



<b><u>Committee and Date</u></b>
Strategic Licensing Committee
18 <sup>th</sup> December 2013

<b><u>Item</u></b>
<b>4</b>
Public

**MINUTES OF THE STRATEGIC LICENSING COMMITTEE MEETING HELD ON WEDNESDAY, 25<sup>TH</sup> SEPTEMBER 2013 IN THE SHREWSBURY ROOM, THE SHIREHALL, SHREWSBURY**

10.00 a.m. – 12.04 p.m.

**Responsible Officer** Shelley Davies  
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**Present:**

Mr M. Wood (Chairman).  
Mr P. Adams, Mr M. Bennett, Mr V. Bushell, Mr P. Cherrington, Mr S. Davenport, Mr N. Hartin, Mr R. Hughes, Mr R. Macey, Mr K. Roberts (Vice-Chairman), Mr J. Tandy and Mrs R. Taylor-Smith.

**16. WELCOME AND INTRODUCTION FROM THE CHAIRMAN**

16.1 The Chairman welcomed everyone to the meeting.

**17. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

17.1 Apologies for absence were received from Councillors Mrs J. Barrow, Mr A. Davies, Mr R. Huffer and Mr R. Tindall. Mr M. Bennett was in attendance as Substitute for Mr R. Tindall.

**18. DISCLOSABLE PECUNIARY INTERESTS**

18.1 Members were reminded that they must not participate in the discussion or voting on any matter in which they have a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

**19. MINUTES**

**19.1 RESOLVED:**

That the Minutes of the meetings held on 5<sup>th</sup> June 2013 be approved as a correct record and signed by the Chairman.

## **20. PUBLIC QUESTION TIME**

20.1 The following statement had been submitted in accordance with Procedure Rule 14.

*'Mr Wilkins is blind and wanted to know if any of the members who were making decisions on Taxi Licensing Policy have actually experienced trying to decipher a Private Hire Vehicle in a line of traffic with only side plates to view and not any roof signs.'*

20.2 Mr Wilkins was present at the meeting. The Chairman invited Mr Wilkins to address the Committee in relation to his statement.

20.3 Mr Wilkins asked the Committee if any disabled groups had been consulted on the decision to remove roof signs on private hire vehicles. He noted that the roof signs, especially when lit at night, helped members of the public to identify their taxi.

20.4 It was explained to Mr Wilkins that the decision to remove the roof signs on Private Hire vehicles was taken in order to distinguish Private Hire vehicles from Hackney Carriages.

20.5 Members understood Mr Wilkins position; the Chairman noted that the issue of roof signs was due to be reviewed in 2014.

## **21. LICENSING FEES AND CHARGES 2014 – 2015**

21.1 Consideration was given to a report of the Service Manager - Safer & Stronger Communities in relation to the Licensing Fees and Charges for 2014 – 2015. (copy attached to the signed minutes).

21.2 The Safer & Stronger Communities Service Manager outlined the information contained in the appendices of the report. It was noted that the figures in Appendix A Part 3 had not been rounded up and the Safer & Stronger Communities Service Manager requested that if the recommendation was approved that this aspect be completed.

21.3 The Safer & Stronger Communities Service Manager explained the banding approach to licences for Private Hire Operators which would make the fees fairer for smaller businesses that take up less officer time.

21.4 The Safer & Stronger Communities Service Manager responded to a number of general questions from Members and detailed how the discretionary fees had been determined. It was added that the timescale for when the customer would expect to receive their licence was not yet available but the service was looking to put this in place.

21.5 Members questioned if all the costs for the service had been included in the fees and stated that a balance was required when increasing charges explaining that higher fees did not automatically guarantee increased income. In response the Safer & Stronger Communities Service Manager confirmed that the fees included all

the costs for the service including an element of central costs in addition to basic officer time. Members were assured that the increased charges had been balanced and were not intended to depress the trade.

21.6 In response to a question regarding maintaining service delivery with a reduced level of staff, the Head of Public Protection explained that licensing was a statutory function and the processes had been redesigned to provide the best service within the resources available.

21.7 The current situation in relation to the licensing computer system was outlined and the Safer & Stronger Communities Service Manager explained that the next step was to streamline the service further to include on line applications.

**21.8 RESOLVED:**

1. That the statutory fees that Shropshire Council is required to charge in respect of the specified licences under the Licensing Act 2003 and the Gambling Act 2005 as listed in Part 1 of Appendix A to this report (or if amended by legislation, the relevant amended fees) be implemented, ( together with any other statutory fees that may be brought into force in the intervening period, such fees to be included in the Fees and Charges 2014/15 report that will be presented at the Council meeting on 13 November 2013.
2. That the proposed fees relevant to those licences and licensing related activities where the authority has the discretion to determine the fees as listed in Part 2 of Appendix A to this report be implemented and included in the Fees and Charges 2014/15 report that will be presented at the Council meeting on 13 November 2013 and the Head of Public Protection be instructed to publish on the Council's website the intention of the Committee to revise the fees as set out in Part 2 of Appendix A.
3. That the proposed fees in respect of driver, hackney carriage, private hire vehicle and operator licences as detailed in Part 3 of Appendix A (to be rounded up to the nearest pound where necessary) be implemented and the Head of Public Protection, in accordance with the provisions of Section 70 of the Local Government (Miscellaneous Provisions) Act 1976, be instructed to publish in the Shropshire Star a notice setting out the proposed fees and specifying a period from 30 September 2013 to 30 October 2013 (this being not less than 28

days) within which and the manner in which objections to the proposed fees can be made.

**AND**

Where no objections to the proposed fees are received by 30 October 2013 or if all objections so made are withdrawn by the said date the Committee agrees to implement the proposed fees on 1 November 2013 and agrees to these fees being included in the Fees and Charges 2014/15 report that will be presented at the Council meeting on 13 November 2013.

**OR**

Where objections to the proposed fees are received by 30 October 2013 and are not withdrawn by the said date, the Licensing & Safety Sub-Committee is given full delegated power to consider and decide upon the objections with a view to setting the date of 2 December 2013 (being a date not later than 2 months after the 1 November 2013) when the proposed fees shall come into force with or without modification. In addition, the Committee agrees to the proposed fees as set out in Part 3 of Appendix A (to be rounded up to the nearest pound where necessary) being included in the Fees and Charges 2014/15 report that will be presented at the Council meeting on 13 November 2013 as '*provisional fees*' and that the actual fees will be confirmed prior to 2 December 2013.

**22. MOBILE HOMES ACT 2013**

- 22.1 Consideration was given to a report of the Team Manager - Operational Community Safety in relation to the Mobile Homes Act 2013. (copy attached to the signed minutes).
- 22.2 The Team Manager - Operational Community Safety explained that some of the provisions of the Act, which were applicable to the Council, were due to come into force on 1<sup>st</sup> April 2014 and confirmed that there were two parts to the Act, both with the aim to protect occupiers of mobile homes in residential parks.
- 22.3 The Team Manager - Operational Community Safety responded to a number of general questions and explained that the Council was in discussion with neighbouring authorities in relation to the Act and was in the process of determining how many sites there were in Shropshire.

**22.4 RESOLVED:**

That the report of the Team Manager Operational Community Safety be noted.

**23. SCRAP METAL DEALERS ACT 2013**

- 23.1 Consideration was given to a report of the Team Manager - Operational Community Safety in relation to the Scrap Metal Dealers Act 2013. (copy attached to the signed minutes).
- 23.2 The Team Manager - Operational Community Safety drew Members attention to the representations that had been received in relation to this item. It was explained that the Act had come into force on 1<sup>st</sup> September 2013 and there would be a phased introduction between September and December 2013.
- 23.3 The Team Manager - Operational Community Safety informed Members that a letter had been sent out to all current dealers to confirm to the Council by 15<sup>th</sup> October if they want to apply as an existing trader. It was added that the Act would create additional work for the Council and it was noted that some applications might have to be determined by Members.
- 23.4 The Solicitor explained that delegation to officers and the Sub-Committee would be required, as with Private Hire/Hackney Carriage applications.
- 23.5 In response to general queries, the Team Manager - Operational Community Safety clarified that it would be the responsibility of the Police to enforce the Act and concerns in relation to the impact of the Act on the Council would be sent to the Local Government Association.

**23.6 RESOLVED:**

1. That the application requirements and procedures set out in the report be noted and approved.
2. That the Licensing and Safety Sub Committee and the Team Manager – Operational Community Safety (and each officer above her in the council management structure) both be given full delegated powers to deal with matters relating to the issue of licences under the Scrap Metal Dealers Act 2013, including the refusal, issue and revocation of any licence, and the imposition of conditions on such a licence.
3. That the proposed fees as set out in paragraphs 4.4 and 4.5 of the report be approved.

**24. EXERCISE OF DELEGATED POWER**

- 24.1 Consideration was given to a report of the Team Manager - Operational Community Safety in relation to delegated powers to issue and amend licences. (copy attached to the signed minutes).
- 24.2 The Team Manager - Operational Community Safety drew Members attention to Appendix D, in relation to taxi enforcement and Appendix E, Fleets checks, which had been welcomed by the trade.
- 24.3 In response to a query, the Team Manager - Operational Community Safety explained that the weekly lists previously sent to Councillors were a temporary measure while the register was unavailable on line. It was agreed that a link would be sent to Members to show how they could access the information now this was available on the website and there would also be information included in the Members bulletin.
- 24.4 RESOLVED:**  
That the report of the Team Manager Operational Community Safety be noted.

**25. DATE OF NEXT MEETING**

- 25.1 The Committee noted that the next meeting of the Strategic Licensing Committee would be held on Wednesday 18th December 2013 commencing at 10.00am in the Shrewsbury Room, Shirehall, Shrewsbury.

**CHAIRMAN.....**

**DATE.....**