



Borough of Tamworth

Marmion House,
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Staffordshire B79 7BZ.

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LICENSING COMMITTEE

14 April 2021

Dear Councillor

A meeting of the Licensing Committee will be held in **Online Meeting on Thursday, 22nd April, 2021 at 6.00 pm.** Members of the Committee are requested to attend.

Yours faithfully

A handwritten signature in black ink, consisting of stylized initials and a long horizontal line extending to the right.

Chief Executive

A G E N D A

NON CONFIDENTIAL

- 1 Apologies for Absence**
- 2 Minutes of the Previous Meeting (Pages 5 - 6)**
- 3 Minutes of the Licensing Sub-Committee meetings (Pages 7 - 14)**

To receive and approve as a correct record the minutes of the following Licensing Sub-Committee meetings:

- 13th March 2020;
- 9th September 2020;
- 4th November 2020; and
- 22nd January 2021

4 Declarations of Interest

To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.

When Members are declaring a pecuniary or non-pecuniary interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.

5 Review of Covid-19 Impact on Licensing Service in 2020-21 (Pages 15 - 20)

(Report of the Assistant Director, Growth & Regeneration)

Access arrangements

If you have any particular access requirements when attending the meeting, please contact Democratic Services on 01827 709267 or e-mail democratic-services@tamworth.gov.uk. We can then endeavour to ensure that any particular requirements you may have are catered for.

Filming of Meetings

The public part of this meeting may be filmed and broadcast. Please refer to the Council's Protocol on Filming, Videoing, Photography and Audio Recording at Council meetings which can be found [here](#) for further information.

The Protocol requires that no members of the public are to be deliberately filmed. Where possible, an area in the meeting room will be set aside for videoing, this is normally from the front of the public gallery. This aims to allow filming to be carried out whilst minimising the risk of the public being accidentally filmed.

If a member of the public is particularly concerned about accidental filming, please consider the location of any cameras when selecting a seat.

FAQs

For further information about the Council's Committee arrangements please see the FAQ page [here](#)

To Councillors: B Price, T Clements, R Bilcliff, D Box, R Claymore, S Doyle, R Ford, A Farrell, S Goodall, T Jay, K Norchi, S Peaple and R Rogers.

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MINUTES OF A MEETING OF THE LICENSING COMMITTEE HELD ON 21st NOVEMBER 2019

PRESENT: Councillor B Price (Chair), Councillors T Clements (Vice-Chair), R Bilcliff, P Brindley, R Claymore, K Norchi, S People, R Rogers and M Summers

The following officers were present: Anna Miller (Assistant Director – Growth & Regeneration) and Colin John (Environmental Health Officer) and Santokh Gill (Solicitor).

10 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 22nd August 2019 were approved and signed as a correct record.

(Moved by Councillor B Price and seconded by Councillor T Clements)

11 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

12 ADOPTION OF THE PROPOSED LICENSING POLICY 2020-2023

The Assistant Director, Growth and Regeneration advised Licensing Committee of the outcome of consultations regarding the review of Tamworth's statement of licensing policy and proposed cumulative impact assessment.

Members considered and debated the revised policy and cumulative impact assessment

RESOLVED That Committee;

Recommended that the following amendments be made to the report:

1. At Appendix 2, include the Staffordshire Police consultation response;
2. At Appendix 3, remove all references to paragraph 14.5 in the table;

3. At Appendix 3, to insert “The requirements are that:” at page 10;
4. Include an additional recommendation in the report to:
Review as soon as possible the cumulative impact assessment within the guidelines of the policy.

Considered and endorsed the final amended version of Tamworth's Statement of Licensing Policy and the proposed Cumulative Impact Assessment, and

Referred the revised Statement of Licensing Policy and Cumulative Impact Assessment to Cabinet and Council for approval and adoption.

(Moved by Councillor B Price and seconded by Councillor S Peaple)

Chair



**MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE
HELD ON 13th MARCH 2020**

PRESENT: Councillor , Councillors P Brindley, R Claymore and B Price

The following officers were present: Gareth Harvey (Head of Environmental Health), Paul Holmes (Public Health Officer), Colin John (Environmental Health Officer), Rachel Maddocks (Solicitor) and Jodie Small (Legal, Democratic and Corporate Support Assistant)

13 APPOINTMENT OF CHAIR

Councillor B Price was appointed as Chair.

(Moved by Councillor P Brindley and seconded by Councillor R Claymore)

14 APOLOGIES

There were no apologies for absence.

15 DECLARATIONS OF INTEREST

There were no declarations of interest.

16 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED: That members of the press and public be now excluded from the meeting during consideration of the following item on the grounds that the business involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

(Moved by Councillor B Price and seconded by Councillor R Claymore)

17 CONSIDERATION OF AN APPLICATION FOR REVIEW OF A PREMISES LICENCE UNDER SECTION 51 OF THE LICENSING ACT 2003 IN RESPECT OF BLUE WATER INDIAN RESTAURANT, 11 SILVER STREET, TAMWORTH, STAFFORDSHIRE, B79 7NH.

To consider the application for review of a premises licence under Section 51 of the Licensing Act 2003 in respect of Blue Water Indian Restaurant, 11 Silver Street, Tamworth, Staffordshire, B79 7NH.

RESOLVED

That

The Premises license is to be revoked

Chair

DRAFT



MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE HELD ON 9th SEPTEMBER 2020

PRESENT: Councillors T Clements, K Norchi and S Peple

The following officers were present: Dawn Grove (Environmental Health Officer), Paul Holmes (Public Health Officer), Colin John (Environmental Health Officer), Rachel Maddocks (Solicitor), Tracey Pointon (Legal Admin & Democratic Services Manager) and Jodie Small (Legal, Democratic and Corporate Support Assistant)

No Apologies Received

18 APPOINTMENT OF CHAIR

Councillor T Clements was appointed as Chair.

(Moved by Councillor K Norchi and seconded by Councillor S Peple)

19 DECLARATIONS OF INTEREST

None received

20 TO CONSIDER AN APPLICATION TO GRANT A PREMISES LICENCE IN RESPECT OF THE LIGHTHOUSE BAR, 59-60 CHURCH STREET, TAMWORTH, STAFFORDSHIRE, B79 7DG UNDER SECTION 17 OF THE LICENSING ACT 2003

The Report of the Assistant Director Growth & Regeneration considers an application to grant a premises licence in respect of The Lighthouse Bar, 59-60 Church Street, Tamworth, Staffordshire, B79 7DG under Section 17 of the Licensing Act 2003

RESOLVED That;

The application by Anchor Bay Taverns Ltd for a Premises Licence under the Licensing Act 2003 be granted as agreed with Staffordshire police but with the addition of one further condition which is:

The use of the Premises for the regulated activity of boxing or wrestling entertainment is limited to the showing of such entertainment through the use of screens within the Premises, whether this is broadcast live or not

Leader

draft



MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE HELD ON 4th NOVEMBER 2020

PRESENT Councillors T Clements, B Price and R Rogers

The following officers were present: Dawn Grove (Environmental Health Officer), Paul Holmes (Public Health Officer), Colin John (Environmental Health Officer), Tracey Pinton (Legal Admin & Democratic Services Manager), Jodie Small (Legal, Democratic and Corporate Support Assistant), Adam Deakin (Technical Infrastructure Engineer) and Piers Riley-Smith ((Legal Advisor to Committee))

No apologies received

21 APPOINTMENT OF CHAIR

Councillor B Price was appointed as Chair.

(Moved by Councillor T Clements and seconded by Councillor R Rogers)

22 DECLARATIONS OF INTEREST

There were no declarations of interest.

23 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That members of the press and public be now excluded from the meeting during consideration of the following item on the grounds that the business involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

(Moved by Councillor T Clements and seconded by Councillor R Rogers)

24 APPLICATION TO TRANSFER PREMISES LICENCE UNDER THE LICENSING ACT 2003 IN RESPECT OF ESCO (FORMERLY DECADES BAR), 6-7 KING STREET PREMISES, TAMWORTH, B79 7DB

The Licensing Sub-Committee is requested to consider a request from the Staffordshire Police to reject an application to transfer premises licence under Section 42 of the Licensing Act 2003 in respect of Esco (Formerly Decades Bar), 6-7 King Street Premises, Tamworth, B79 7DB

RESOLVED That the application by Esco Bars and Clubs Limited ('the Applicant') to transfer a premises licence for Esco (Formerly Decades Bar) ('the Premises') under the Licensing Act 2003 is refused

25 APPLICATION TO VARY A PREMISES LICENCE TO SPECIFY AN INDIVIDUAL AS THE DESIGNATED PREMISES SUPERVISOR UNDER THE LICENSING ACT 2003 IN RESPECT OF ESCO (FORMERLY DECADES BAR), 6-7 KING STREET PREMISES, TAMWORTH, B79 7DB

The Licensing Sub-Committee is requested to consider an objection notice from the Staffordshire Police to reject an application made under Section 37 of the Licensing Act 2003 to vary a premises licence to specify an individual as designated premises supervisor in respect of Esco (Formerly Decades Bar), 6-7 King Street Premises, Tamworth, B79 7DB.

RESOLVED That the application by Esco Bars and Clubs Limited ('the Applicant') to vary a premises licence for Esco (Formerly Decades Bar) ('the Premises') to specify an individual as a designed premises supervisor under the Licensing Act 2003 is refused

Leader



MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE HELD ON 22nd JANUARY 2021

PRESENT: Councillors T Clements, B Price and R Rogers

The following officers were present: Fiona Samuda (Licensing Legal Advisor), Paul Holmes (Public Health Officer), Dawn Grove (Environmental Health Officer), Carmesha July (Environmental Health Officer), Tracey Pointon (Legal Admin & Democratic Services Manager), Jodie Small (Legal, Democratic and Corporate Support Assistant) and Adam Deakin (Technical Infrastructure Engineer)

Apologies received from: Councillor(s) None received

26 APPOINTMENT OF CHAIR

Councillor B Price was appointed as Chair.

(Moved by Councillor T Clements and seconded by Councillor R Rogers)

27 DECLARATIONS OF INTEREST

There were no declarations of interest.

28 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED: That members of the press and public be now excluded from the meeting during consideration of the following item on the grounds that the business involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

(Moved by Councillor T Clements and seconded by Councillor R Rogers)

29 APPLICATION TO VARY A PREMISES LICENCE TO SPECIFY AN INDIVIDUAL AS THE DESIGNATED PREMISES SUPERVISOR UNDER THE LICENSING ACT 2003 IN RESPECT OF BLUE WATER INDIAN

RESTAURANT, 11 SILVER STREET, TAMWORTH, STAFFORDSHIRE, B79 7NH

The Licensing Sub-Committee is requested to consider an application to vary a Premises Licence under the Licensing Act 2003 to specify an individual as the Designated Premises Supervisor of the Premises: Blue Water Indian Restaurant, 11 Silver Street, Tamworth, Staffordshire, B79 7NH

RESOLVED

That Committee,

Refused to grant the application to vary the Premises Licence to specify an individual as the Designated Premises Supervisor.

Leader

LICENSING COMMITTEE

THURSDAY, 22 APRIL 2021

REPORT OF THE ASSISTANT DIRECTOR – GROWTH AND REGENERATION

REVIEW OF COVID-19 IMPACT ON LICENSING SERVICE IN 2020-21

EXEMPT INFORMATION

None.

PURPOSE

THIS REPORT IS TO UPDATE THE LICENSING COMMITTEE ON THE IMPACT OF THE COVID-19 PANDEMIC ON OUR THE LICENSING SERVICE IN 2020/21 AND PRIORITIES FOR THE YEAR AHEAD.

RECOMMENDATIONS

It is recommended that:

- the Committee note the content of this report.

EXECUTIVE SUMMARY

Since March 2020 the Environmental Health Service have seen an exponential increase in workload as a result of the Covid-19 pandemic. As well as enforcing the various lockdowns/Tier restrictions for different business sectors the Service has also been commissioned by Staffordshire County Council to investigate outbreaks of Covid-19 in local workplaces and ensure compliance.

Throughout this period the Service has continued to provide critical regulatory services including the processing of applications for new and renewal licenses across the full range of licensing functions including the Licensing Act, Gambling Act, Hackney Carriage and Private Hire Vehicle/Drivers/Operators, Scrap Metal dealers, Animal boarding/breeding licenses, Tattoo/skin piercing licence applications and dealing with illegal encampments.

Although the pandemic and various lockdowns have placed restrictions on many of these licensed premises at different times, the majority of these licenses have still had to be assessed and processed alongside our emergency response workload. Many of these businesses have continued to trade as they have been classed as 'essential infrastructure' supplying food/beverages or essential services to key workers e.g. hackney/private hire vehicles or animal boarding. Other 'higher risk' businesses such as 'close contact' industries have only been allowed to trade for a limited time when national restrictions were briefly lifted.

This report aims to summarise the Licensing workload through 2020/21 alongside the additional business support that has provided to many local businesses including the hospitality industry and licensed trade. The report outlines proposals for how we will continue to support these industries through 2021/22 and beyond as we move to the 'Reset and Recovery' stage.

Regulatory Licensing Workload

From 1st April 2020 to 31st March 2021 the Environmental Health (Licensing) service processed the following licence applications/requests for service:

SUBJECT AREA	DESCRIPTION	TOTAL 2020/21
ANIMAL LICENSING	Animal Boarding, Breeding, Dog Control etc.	44
FOOD	Food Registration Received	100
GAMBLING ACT	Gambling Act applications, permits, lotteries etc.	45
LICENSING ACT	Premises Licence Applications, renewals, amendments, variations etc.	285
	Premises Licence Consultation	11
	Temp Event Consultation	10
	Club Premises Certificate - Annual Fee (renewals)	15
	Licence Application Consultee	10
	Temporary Event Notice (TENS) Standard	7
	Temporary Event Notice (TENS) Late	3
	Request for Service	28
	Annual Fee Enquiries	8
	Personal licence	48
	Sub-Committee Hearings for New Application, Licence Transfer and Change of DPS	3
LICENSING OTHER	Street Café, House to House, Scrap Metal, Hairdressers, Street Collections etc.	50
MISCELLANEOUS LICENSING ENQUIRIES	General Enquiry	98
SKIN PIERCING	Skin Piercing	40
TAXI LICENSING	Licensed Vehicle Driver - new/renewal applications	18
	Licensed Hackney Carriage - new/renewal applications	141
	Licensed Vehicle Operator	3
	Licensed Private Hire Vehicle - new/renewal applications	94

Covid-19 Emergency Response – Enforcement of Business Restrictions through various 'lockdowns'

Since the start of the first 'lockdown' in March 2020, the Environmental Health team have been responsible for enforcing the 'business restrictions' regulations that have placed restrictions on local businesses and industries throughout the year including

the move to 'Tiers' and the resumption of further 'lockdowns' that have heavily affected various business sectors. In 2020/21 we received the following requests for service in relation to Covid-19 business restrictions and alleged non-compliance that required investigating in licensed and non-licensed premises:

COVID-19	COVID-19 Advice request	223
	COVID-19 Non-Compliance	200

A number of these incidents required investigation on site to collect evidence and establish the facts of the case. Overall compliance levels have been good, and the majority of complaints received about non-compliance appeared to be unfounded or due to misinterpretations by the public. Where issues have been identified we have been able to secure immediate compliance without the need for further enforcement action, although there have been some recent incidents that may need to be brought before the committee in the near future. We meet with the local Police force and Licensing Unit on a weekly basis to share intelligence, review recent incidents and prepare for forthcoming changes in restrictions.

Covid-19 Test and Trace Investigations at Workplaces

Since the start of the pandemic, the Environmental Health team have worked alongside our Public Health colleagues at Staffordshire County Council and led investigations into Covid-19 outbreaks and incidents at local workplaces and other high-risk premises. In 2020/21 we have investigated the following number of Covid-19 Incidents:

COVID-19 TEST & TRACE	COVID-19 Outbreaks/Clusters/Incidents	170
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23 (13.5%) of these incidents were in premises licensed by Tamworth Borough Council with the remainder occurring within a wide range of other employment settings. Each of these incidents has had to be fully investigated and risk assessed to ensure appropriate Covid Secure measures were in place, follow up any 'close contacts'/further cases and on occasions arrange mass swab testing. Many of these incidents have required physical site inspections to provide assurance that suitable control measures were adequate. The Environmental Health team attend the Staffordshire Health Protection Board 3 times per week to report back on local incidents.

Business Support provided to Hospitality/Licensed Businesses in 2020/21 and going forward

At the beginning of the first lockdown in March 2020 our team made contact with 274 local food business to offer and advice/support on the new restrictions and provide guidance on making their take-away/click and collect service Covid Secure and to signpost them to the grants on offer. We have also received 118 requests for advice on specific Food Hygiene issues.

Later in the year we appointed 2 Environmental Health Covid-19 Officers (EH C-19 Officers) who have been visiting local businesses and offering advice and support on how to safely trade and re-open businesses in a Covid Secure manner.

Between December 2020 and March 2021 our EH C-19 Officers have provided the following support:

ENVIRONMENTAL HEALTH COVID-19 OFFICER SUPPORT FOR LOCAL BUSINESSES	958 visits to local business/premises to advise on COVID-19 Measures
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Support available to local hospitality and other licensed industries in 2021/22

We will continue to process applications for new and renewal licenses across all parts of our Licensing service as this is a statutory requirement.

Our EH Covid-19 Officers will also continue to visit local businesses across the Borough to monitor compliance and offer advice/support whilst other member of the Environmental Health team will investigate any serious allegations of Covid Secure/Licensing breaches.

At each stage of the road map we will offer advice/support to local businesses in sectors that are allowed to re-open and will sign post them to the most relevant guidance for their sector. This will be very important when indoor hospitality and events are allowed to take place later on in the national 'road map'.

We will also continue to investigate any outbreaks/clusters/incidents of Covid-19 at local businesses to help control the spread of the disease.

During the next 12 months we will also be starting the review of our Gambling Policy, Taxi and Private Hire Vehicle Policy as well as reviewing our 'Statement of Licensing Policy' and the associated Cumulative Impact Assessment.

RESOURCE IMPLICATIONS

The above Licensing activities are funded within the Council's normal budgetary process, and the additional Covid-19 emergency response workload will be resourced by the Covid-19 grant funding provided by Staffordshire County Council and the Ministry of Housing Communities and Local Government (MHCLG).

LEGAL/RISK IMPLICATIONS BACKGROUND

None.

EQUALITIES IMPLICATION

None.

SUSTAINABILITY IMPLICATIONS

None.

BACKGROUND INFORMATION

None.

REPORT AUTHOR

Gareth Harvey – Head of Environmental Health

LIST OF BACKGROUND PAPERS

None.

APPENDICES

None.

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