September 2022. The Committee was informed that the proposals had been discussed with the Finance Portfolio Holder who had endorsed the proposed extension.

It was confirmed that if the Government extended the Pavement Licence then the decision to waive application fees would be reviewed.

It was agreed that the Business Portfolio Holder would be asked to promote the Pavement Licence through his networks.

It was confirmed that councillors would be informed of any applications for Pavement Licences received from businesses in the wards they represented.

**RESOLVED** that the discretionary licence fee of £100 for all new Pavement Licence applications, made under the Business and Planning Act 2020 is waived in light of the current and ongoing impact of the Covid-19 pandemic.

#### **15/L Licensing Act 2003 - Summary of Decisions**

The Committee received and noted a report summarising the decisions taken under delegated powers in respect of licence applications where no representations had been received from the responsible authorities or any other persons.

## **16/L      Licensing Committee Work Programme**

The Committee considered its proposed work programme for the remainder of the 2021/22 municipal year.

The scheduling of a potential additional meeting on 15<sup>th</sup> December 2021 at 6.30pm to consider the Hackney Carriage and Private Hire Fees and Charges was noted.

It was agreed that the following items would be added to the agenda for the meeting scheduled for 16<sup>th</sup> February 2022:

- Review of Hackney Carriage (Taxi) Fares Feedback after Consultation
- Review of Hackney Carriage (Taxi) and Private Hire Licensing Fees

**RESOLVED** that, subject to the amendments set out above the proposed work programme be approved.

**Chairman**