



Strategic Licensing  
Committee

18<sup>th</sup> March 2015

Item

**3**

Public

**MINUTES OF THE STRATEGIC LICENSING COMMITTEE MEETING HELD ON 10  
DECEMBER 2014  
10.00 - 11.20 AM**

**Responsible Officer:** Shelley Davies  
Email: emily.marshall@shropshire.gov.uk Tel: 01743 252726

**Present**

Councillor Michael Wood (Chairman)  
Councillors Keith Roberts (Vice Chairman), Peter Adams, Joyce Barrow,  
Peter Cherrington, Roger Hughes, Simon Jones, Robert Macey, Jon Tandy,  
Martin Bennett (substitute for Robert Tindall) and Richard Huffer (substitute for Nigel  
Hartin)

**28 Apologies**

Apologies for absence were received from Councillors Vernon Bushell, Robert  
Tindall (Substitute: Martin Bennett), Andrew Davies, Nigel Hartin (Substitute: Richard  
Huffer) and Vivienne Parry.

**29 Welcome and Introduction from the Chairman**

The Chairman welcomed everyone to the meeting.

**30 Disclosable Pecuniary Interests**

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

**31 Minutes of Previous Meeting**

**RESOLVED:**

That the Minutes of the meeting held on 24<sup>th</sup> September 2014, be approved as a  
correct record and signed by the Chairman.

**32 Public Question Time**

The Chairman referred to the statement that had been received from Mr Mark  
Higgins, in relation to Agenda item 8 – Hackey Carriage and Private Hire Licensing  
Policy which had been circulated to all Members.

**33 Safety of Sports Grounds - Annual Report 2014**

**Consideration was given to a report of the report of the Team Manager – Health Protection and Prevention (copy attached to the signed minutes), detailing the exercise of delegated functions in respect of the safety of sports grounds, undertaken by the Public Protection service over the past year.**

In response to a question from a Member the Team Manager – Health Protection and Prevention explained that capacity levels for Special Safety Certificate had to be agreed before the event and confirmed that temporary stands were used at the Greenhous Meadow to allow an increased capacity at the Chelsea v Shrewsbury Town football match.

**RESOLVED:**

**That the report of the Team Manager – Health Protection and Prevention be noted.**

#### **34 Licensing Fees and Charges 2015 - 2016**

**Consideration was given to a report of the Senior Commissioner (Public Protection) relation to the Licensing Fees and Charges for 2015 – 2016. (copy attached to the signed minutes).**

**The Senior Commissioner (Public Protection) presented the report and explained that the recommendation 2.2 had been replaced with the following:**

*That the Committee agrees, with any necessary modifications, that the proposed fees relevant to those licences and licensing related activities where the authority has the discretion to determine the fees as set out in Part 2 of the Appendix A be referred to Cabinet and for further consideration in the 2015/16 annual fees and charges report with respect to adoption and implementation on 1 April 2015 and at such time as the fees are agreed by Cabinet and Council the Committee also instructs the Head of Public Protection to publish, on the Council's website, the agreed fees.*

**In response to a question from a Member regarding safeguarding, the Senior Commissioner (Public Protection) outlined the processes undertaken by the team and noted that this was covered in more detail in the next agenda item.**

**Responding to a question in relation to how fees were calculated, the Senior Commissioner (Public Protection) explained that this was an ongoing process where all the costs including central costs were identified using the best method available, ensuring that the costs were reasonable and that no loss or profit was made. It was added that these costs were likely to change year to year as services change and that these costs were reviewed the following year with the figures for 2013/14 currently being reviewed.**

The Senior Commissioner (Public Protection) confirmed that the Telford and Wrekin Borough Council Fees and Charges were included in the report for information purposes only and cannot influence the fees and charges set by Shropshire Council. In response to a query it was explained that enforcement exercises took place in the Telford and Wrekin Borough Council area and there were regular meetings between officers from both authorities.

**RESOLVED:**

1. The Committee noted the statutory fees that Shropshire Council was required to charge in respect of the specified licences under the Licensing Act 2003 and the Gambling Act 2005 as set out in Part 1 of Appendix A and agreed to implement these fees (or if subject to statutory amendment, the relevant amended fees) on the 1 April 2015 and instructs the Head of Public Protection to include the fees in the 2015/16 annual fees and charges report that is presented to the Council and further instructs the Head of Public Protection to implement, as appropriate, any other statutory fees that may be brought into force during the 2015/16 financial year.
2. The Committee agreed that the proposed fees relevant to those licences and licensing related activities where the authority has the discretion to determine the fees as set out in Part 2 of the Appendix A be referred to Cabinet for further consideration in the 2015/16 annual fees and charges report with respect to adoption and implementation on 1 April 2015 and at such time as the fees are agreed by Cabinet and Council the Committee also instructs the Head of Public Protection to publish, on the Council's website, the agreed fees.
3. The Committee agreed to implement, with any necessary modification, the proposed fees relevant to driver, hackney carriage, private hire vehicle and operator licences as set out in Part 3 of Appendix A and instructs the Head of Public Protection, in accordance with the provisions of Section 70 of the Local Government (Miscellaneous Provisions) Act 1976, to publish in the Shropshire Star a notice setting out those fees that it is proposed will be varied and specifying a period from 12 January 2015 to 15 February 2015 (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 variation in fees are received by 15 February 2015 or if all objections so made are withdrawn by the said date the Committee agreed to implement the proposed variation to the fees on 16 February 2015 or where objections to the proposed variation to the fees are received by 15 February 2015 and are not withdrawn by the said date, the Committee will consider the objections at a meeting on the 18 March 2015 with a view to setting the date of 1 April 2015 (being a date not later than 2 months after the 16 February 2015) when the proposed variation to the fees shall come into force with or without further modification.

4. The Committee instructs the Head of Public Protection to include the proposed fees, as set out in Part 3 of Appendix A, in the 2015/16 annual fees and charges report presented to the Council and that in respect of those fees that were subject to a proposed variation that these were recorded in the said annual report as '*provisional fees under consultation between 12 January 2015 and 15 February 2015; fees to be confirmed by 31 March 2015*'.

### 35 Hackney Carriage and Private Hire Licensing Policy

The Senior Commissioner (Public Protection) presented the Hackney Carriage and Private Hire Licensing Policy report which set out the results of the second period of consultation that was undertaken in respect of the Policy and set out a further revision of the Policy for the Committee to consider. (Copy attached to the signed minutes).

The Senior Commissioner (Public Protection) and the Team Manager Operational and Community Safety responded to a number of queries from Members in relation to the revised policy. The processes used in relation the background checks for new drivers were detailed and it was noted that the changes in the policy in relation to the reduction of emissions was generally supported by the trade as long as time was given for drivers to change their vehicles.

Following debate it was agreed that the wording in the table included in the Policy on pages 22, 33, 43 regarding how children were transported be amended from to read:

*Child from 3<sup>rd</sup> Birthday to 12<sup>th</sup> Birthday or 135cm in height whichever they reach first.*

The Team Manager Operational and Community Safety explained why the names of those who had responded to the consultation at Appendix C had been redacted. It was agreed that advice would be sought from the Information Governance Officer as to whether in future the names of those responding to a consultation can be published.

#### **RESOLVED:**

1. The committee considered the feedback received as a result of the second period of consultation carried out between 29 September 2014 and 2 November 2014, together with the analysis and officer comments, as set out in Appendices A, B, C and D.
2. The agreed, with any necessary modifications, that the proposed 'Hackney Carriage and Private Hire Policy 2015 – 2019' as set out in Appendix E be reported to Cabinet for further consideration and a final decision with respect to adoption and implementation.

### 36 Exercise of Delegated Powers

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).

#### **RESOLVED:**

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

**37 Date of the Next Meeting**

It was noted that the next meeting of the Strategic Licensing Committee would be held on Wednesday, 18<sup>th</sup> March 2015 in the Shrewsbury Room, Shirehall, Shrewsbury.

Signed ..... (Chairman)

Date: