

Licensing Committee

Meeting of held on Tuesday, 23 November 2021 at 6.30 pm in Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX. To view the meeting, please click [here](#).

MINUTES

Present: Councillor Robert Canning (Chair);
Councillor Pat Clouder (Vice-Chair) and Councillor Margaret Bird (Vice-Chair);
Councillors Chris Clark, Karen Jewitt, David Wood, Maddie Henson, Simon Brew (In place of Councillor Robert Ward) Andy Stranack and Oni Oviri

Also

Present: Michael Goddard (Head of Environmental Health, Trading Standards and Licensing); Jessica Stockton (Solicitor and Legal Advisor to the Committee); Jayde Watts (Trainee Democratic Services Officer) and Tariq Aniemeka-Bailey (Trainee Democratic Services Officer).

Apologies: Councillors Robert Ward, Nina Degrads and Jan Buttinger

PART A

17/21 **Minutes of the Previous Meeting**

The minutes of the meeting held on Wednesday, 14 July 2021 were agreed as an accurate record.

18/21 **Minutes of previous Licensing Sub-Committee Meetings**

The minutes of the following Licensing Sub-Committees were approved as an accurate record:

- 15 July 2021
- 22 July 2021
- 25 August 2021
- 28 September 2021

19/21 **Urgent Business (if any)**

There were no items of urgent business.

20/21 **Disclosure of Interests**

There were none.

21/21 **Dangerous Wild Animals Act 1976 - Setting of Licence Fees**

The Licensing Committee considered a report which detailed a proposal to adopt a new fee structure which had been determined on the principle of cost recovery and for the Committee to delegate authority to the Director of Sustainable Communities to undertake reviews of fees and fee setting in addition to making decisions regarding the determination of applications, including decisions as to whether to vary or revoke any condition attached to a licence. The Committee received an introduction from the Head of Environmental Health, Trading Standards & Licensing and Sustainable Communities who delivered a presentation which can be viewed [here](#).

In response to queries raised by the Committee, the following was clarified:

- *The Dangerous Wild Animals act did not include pets such as cats and dogs which had been domesticated.*
- *The premises would be inspected every time a resident applied for to renew their licence and public liability insurance was required.*
- *The premises of the applicant would be inspected by a vet rather than an animal health inspector.*
- *This act covered dangerous wild animals that residents kept in their premises.*
- *The licence was for two years and the vet and inspection fees which are quoted are the fees that the City of London would charge the Council for the inspection.*
- *If the Council received information that a dangerous wild animal was being kept that would require a licence, it would be followed up.*
- *The Head of Environmental Health, Trading Standards & Licensing and Sustainable Communities had temporarily removed the fees from the Councils website as they were under consideration during this item. He did also clarify that there were various different payment methods such as online or via the telephone.*
- *If there were any doubts about whether an animal qualified as a dangerous wild animal the Council would check with the City of London.*
- *There could be instances where an individual was suited to keep a dangerous wild animal but their premises wasn't. This was why vets would inspect the premises to ensure that the person and the premises were suitable for that animal.*
- *There was a percentage increase of the licence fee which was based on the workings and the inspection fee. There are different proposed fees for commercial or outside premises and domestic premises.*
- *The legislation gave an individual the right to apply for a licence, so there needed to be a fee which reflected that opportunity. Officers*

advised that prior to buying a potentially dangerous wild animal, residents are recommended to seek advice to ensure that they had all of the relevant information before they purchased the animal and applied for a licence.

- The cost recovery principle was what was applied in setting the fees, the council covering the costs it incurs when it issues licenses.*
- In the event that an applicant could no longer afford the fee for a licence, the council would help to ensure that the animals were housed in a suitable establishment where they could be kept safely.*
- Once a licence had been issued, the primary issue concern is for the welfare of the animal and whether they are being kept safely and securely. If there was a complaint, then a visit would be made to check on the animals at that premises.*
- Residents who own a dangerous wild animal could be reported if the animal had not been kept securely or had been mistreated which would be determined by a vet.*
- If a situation arose where it was clear that a resident needed a licence for an animal that was in their possession, then enforcement action may be required.*
- The Head of Environmental Health, Trading Standards & Licensing and Sustainable Communities suggested that people who were reporting an issue could contact the licencing team directly or the RSPCA as they would know whether an animal was on the dangerous wild animals list and would refer the case back to the Council.*
- The current dangerous wild animals licence holder was not informed that the Council had planned to amend the fees, but it was noted that the holders' licence was not currently up for renewal.*
- The purpose of the report is so that the council receive cost recovery for when applications are coming.*
- During the consideration of the recommendations, the Committee discussed the following:*
- Whether all responsibility would be delegated to the Director of Sustainable Communities to determine whether there would be any further increases in fees, as the committee had always set the fee structure.*
- In future the Chairs responsibility would be to look over the calculations to ensure that they make sense, it would be open to the Chair or Director to refer it to the Licensing Committee if they deemed it necessary.*
- The maximum fee that the Council could charge was based on cost recovery.*

The proposed recommendations were put to a vote with a request that officers would look at the information on the Councils website regarding the Dangerous Wild Animals act's applications, fees and payment arrangements. The motion to agree the recommendations with the new stipulation **carried** with **eight** Members voting in favour and **two** Members voting against.

The Gambling Act 2005 - Review Of London Borough Of Croydon Statement Of Principles

The Licensing Committee considered a report which detailed that the Gambling Act 2005 made local authorities, as licensing authorities, responsible for the administration of licences, registrations, permits, notices and notifications under the Act. The Committee received an introduction from the Head of Environmental Health, Trading Standards and Licensing and Sustainable Communities.

In response to queries raised by the Committee, the following was clarified:

- Over the past 15 years the landscape had changed, there used to be independent bookmakers which only had a single premises. More recently, the borough had become filled with many larger chains which had a corporate responsibility. These larger chains conduct their own test purchasing, so the Head of Environmental Health, Trading Standards and Licensing and Sustainable Communities recommended that residents should contact the branch directly or the head office of the particular gambling company if they are aware of any issues. However if a resident did not feel comfortable doing so then there was a review mechanism or they could contact the Licensing team and they would pass on any concerns.
- The Council is responsible for gambling at premises, which is what they would license. The Gambling Commission regulates online gaming, so the Council does not possess any regulatory powers in respect to online gaming. The focus of the Council, any responsible authorities, the police or any sub-committee should they receive an application for a license where there are representations, is whether the activity at the premises is supporting the licensing objectives.
- Every betting operator must receive an operating license from the Gambling Commission, they are unable to apply for a premises license unless they already possess an operating license from the Gambling Commission.
- If the manner in which a company operated nationally resulted in the loss of their operating license then that company would also lose their premises license.
- In the event of any police investigations, the Council would focus on whether the premises had been operated in a manner that made a source for crime and disorder, or had been associated with crime or disorder.
- If a gambling operator had multiple premises within the borough, then the Council would be assessing the activity at one particular branch under the review of their premises license. If the issues were replicated then the Gambling Commission would then review their operating license.

The proposed recommendations were put to a vote, the motion to agree the recommendations **carried** with **ten** Members voting in favour and **no** Members voting against.

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23/21 **Exclusion of the Press and Public**

This item was not required.

The meeting ended at 7.42 pm

Signed:

Date: