

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

Date: Tuesday, 1 December 2020

**Committee:**  
**Strategic Licensing Committee**

**Date:** Wednesday, 9 December 2020

**Time:** 10.00 am

**Venue:** THIS IS A VIRTUAL MEETING - PLEASE USE THE LINK ON THE AGENDA TO LISTEN TO THE MEETING

Members of the public will be able to listen to this meeting by clicking on this link: <http://www.shropshire.gov.uk/StrategicLicencingCommittee9Dec2020>

Please note that this meeting will be made available through Microsoft Teams Live Events - your device will need to meet the minimum specification as detailed on the Microsoft website at this link: [Device Specification](#)

- You will need to download MS Teams (free) and click on the link to listen to the meeting if you are using a PC
- If using a mobile device, you will need to download the MS Teams app (free) before clicking the link
- Use the link at 10.00 am on the day of the meeting and click on 'Join as Guest'
- You may receive an error message or a request for login details if you try to gain access before 10.00 am

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  
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:

**Tim Ward** Committee Officer

Tel: 01743 257713

Email: [tim.ward@shropshire.gov.uk](mailto:tim.ward@shropshire.gov.uk)

# AGENDA

## **1 Apologies**

To receive apologies for absence

## **2 Minutes of Previous Meeting (Pages 1 - 4)**

To approve the minutes of the previous meeting held on 7 October 2020 as a true record

Contact: Tim Ward (01743 257713)

## **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 10.00am on Monday 7 December 2020

## **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.

Contact: Mandy Beever (01743 251702)

## **6 Exclusion of Press and Public**

To consider a resolution under Section 100 (A) of the Local Government Act 1972 that the proceedings in relation to the following items shall not be conducted in public on the grounds that they involve the likely disclosure of exempt information as defined by the provisions of Schedule 12A of the Act

## **7 Personal Licence - Consideration to revoke or suspend (Pages 13 - 38)**

Exempt report of the Public Protection Officer (Specialist) is attached.

Contact Ross O'Neil on 0345 6789026

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Strategic Licensing  
Committee

9 December 2020

Item

Public

**MINUTES OF THE STRATEGIC LICENSING COMMITTEE MEETING HELD ON 7  
OCTOBER 2020  
10.00 - 10.41 AM**

**Responsible Officer:** Tim Ward  
Email: tim.ward@shropshire.gov.uk Tel: 01743 257713

**Present**

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

**45 Apologies**

45.1 Apologies for absence were received from Councillors Kevin Pardy, Robert Tindall and Leslie Winwood.

45.2 There were no substitutions

**46 Minutes of Previous Meeting**

**46.1 RESOLVED:**

That the minutes of the meeting of the Strategic Licencing Committee held on 15 July 2020 be approved as a true record and signed by the Chairman.

**47 Public Question Time**

47.1 There were no public questions

**48 Disclosable Pecuniary Interests**

48.1 There were no declarations made.

**49 Licensing Fees and Charges 2021 - 22**

49.1 Members received the report of the Transactional and Licensing Team Manager in relation to revised fees for the period 1 April 2021 to 31 March 2022 for licences and licensing related activities where the Authority has the discretion to determine the relevant fees.

49.2 The Transactional and Licensing Team Manager advised Members that in setting the new fees, recognition of the effects the current pandemic was having on businesses and that increases were kept as low as possible and in many cases, there were no increases.

- 49.3 In response to a question the Transactional and Licensing Team Manager informed the meeting that work was ongoing with regard to a separate charging regime for christmas markets but that this had been delayed by the current pandemic.
- 49.4 In response to a question around the licencing of certain health treatments that did not currently come under the licencing legislation, the Transactional and Licensing Team Manager advised the meeting that there was currently work being undertaken by central government to standardise the situation but that again this had been delayed by the pandemic.
- 49.5 In response to a question regarding why the Council did not currently licence residential caravan parks, the Transactional and Licensing Team Manager stated that this was a matter that was on the list of policies to be introduced but there was a large amount of work to enable this.
- 49.6 In response to a question regarding fees for fireworks the Transactional and Licensing Team Manager confirmed that the charge only applied to those companies that traded fireworks and to those companies putting on professional displays.
- 49.7 Members thanks Officers for all the work that they had carried out in setting the fees.
- 49.8 **RESOLVED:**

2.1 That the Committee notes 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 recommends that the authority implements these fees (or if subject to statutory amendment, the relevant amended fees) on the 1 April 2021 and instructs the Trading Standards and Licensing Operations Manager to arrange for the fees to be included in the 2021/22 annual fees and charges reports that are presented to Cabinet and Council and further instructs the Trading Standards and Licensing Operations Manager to implement, as appropriate, any other statutory fees that may be brought into force during the 2021/22 financial year and to publish all relevant statutory fees on the licensing pages of the Council's website as soon as is practicable.

2.2 That the Committee implements, with any necessary modification and with effect from 1 April 2021, 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 instructs the Trading Standards and Licensing Operations Manager to arrange for the fees to be included in the 2021/22 annual fees and charges reports that are presented to Cabinet and Council and further instructs 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.

2.3 That the Committee proposes 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 instructs 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.

2.4 That the Committee instructs 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 2021/22 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'.

## 50 Request for Change to Hackney Carriage Fare Card

50.1 Members received the report of the Transactional and Licensing Team Manager which set out proposals to revise the existing table of fares and to carry out a consultation on a single table of fares to be applied to the whole of the Shropshire Council Area with effect from 1 April 2021.

50.2 The Transactional and Licensing Team Manager reminded Members that in 2019 Council resolved to remove the 5 existing hackney carriage zones which were based on the old district council areas, replacing them with 1 zone which covered the whole of the Shropshire Council area, and that the changes proposed reflected this change.

50.3 The Transactional and Licensing Team Manager advised Members that an informal consultation had been carried out and that a formal consultation would be carried out at the beginning of 2021.

### 50.4 **RESOLVED:**

That the Strategic Licensing Committee note the contents of the report and the legal requirement to consult on this process.

## 51 Exercise of Delegated Powers

51.1 Members received the report of the Transactional and Licensing Team Manager gave details of work carried out by the licencing team during the period 1 May 2020 to 31 August 2020.

51.2 The Transactional and Licensing Team Manager advised Members that due to the pandemic adjustments had been made to ways of working and that in addition to the general work that had been a lot of work dealing with queries regarding legislation around the pandemic.

51.3 Members expressed their thanks to all officers for their work during this time.

### 51.4 **RESOLVED:**

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

**52 Future Agenda Items**

52.1 There were no items raised

**53 Exclusion of Press and Public**

53.1 RESOLVED:

That under Section 100 (A) of the Local Government Act 1972 that the proceedings in relation to the following items shall not be conducted in public on the grounds that they involve the likely disclosure of exempt information as defined by the provisions of Schedule 12A of the Act

**54 Exempt Minutes of the Previous Meeting**

54.1 RESOLVED:

That the exempt minutes of the meeting of the Strategic Licencing Committee held on 15 July 2020 be approved as a true record and signed by the Chairman.

**55 Date of Next Meeting**

55.1 Members were reminded that the next meeting of the Strategic Licensing Committee would be held on Wednesday 9<sup>th</sup> December 2020

Signed ..... (Chairman)

Date:





Committee and Date

Strategic Licensing  
Committee

9 December 2020

Item

**5**

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 and the 31 October 2020 and a summary of applications considered by the 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 1 September 2020 and the 31 October 2020. During this period the total number of licences issued was 934.
- 5.4 The Table in Appendix B shows that there were no Licensing and Safety Sub-Committee Meetings held between the 1 September 2020 and the 31 October 2020.
- 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 2020 and the 31 October 2020, results are provided in Appendix D.
- 5.7 Following the decision at the Strategic Licensing Committee on 18 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:-

<b>Driver</b>	<b>Granted</b>	<b>Granted and/or Warning Letter, Suspension</b>	<b>Letter Council is 'Minded to refuse' or 'Revoke'</b>	<b>Refuse to Grant</b>	<b>Revoke</b>	<b>To refer to Committee</b>
New	2		1	1		
Renew			1		1	
Conduct	1	1	4			
<b>Vehicle</b>	<b>Granted</b>	<b>Granted and/or Warning Letter</b>	<b>Letter Council is 'Minded to refuse' or 'Revoke'</b>	<b>Refuse to Grant</b>	<b>Revoke</b>	<b>To refer to Committee</b>
New	1					
Renewal		1	1			
Condition		1	1			
<b>Operator</b>	<b>Granted</b>	<b>Granted and/or Warning Letter</b>	<b>Letter Council is 'Minded to refuse' or 'Revoke'</b>	<b>Refuse to Grant</b>	<b>Revoke</b>	<b>To refer to Committee</b>
New	1					
Renewal						
Conduct		1				

## 6. Conclusion

- 6.1 During the period captured in this report the workload for the Licensing team has continued to be high. The Coronavirus Pandemic has resulted in some changes to our processes and additional queries. The team have worked together to answer all the queries and 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 1 September 2020 and the 31 October 2020

B – Number of Hackney Carriage / Private Hire Vehicle applications considered at the Licensing and Safety Sub-Committees from 1 September 2020 to the 31 October 2020.

C – Hearings held for licensed premises at the Licensing Act Sub-Committees from 1 September 2020 to the 31 October 2020.

D – Private Hire Vehicle and Hackney Carriage checks undertaken between 1 September 2020 and the 31 October 2020.

## Licences issued – from 1 September 2020 to the 31 October 2020

<b>General Licensing</b>	<b>Total</b>
Acupuncture Personal	0
Acupuncture Premises	0
Activities Involving Animals Licence	8
Animal Breeding	0
Caravan Sites	1
Cosmetic Piercing Personal	15
Cosmetic Piercing Premises	9
House to House Collection	6
House to House Exemption Order	1
Pet Shops	0
Riding Establishments	0
Scrap Metal Site (new/renewal)	0
Scrap Metal Collector (new/renewal)	0
Sex Establishment Licence	0
Street Collection	11
Street Trading Licence (new/renewal)	6
Tattooing Personal	0
Tattooing Premises	0
Electrolysis	0
Dangerous Wild Animals	0
Zoo	0
Performing Animals	0
Distribution of Free Printed Matter	0
Explosives	13
Pavement Licence	0
Pavement Permit	29
Pavement Licence	8
<b>Total Applications General</b>	<b>107</b>

<b>Taxi Licensing</b>	<b>Total</b>	
Hackney Carriage	N	2
Hackney Carriage	R	18
Joint HC/PH Driver	N	17
Joint HC/PH Driver	R	21
Private Hire Operator	N	5
Private Hire Operator	R	2
Private Hire Vehicle	N	50
Private Hire Vehicle	R	111

Hackney Vehicle Transfer	0
Private Hire Vehicle Transfer	23
Private Hire Licensee Transfer	0
Trailer Licence	0
<b>Total Taxi Applications</b>	<b>249</b>

<b>Taxi Licensing (Surrendered)</b>	<b>Total</b>
Private Hire Vehicles	13
Hackney Carriages	2
<b>Total Surrendered Vehicles</b>	<b>15</b>

<b>Licensing Act 2003</b>	<b>Total</b>
Club Certificate with alcohol	0
Personal Alcohol (variation/new)	37
Premises Licence	8
Temp Event Notice no Alcohol	0
Temp Event Notice with Alcohol	26
Minor Variation Application	2
DPS Change/Variation	29
Premises Licence Transfer Application	10
Annual Fee	401
Notification of Interest	0
Premises Licence with Alcohol - Full Variation	5
Premises Licence without Alcohol - Full Variation	
<b>Total Licensing Act Applications</b>	<b>518</b>

<b>Gambling Act 2005</b>	<b>Total</b>
Bingo Premise Licence	0
Betting Premise Licence (other than track)	0
Licensed Premise Gaming Machine Permit	0
Notification of Intent to have gaming machines	2
Club Machine Permits	0
Occasional Use Licence	0
Adult Gaming Centre	0
Small Society Lotteries	13
Change of Promoter	0
Annual Fee	45
Family Entertainment gaming machine permit	0
<b>Total Gambling Act 2005 Applications</b>	<b>60</b>

<b>Total Applications</b>	<b>934</b>
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<b>Total Surrendered Vehicles</b>	<b>15</b>
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**Licensing and Safety Sub-Committee Meetings from 1 September 2020 to the 31 October 2020**

Date of Meeting	Scheduled/ Additional	Item	Meeting Venue	Decisions
None				

**Licensing Act Sub-Committees.**

**Hearings held for licensed premises from 1 September 2020 to the 31 October 2020**

<b>Date</b>	<b>Premises</b>	<b>Type of Application</b>	<b>Councillors</b>	<b>Decision</b>	<b>Review Requested by</b>
None					

**Private Hire Vehicle, Private Hire Operator and Hackney Carriage checks undertaken between 1 September 2020 and the 31 October 2020**

<b>Inspection Date</b>	<b>Total Number of Vehicles Inspected</b>	<b>Advisory Note</b>	<b>No Action Required</b>
None			
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>



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