

MINUTES OF INFORMAL LICENSING AND REGULATORY COMMITTEE

Wednesday, 23 June 2021
(7:00 - 7:45 pm)

Present: Cllr Moin Quadri (Chair), Cllr Faraaz Shaukat (Deputy Chair), Cllr Kashif Haroon, Cllr Giasuddin Miah, Cllr Adegboyega Oluwole, Cllr Glenda Paddle and Cllr Lynda Rice

Apologies: Cllr Peter Chand and Cllr Lee Waker

1. Declaration of Members' Interests

There were no declarations of interest.

2. Draft Revised London Borough of Barking & Dagenham - Statement of Licensing Policy 2022-2027 - Public Consultation

The Council's Senior Licensing Officer (SLO) presented a report on the draft Statement of Licensing Policy 2022-2027, that covered the licensing of alcohol, regulated entertainment and late-night refreshment in Barking and Dagenham which the Council was required to publish and review every five years.

As the Licensing team's experience of operating the current 2017-2022 policy had not given rise to many issues, the review was primarily intended to bring the document in line with current law and guidance and best practice. Several new sections had been added, dealing with:

- Public Spaces Protection Orders, which replaced Designated Public Protection Orders in 2017;
- Illegal worker requirements that came into effect in 2017;
- ACT Action Counters Terrorism awareness e-learning and;
- The 'Ask Angela' campaign (the 'Ask Angela' codeword could be given by customers to premises staff if they felt unsafe, for discreet assistance).

The process of review required a period of public consultation, which was due to run for a minimum of six weeks through the late Summer and Autumn of 2021. The Council was required by law to consult with other responsible authorities, representatives of license holders and representatives of licensed trades, and it was anticipated that this would be done through a combination of online questionnaires and direct letter drops. The consultation responses, once received, would be taken into account in developing a final draft for the policy. The final document would then come back to the Committee towards the end of the year, before final approval was required by the Assembly in 2022.

In response to several questions from Members, the SLO stated that:

- Licensees would be consulted during the consultation process and directed to any proposed changes that the Council had at this stage. Their views would be considered and once the Council had an agreed final document,

the Licensing team would notify licensees of any changes that affected them. The final document would also be published and made available for any new applicants, or operators who wished to refresh themselves on the Policy.

- The Licensing team would endeavour to emphasise relevant new policy developments to individual operators as and when they engaged with them.
- The Licensing team used the Statement of Licensing Policy to outline its position on many issues; however, it could not by law impose standard conditions on licensees. It was therefore open to licensees to consider their own business operations and needs and propose to the Licensing team, how they would manage their premises and the conditions that they felt were appropriate for the operations that they were running. The Statement of Licensing Policy would act as a reference point for licensees.
- The licensing process provided for consultation and conciliation, and the Licensing team would use this process to discuss any issues with the applicant. If an agreement could not be reached, any contested points would come to the Committee for Member decision.
- Whilst previous licensing law dealt much more with the technical and structural details of licensed premises, current law focused on the four Licensing Objectives. Although 'public safety' was of these objectives, fire safety was controlled under separate law. Whilst there could be conditions that touched on fire safety, such as emergency escape arrangements, fire safety deliberations were now dealt with under fire safety orders; however, the Licensing team did consult the Fire Brigade and were aware of their process around the different premises.
- The Licensing team would take advice from the Council's Communications team on the timing and publicising of the consultation. It would aim to find the most effective means to ensure that the consultation was accessible for all.

3. Update on Licensing Applications and Appeals

The Council's Service Manager for Public Protection presented an update on licensing matters dealt with by the Licensing Team during the period from 1 January 2021 to 31 May 2021.

In response to several questions from Members, the SLO stated that:

- There were two types of scrap metal licences: site licences and dealers' licences. The Licensing team dealt with applications for licences as and when these were made. Sites needed a licence to deal with scrap metal and this was also the case for individual dealers.
- Licences were renewed every two or three years, based on the conditions for that individual licence.
- The Licensing team ensured that licences complied with legislation and considered whether the premises concerned were fit to carry out the activities. Traffic was not a current consideration for site licence renewal; however, the Licensing team would engage with the Police to discuss whether this should be considered in future.
- Scrap metal dealers were required to keep a record of the activities of those trading metals at the site. From time to time, the Licensing team and the Police would undertake joint visits to scrap metal premises, to check their

records. Whilst the Licensing team did not ask premises to submit their records to them, the team did look at site activities, and there were set conditions that were imposed on all premises. The Police followed up on any cases reported to it and dealt with enforcement.

- If enforcement action was taken against any premises, the Council publicised this, naming these premises and any dealers involved in criminal activity.
- The Council had been undertaking inspections and visits to ensure that licensed premises were complying with Covid-19 regulations, taking action against those who were not and advising them on how to comply with the regulations. Two applications to review premises licenses relating to Covid-19 regulation breaches had been determined by the Licensing Sub-Committee this year.
- The Council's Statement of Gambling Licensing Policy 2019-2022 stipulated the mandatory conditions it applied to premises applications and how it dealt with gambling and betting premises in the Borough.