



Shropshire Council
Legal and Democratic Services
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

Date: Tuesday, 26 November 2019

Committee:
Strategic Licensing Committee

Date: Wednesday, 4 December 2019
Time: 10.00 am
Venue: Shrewsbury Room - Shirehall

You are requested to attend the above meeting.
The Agenda is attached

Claire Porter
Director of Legal and Democratic Services (Monitoring Officer)

Members of the Committee

Keith Roberts (Chairman)
Simon Jones (Vice Chairman)
Peter Adams
Roy Aldcroft
Clare Aspinall
Rob Gittins
Nigel Hartin
Nick Hignett
Paul Milner
Pamela Moseley
Kevin Pardy
Vivienne Parry
Robert Tindall
Dave Tremellen
Leslie Winwood

Substitute Members of the Committee

David Vasmer
Ted Clarke
Pauline Dee
David Evans
Richard Huffer
Matt Lee
Elliott Lynch
William Parr
Paul Wynn

Your Committee Officer is:

Shelley Davies Committee Officer

Tel: 01743 257718

Email: shelley.davies@shropshire.gov.uk

AGENDA

1 Apologies

To receive apologies for absence.

2 Minutes of Previous Meeting (Pages 1 - 4)

To confirm the Minutes of the meeting held on 2nd October 2019, attached, marked 2.

Contact: Linda Jeavons (01743 257716).

3 Public Question Time

To receive any public questions or petitions from the public, notice of which has been given in accordance with Procedure Rule 14. The deadline for this meeting is 10.00 am on Monday 2nd December 2019.

4 Disclosable Pecuniary Interests

Members are 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.

5 Exercise of Delegated Powers (Pages 5 - 12)

Report of the Transactional and Licensing Team Manager is attached, marked 5.

Contact: Mandy Beever (01743 251702).

6 Future Agenda Items

An opportunity for Members to identify additional matters that ought to be brought before the Committee for consideration at future meetings.

7 Date of Next Meeting

To note that the next meeting of the Strategic Licensing Committee will be held on Wednesday, 11th March 2020 in the Shrewsbury Room, Shirehall, Shrewsbury.



Strategic Licensing
Committee

4th December 2019

Item

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Public

**MINUTES OF THE STRATEGIC LICENSING COMMITTEE MEETING HELD ON
2 OCTOBER 2019
10.00 - 10.52 AM**

Responsible Officer: Linda Jeavons
Email: linda.jeavons@shropshire.gov.uk Tel: 01743 257716

Present

Councillor Keith Roberts (Chairman)
Councillors Simon Jones (Vice Chairman), Peter Adams, Roy Aldcroft, Rob Gittins,
Nick Hignett, Paul Milner, Pamela Moseley, Vivienne Parry and Dave Tremellen.

14 Apologies

Apologies for absence were received from Councillors Kevin Parry and Les Winwood.

15 Minutes of Previous Meeting

That the Minutes of the meeting held on 2 October 2019 be approved as a correct record.

16 Public Question Time

No public questions or petitions had been received.

17 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.

18 Licensing Act Sub-Committee - Licensing Act Hearing Procedure

Consideration was given to the report of the Transactional and Licensing Team Manager in relation to a proposed new procedure for the conduct of Licensing Act hearings, including the Chair's opening statement and the process to be followed during a hearing. (Copy attached to the signed minutes).

In response to questions and comments from Members, the Transactional and Licensing Team Manager explained that the new procedure would be a 'working

document' and could be amended as and when any issues arose; however, it was noted that no changes would be made without the prior approval of the Strategic Licensing Committee.

RESOLVED:

1. That the replacement of the existing hearing procedure and Chair's statement, as set out in Appendix A to the report, with the proposed new hearing procedure and Chair's statement, as set out in Appendices B and C to the report, be agreed.
2. That Council be recommended to remove the hearing process from the Council's Constitution.

19 Licensing Fees and Charges 2019 - 2020

Consideration was given to the report of the Transactional and Licensing Team Manager in relation to revised fees for the period 1 April 2020 to 31 March 2021 for licences and licensing related activities where the Authority has the discretion to determine the relevant fees.

The Transactional and Licensing Team Manager answered general questions from Members and provided clarification on enforcement, how fees are calculated and how our fees compare with other authorities.

RESOLVED:

1. The Committee noted the statutory fees that Shropshire Council is required to charge in accordance with the Licensing Act 2003 as set out in **Appendix A**, in accordance with the Gambling Act 2005 as set out in **Appendix B** and in accordance with explosives and fireworks legislation as set out in **Appendix C** and recommended that the authority implements these fees (or if subject to statutory amendment, the relevant amended fees) on the 1 April 2020 and instructed the Trading Standards and Licensing Operations Manager to arrange for the fees to be included in the 2020/21 annual fees and charges reports that are 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 2020/21 financial year and to publish all relevant statutory fees on the licensing pages of the Council's website as soon as is practicable.
2. The Committee agreed to implement, with any necessary modification and with effect from 1 April 2020, the proposed fees as set out in **Appendices D, E, F, G and H** that relate to those licences and licensing related activities where the authority has the discretion to determine the fees and instructed the Trading Standards and Licensing Operations Manager to arrange for the fees to be included in the 2020/21 annual fees and charges reports that are presented to Cabinet and Council and further instructed the Trading Standards and Licensing Operations Manager to publish the fees on the licensing pages of the Council's website as soon as is practicable.

3. The Committee proposed to vary the fees relevant to driver, hackney carriage, private hire vehicle and operator licences as set out in **Appendix F**, 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 undertake the necessary work to consult and implement the fees.
4. The Committee instructed the Trading Standards and Licensing Operations Manager to arrange for the proposed fees as set out in **Appendix F**, with any necessary modification, to be included in the 2020/21 annual fees and charges reports that are presented to Cabinet and Council and, where necessary, in respect of those fees a note is recorded in the said annual reports stating '*Provisional fees under consultation fees to be confirmed by the Strategic Licensing Committee*'.

20 **Exercise of Delegated Powers**

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

RESOLVED:

That the report be noted.

21 **Future Agenda Items**

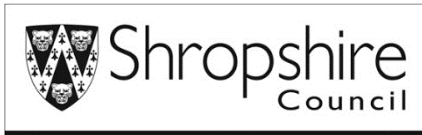
The Committee were given the opportunity to identify additional matters that ought to be brought before the Committee for consideration. No future agenda items were identified.

22 **Date of Next Meeting**

RESOLVED:

It was noted that the next meeting of the Strategic Licensing Committee would be held on Wednesday, 4th December 2019.

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Committee and Date

Strategic Licensing Committee

4th December 2019

Item

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Public

EXERCISE OF DELEGATED POWERS

Responsible Officer Mandy Beever, Transactional and Licensing - Team Manager
Email: Mandy.Beever@shropshire.gov.uk Tel: 01743 251702

1. Summary

- 1.1 Licensing officers have been given delegated powers to issue or amend licences, providing no objections have been received in the case of licences issued under the Licensing Act or with regard to general and public health licences.
- 1.2 Further, procedures have been approved for officers with direct line management responsibility for Licensing to use their delegated powers to refuse, suspend or revoke driver, vehicle and operator licences.
- 1.3 This report gives details of the licences issued, variations that have been made and the enforcement action undertaken between 1 September 2019 and the 1 November 2019 and a summary of applications considered by committee.

2. Recommendations

- 2.1 That members note the position as set out in the report.

REPORT

3. Risk Assessment and Opportunities Appraisal

- 3.1 This is an information report giving Members information on the work undertaken by the Licensing Team and Committee and therefore a risk assessment and opportunities appraisal has not been carried out.

4. Financial Implications

- 4.1 There are no financial implications associated with this report.

5. Background

- 5.1 Information regarding the issue of licences by Officers under delegated powers is reported to Committee on a quarterly basis.
- 5.2 Officers use their delegated powers in a number of situations, including where:
 - a) A licence has been requested and there have been no objections raised by interested parties or Responsible Authorities.
 - b) The application has met the Council's policy criteria for accepting an application.

- c) There are vehicle applications for new or renewal licenses and refusal, suspension and revocation of licences where the operating criteria as set by the Hackney Carriage and Private Hire Licensing Policy 2019 to 2023 is not met and the officer does not consider there to be any special reason for an exception to be made.
 - d) There are driver's applications for new or renewal licences and refusal, suspension or revocation of licences where the criteria as set by the Hackney Carriage and Private Hire Licensing Policy 2019 to 2023 is not met and the officer does not consider there to be any special reason for an exception to be made.
 - e) There are Private Hire Operator applications for new or renewal licenses and refusal, suspension and revocation of licences where the operating criteria as set by the Hackney Carriage and Private Hire Licensing Policy 2019 to 2023 is not met and the officer does not consider there to be any special reason for an exception to be made.
- 5.3 The table in Appendix A shows the complete range of licences issued by the licensing team during the period of the 1 September 2019 to the 1 November 2019. During this period the total number of licences issued was 1150.
- 5.4 The Table in Appendix B shows that there were no Licensing and Safety Sub-Committee Meetings held between the 1 September 2019 and the 1 November 2019.
- 5.5 The Licensing Act activities at Sub Committee have also been given in Appendix C.
- 5.6 The Private Hire Vehicle, Private Hire Operator and Hackney Carriage checks undertaken between the 1 September 2019 and the 1 November 2019, results are provided in Appendix D.
- 5.7 Following the decision at the Strategic Licensing Committee on 18th March 2015, vehicles and driver applications are now being considered by Officers using delegated powers. This includes refusal of new licence applications, refusal to renew existing licences and revocation and suspension of existing licences, in relation to any matter concerning a hackney carriage or a private hire driver's licence or a vehicle licence or any matter concerning a private hire operator's licence.

The number of licences and actions determined by this process is as follows:-

Driver	Granted	Granted and/or Warning Letter, Suspension	Letter Council is 'Minded to refuse' or 'Revoke'	Refuse to Grant	Revoke	To refer to Committee
New	1			4		
Renew	1			1		
Conduct		1	1		1	
Vehicle	Granted	Granted and/or Warning Letter	Letter Council is 'Minded to refuse' or 'Revoke'	Refuse to Grant	Revoke	To refer to Committee
New						
Renewal						
Condition						
Operator	Granted	Granted and/or Warning Letter	Letter Council is 'Minded to refuse' or 'Revoke'	Refuse to Grant	Revoke	To refer to Committee
New						
Renewal						
Conduct						

6. Conclusion

- 6.1 During the period captured in this report the workload for the Licensing team has continued to be high and the team have been working hard to maintain the flow of applications.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Cabinet Member (Portfolio Holder)

Councillor Gwilym Butler Portfolio Holder for Communities, Place Planning and Regulatory Services

Local Member

Cover all areas of Shropshire

Appendices:

A – Licences issued between the 1 September 2019 and the 1 November 2019.

B – Number of Hackney Carriage / Private Hire Vehicle applications considered at the Licensing and Safety Sub-Committees from the 1 September 2019 to the 1 November 2019.

C – Hearings held for licensed premises at the Licensing Act Sub-Committees from 1 September 2019 to the 1 November 2019.

D – Private Hire Vehicle and Hackney Carriage checks undertaken between the 1 September 2019 and the 1 November 2019.

APPENDIX A

Licences issued – from 1 September 2019 to the 1 November 2019.

General Licensing	Total
Acupuncture Personal	0
Acupuncture Premises	0
Activities Involving Animals Licence	13
Animal Breeding	0
Caravan Sites	4
Cosmetic Piercing Personal	12
Cosmetic Piercing Premises	7
House to House Collection	16
Pet Shops	0
Riding Establishments	0
Scrap Metal Site	0
Scrap Metal Collector	0
Sex Establishment Licence	0
Street Collection	23
Street Trading Licence	3
Tattooing Personal	0
Tattooing Premises	0
Electrolysis	0
Dangerous Wild Animals	0
Zoo	0
Performing Animals	0
Distribution of Free Printed Matter	1
Total Applications General	79

Taxi Licensing (Surrendered)	Total
Private Hire Vehicles	8
Hackney Carriages	1
Total Surrendered Vehicles	9

Taxi Licensing		Total
Hackney Carriage	N	0
Hackney Carriage	R	23
Joint HC/PH Driver	N	12
Joint HC/PH Driver	R	60
Private Hire Operator	N	3
Private Hire Operator	R	1
Private Hire Vehicle	N	37
Private Hire Vehicle	R	101
Hackney Vehicle Transfer		5
Private Hire Vehicle Transfer		17
Private Hire Licensee Transfer		0
Trailer Licence		0
Total Taxi Applications		259

Licensing Act 2003	Total
Club Certificate with alcohol	0
Personal Alcohol	50
Premises Licence	7
Temp Event Notice no Alcohol	264
Temp Event Notice with Alcohol	0
Minor Variation Application	3
DPS Change/Variation	24
Transfer Application	15
Annual Fee	392
Notification of Interest	0
Premises Lic with Alcohol - Full Variation	3
Premises Lic without Alcohol - Full Variation	0
Total Lic Act Applications General	758

Gambling Act 2005	Total
Bingo Premise Licence	0
Betting Premise Licence	0
Licensed Premise Gaming Machine Permit	0
Notification of Intent to have gaming machines	0
Club Machine Permits	0
Occasional Use Licence	0
Adult Gaming Centre	0
Small Society Lotteries	14
Change of Promoter	0
Annual Fee	31
Family Entertainment gaming machine permit	0
Total Gambling Act 2005 Applications	45

Total Applications **1150**

Total Surrendered Vehicles **9**

APPENDIX B

Licensing and Safety Sub-Committee Meetings from the 1 September 2019 to the 1 November 2019.

Date of Meeting	Scheduled/ Additional	Item	Meeting Venue	Decisions
None				

APPENDIX C

Licensing Act Sub-Committees.

Hearings held for licensed premises from 1 September 2019 to the 1 November 2019.

Date	Premises	Type of Application	Councillors	Decision	Review Requested by
None					

APPENDIX D

Private Hire Vehicle, Private Hire Operator and Hackney Carriage checks undertaken between the 1 September 2019 and the 1 November 2019.

Inspection Date	Private Hire Operator Checks	Total Number of Vehicles Inspected	Advisory Note	No Action Required
None	0	0	0	0
Total	0	0	0	0

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