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BRECKLAND COUNCIL

At a Meeting of the

COMMITTEE OF THE LICENSING AUTHORITY

Held on Wednesday, 22 March 2017 at 10.05 am in
Norfolk Room, The Conference Suite, Elizabeth House, Dereham

PRESENT

Councillor M. Chapman-Allen (Chairman)	Mrs J. Hollis
Mr K. Martin (Vice-Chairman)	Mrs K. Millbank
Mrs E J Bishop	Mr T F C Monument
Mr R. F. W. Brame	Mr W. R. J. Richmond
Mr P. R. W. Darby	Mr F.J. Sharpe
Mr K.S. Gilbert	

In Attendance

Julie Britton	- Democratic Services Officer
Tiffany Bentley	- Licensing Officer
Sarah Wolstenholme-Smy	- Interim Legal Services Manager
Vicky Conlon	- Trading Standards

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10/17 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 11 January 2017 were confirmed as a correct record and signed by the Chairman.

11/17 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Councillors Bowes, L Monument and Askew.

12/17 URGENT BUSINESS (AGENDA ITEM 3)

None.

13/17 DECLARATION OF INTEREST (AGENDA ITEM 4)

None.

14/17 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

None.

15/17 NORFOLK TRADING STANDARDS (AGENDA ITEM 6)

The Chairman introduced Vicky Conlon, a Lead Officer from Norfolk Trading Standards (NTS) who was in attendance to provide Members with a detailed overview of the functions that the NTS team covered.

Trading Standards was a Local Government service that worked to

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protect consumers and support legitimate business. It covered a number of functions but under the Licensing functions it had a statutory obligation to:

- combat illegal trading of alcohol and tobacco products
- monitor product safety
- address under-age sales
- food standards, labelling etc
- animal health and feed
- scams

Norfolk Trading Standards also operated Trusted Trader Schemes.

The daily work of a Trading Standards Officer (TSO) involved responding to and investigating consumer complaints and conducting routine inspection of businesses for compliance with legislation. If it was found that an offence had been committed, particularly if it was a repeat offender, this could lead to a criminal prosecution.

TSOs had various powers granted to them under the legislation that they enforced. These included the ability to enter and inspect premises, examine goods and conduct test purchases. In particular circumstances they may also enter a premise's under warrant and seize goods and documents as evidence.

The main area discussed was in relation to illegal tobacco products of which there were three types, products made for selling on the illegal market, counterfeit versions of popular brands and products smuggled from other countries.

Illegal tobacco products were always hidden from view and pictures and a short video was shown of the inventive types of apparatus used to conceal this merchandise. 'Tobacco' dogs successfully found many of these hideaways.

The difference between genuine tobacco products and illegal tobacco products was highlighted.

The Chairman asked how much revenue was being lost from the sale of these illegal products. Members were informed that it had halved in the last decade. The main problem was under-age sales. Tobacco products were being sold to children from shops, car boot sales and on-line and there was no control as to what the counterfeit versions contained – this was a major health risk. Test reports were shown of illegal cigarettes which did not self-extinguish unlike legitimate products that contained such safety measures.

NTS was intelligence lead and was always acted upon - many complaints stemmed from proprietors of established businesses and from parents.

An illegal tobacco event had been held in 2016 and a picture was shown of the amount of products found in one week by NTS. Premises/people selling these products made a great deal of money that obviously was

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undeclared.

Licence reviews were treated very seriously and two shops had already had already been reviewed this year, one of which was under Appeal.

In response to a question in relation to whether TSO's could search elsewhere if the products were kept elsewhere such as in a private dwelling, Members were informed that a warrant would have to be applied for if it was a residential property or a vehicle.

The Chairman asked if written warnings could be given for certain amounts seized. It was noted that there was no definitive levels; however, Officers from the Police Licensing Team would attend in cases where large quantities were found just in case of any breaches to the peace.

Councillor Darby asked if TSO's searched for other products too such as alcohol. Members were informed that it was mainly tobacco but whilst on the premises many items were checked such as food labels etc. Counterfeit alcohol was normally found very quickly but came under the remit of HRMC.

The Licensing Officer asked if manufacturers supported the work of Trading Standards. Members were informed that they had a very good relationship the manufacturers tested products and provided evidence.

A question was asked in relation to EU regulations and it was explained that the Trademarks Act was a UK directive.

It was noted that all illegal tobacco products were disposed of by way of shredding.

The Chairman thanked Vicky for attending.

16/17 FEEDBACK AND DISCUSSION ON RECENT PANEL MEETINGS
(AGENDA ITEM 7)

The Licensing Officer asked Members for their feedback on the recent Panel meeting held on 10 March 2017.

The Chairman felt that it had gone very well. The premises had been closed for a while whilst being refurbished and the extension, to incorporate what was the outside drinking/smoking area, would alleviate any noise issues. The Panel had asked the Licence Holder to review the new extension in the summer months to ensure that it would not get too hot for customers and look at the possibility of installing air conditioning

There was nothing else to report.

17/17 FEEDBACK FROM TRAINING (AGENDA ITEM 8)

Members had thoroughly enjoyed the recent training session held at Elizabeth House and another date had been set for mock hearings to take place in September 2017.

The Chairman asked Members to contact the Democratic Services Officer if they had any other training needs which could then be added to the agenda for discussion.

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The meeting closed at 11.10 am

CHAIRMAN