



Committee and Date
Strategic Licensing Committee
22nd March 2017

**MINUTES OF THE STRATEGIC LICENSING COMMITTEE MEETING HELD ON 25
JANUARY 2017
10.00 - 10.53 AM**

Responsible Officer: Shelley Davies
Email: shelley.davies@shropshire.gov.uk Tel: 01743 257718

Present

Councillor Keith Roberts (Chairman)
Councillors Andrew Davies (Vice Chairman), Peter Adams, Joyce Barrow, Vernon Bushell,
Peter Cherrington, Nigel Hartin, Roger Hughes, Duncan Kerr, Nic Laurens, Robert Macey,
Jon Tandy and Robert Tindall

12 Apologies

Apologies for absence were received from Councillors Dean Carroll and Vivienne Parry.

13 Minutes of Previous Meeting

RESOLVED:

That the Minutes of the meeting held on 7th June 2016 be approved as a correct record and signed by the Chairman.

14 Public Question Time

There were no public questions received.

15 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.

16 Safety of Sports Grounds - Annual Report of Activity (January 2017)

Consideration was given to a report of the report of the Health Protection/Prevention Team Manager (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.

The Health Protection/Prevention Team Manager responded to a number of general questions from Members and explained that parking issues were outside of the remit of the safety certificate but he would discuss the parking problems on match days at The New Saints Ground with the Club.

RESOLVED:

That the report of the Health Protection/Prevention Team Manager be noted.

17 Licensing Fees and Charges - 2017 - 2018

Consideration was given to a report of the Trading Standards & Licensing Operations Manager in relation to the Licensing Fees and Charges for 2017 – 2018. (copy attached to the signed minutes). It was explained that a vet fee for new applications for Breeding Establishments had been omitted from the table shown at Appendix A Part 2 and would be included in the report presented to Cabinet and Council.

The Trading Standards & Licensing Operations Manager answered a number of general questions and confirmed that the income from fees and charges and how this was off set against the estimated service costs would be provided to Members as part of the report that would be presented to Committee in relation to the 2018/19 fees and charges.

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 that the authority implement these fees (or if subject to statutory amendment, the relevant amended fees) on the 1 April 2017 and instructs the Trading Standards and Licensing Operations Manager to include the fees in the 2017/18 annual fees and charges reports to be presented to Cabinet and Council and further instructed the Trading Standards and Licensing Operations Manager to implement, as appropriate, any other statutory fees that may be brought into force during the 2017/18 financial year and to publish all relevant statutory fees on the licensing pages of the Council's website as soon as was practicable.
2. The Committee agreed that the authority implement, with any necessary modification and with effect from 1 April 2017, the proposed fees as set out in Part 2 of Appendix A, (subject to the inclusion of a vet fee for new applications for breeding establishments) that relate to those licences and licensing related activities where the authority has the discretion to determine the fees and instructs the Trading Standards and Licensing Operations Manager to include the proposed fees in the 2017/18 annual fees and charges reports presented to Cabinet and Council and further instructed the Trading Standards and Licensing Operations Manager to publish the fees, as agreed by Council, on the licensing pages of the Council's website as soon as was practicable.

- 3.(a) The Committee proposed to vary the fees relevant to driver, hackney carriage, private hire vehicle and operator licences as set out in Part 3 of Appendix A, with any necessary modification, and instructed the Trading Standards and Licensing Operations Manager, 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 was proposed would be varied and to specify a period from 30 January 2017 to 26 February 2017 (this being not less than 28 days) within which and the manner in which objections to the proposed fees can be made.

AND

- 3.(b) The Committee agreed to implement the proposed variation to the fees on 27th February 2017, where no objections to the proposed variation in fees were received by 26 February 2017 or if all objections so made were withdrawn by the said date or where objections to the proposed variation to the fees were received by 26 February 2017 and were not withdrawn by the said date, the Committee would consider the objections at a meeting on the 22 March 2017 with a view to setting the date of 1 April 2017 (being a date not later than 2 months after the 27 February 2017) when the proposed variation to the fees would come into force with or without further modification and further instructed the Trading Standards and Licensing Operations Manager to publish the agreed fees on the licensing pages of the Council's website as soon as is practicable.
4. The Committee instructed the Trading Standards and Licensing Operations Manager to include the proposed fees as set out in Part 3 of Appendix A, with any necessary modification, to be included in the 2017/18 annual fees and charges reports presented to Cabinet and Council and that in respect of those fees a note is recorded in the said annual reports stating 'Provisional fees under consultation between 30 January 2017 and 26 February 2017; fees to be confirmed by the Strategic Licensing Committee by 22 March 2017'.

18 Street Trading - Adoption of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982

Consideration was given to the report of the Transactional and Licensing Manager in relation to the adoption of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 (Street Trading). (Copy attached to the signed minutes).

RESOLVED:

The Committee agreed to adopt Schedule 4 of the 1982 Act, pursuant to Part III of the Local Government (Miscellaneous Provisions) Act 1982 ('the 1982 Act') and in accordance with the delegations set out in the Constitution to apply throughout the Shropshire Council administrative area with effect from 26 January 2017 and agreed that all existing Street Trading delegations and designated streets remain in place subject to any future amendments.

19 **Street Trading Policy Consultation Proposals**

Consideration was given to the report of the Transactional and Licensing Manager in relation to the Council's Street Trading Policy consultation proposals. (Copy attached to the signed minutes).

The Transactional and Licensing Manager answered a number of general questions and in response to a query regarding the operation of a particular market held in Oswestry, explained that where traders were trading as an organised market this was different to 'street trading' as it was controlled by separate markets legislation, which was not something that Shropshire Council controlled. The issue of peddlers was then also raised and the Transactional and Licensing Manager advised that this similarly did not fall under 'street trading' controls and was in fact legislation that was enforced by the Police.

It was suggested that a Task and Finish Group be set up following the elections in May to look at street trading and how it sits with markets, peddling and other street trading type activities to assess whether there were anomalies within the legislation and how these may be addressed in the future. Due to the process required to set up a Task and Finish Group, it was accepted that it could not be set up directly as a result of this meeting. Accordingly, it was agreed that an item would be included on the agenda for the next meeting in relation to this issue.

In response to a question from a Member in relation to Charity Collections the Trading Standards and Licensing Operations Manager confirmed that the Public Fundraising Association (PFRA) would be regulating the 'chugger' type of fundraising activity on Pride Hill in Shrewsbury in line with a signed voluntary agreement that was in place with the Council. The Operations Manager also explained that once the agreement was fully in place it would work alongside the licensing controls that exist for cash fundraising activities in order to ensure that cash fundraising and 'chugger' activities do not occur at the same time. Once established, the PFRA approach could be taken to other areas in Shropshire where there was an identified need.

RESOLVED:

The Committee approved, with any necessary amendments, the proposed Street Trading Policy 2017 – 2022 as set out in Appendix A and instructed the Transactional and Licensing Team Manager to commence an 8 week public consultation from 30 January 2017 to the 26 March 2017.

20 **Exercise of Delegated Power**

Consideration was given to a report of the Transactional and Licensing Manager in relation to delegated powers to issue and amend licences. (Copy attached to the signed minutes).

RESOLVED:

That the report of the Transactional and Licensing Manager be noted.

21 Records of Proceedings - Licensing Act Sub-Committees

The records of proceedings of the Licensing Act Sub-Committee meetings from May 2016 to September 2016 were received by Members (Copies attached to the signed minutes).

RESOLVED:

That the records of proceedings of the Licensing Act Sub-Committee meetings from May 2016 to September 2016 be noted.

22 Date of Next Meeting

It was noted that the next meeting of the Strategic Licensing Committee would be held on Wednesday, 22nd March 2017 in the Shrewsbury Room, Shirehall.

Signed (Chairman)

Date: