



Strategic Licensing  
Committee

7 December 2022

Item

Public

**MINUTES OF THE STRATEGIC LICENSING COMMITTEE MEETING HELD ON 5  
OCTOBER 2022  
10.00 - 10.40 AM**

**Responsible Officer:** Tim Ward

Email: tim.ward@shropshire.gov.uk Tel: 01743 257713

**Present**

Councillor Roy Aldcroft (Chairman)

Councillors Nigel Lumby (Vice Chairman), Peter Broomhall, Mary Davies, Mike Isherwood, Pamela Moseley, Robert Macey, Kevin Parry, Edward Towers and Vince Hunt (Substitute) (substitute for Garry Burchett)

**13 Apologies**

13.1 Apologies for absence had been received from Councillors Garry Burchett and David Evans

13.2 Councillor Vince Hunt substituted for Councillor Burchett

**14 Minutes of Previous Meeting**

**14.1 RESOLVED**

That the minutes of the meeting of the Strategic Licensing Committee held on 22 June 2022 be approved as a true record and signed by the Chairman.

**15 Public Question Time**

15.1 The Chairman advised that a public question had been received from Mr M A Alyas. A copy of the question and the responses provided are attached to the signed minutes and available from the web page for the meeting

[Agenda for Strategic Licensing Committee on Wednesday, 5th October, 2022, 10.00 am — Shropshire Council](#)

**16 Disclosable Pecuniary Interests**

16.1 With reference to agenda item 8 Councillor Isherwood stated that he was a member of Oswestry Town Council and had been present when the item was discussed at the Town Council meeting and that he would withdraw from the meeting during the discussion and voting on that item due to a perceived bias.

**17 Licensing Fees and Charges 2023 - 24**

- 17.1 Members received the report of the Transactional and Licensing Team Manager which proposed the revision of licensing fees where the authority has the discretion to determine the relevant fees for the financial year from 1 April 2023 to 31 March 2024.
- 17.2 The Transactional and Licensing Team Manager reminded the meeting that this was an annual report, and that fees were calculated on a cost recovery basis. She cautioned that the Covid pandemic had affected the number and type of licences applied for and that the situation would be reviewed over the forthcoming year.
- 17.3 The Transactional and Licensing Team Manager reminded members that the Hackney Cab and Private Hire fees would be subject to a further period of consultation in the new year as required by law, and that all other fees would be included in the report that would be going to Council in the new year.

17.4 **RESOLVED**

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 2023 and instructs the Transactional and Licensing Team Manager to arrange for the fees to be included in the 2023/24 annual fees and charges reports that are presented to Cabinet and Council and further instructs the Transactional and Licensing Team Manager to implement, as appropriate, any other statutory fees that may be brought into force during the 2023/24 financial year and to publish all relevant statutory fees on the licensing pages of the Council's website as soon as is practicable.
2. That the Committee implements, with any necessary modification and with effect from 1 April 2023, the proposed fees as set out in Appendices D, E, F, G, H and I that relate to those licences and licensing related activities where the authority has the discretion to determine the fees and instructs the Transactional and Licensing Team Manager to arrange for the fees to be included in the 2023/24 annual fees and charges reports that are presented to Cabinet and Council and further instructs the Transactional and Licensing Team Manager to publish the fees on the licensing pages of the Council's website as soon as is practicable.
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 Transactional and Licensing Team 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. That the Committee instructs the Transactional and Licensing Team Manager to arrange for the proposed fees as set out in Appendix F, with any necessary modification, to be included in the 2023/24 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'.

## **18 Review of the Hackney Carriage and Private Hire Licensing Policy 2023 to 2027**

18.1 Members received the report of the Transactional and Licensing Team Manager which set out the proposed Hackney Carriage and Private Hire Licensing Policy for the period 2023 to 2027.

18.2 The Transactional and Licensing Team Manager advised the meeting that the Policy which had been updated taking into account the Council's priorities, representations made by the hackney carriage and private hire trade and changes in legislation.

### **18.3 RESOLVED**

1. That the Strategic Licensing Committee considers all the responses submitted during the consultation period as set out in Appendix A and notes the officer's summary as set out in Appendix B.
2. That the Strategic Licensing Committee agrees, with any necessary modifications, that the proposed 'Hackney Carriage and Private Hire Policy 2023 – 2027' as set out in Appendix C be reported to Cabinet for further consideration and a final decision with respect to adoption and implementation.

## **19 Revision of Hackney Carriage Table of Fares**

19.1 Members received the report of the Transactional and Licensing Manager which set out a proposal for a revised Hackney Carriage Table of Fares.

19.2 The Transactional and Licensing Manager advised the meeting that following a request from a Hackney Carriage proprietor a review of the current Hackney Carriage Table of Fares had been carried out and following this a formal consultation on the proposed changes was undertaken as required by the legislation, and that all responses had been considered as part of the process.

### **19.3 RESOLVED:**

That the Strategic Licensing Committee approves, with any necessary modifications, the proposed Table of Fares for the whole administrative area of Shropshire Council, as set out in Appendix A and agrees that it will come into effect from 13 October 2022.

## **20 Proposed Variation of the Designation of Licenced Streets**

In accordance with his declaration, Councillor Isherwood left the room and took no part in the debate and voting on this item.

- 20.1 Members received the report of the Transactional and Licensing Team Manager which sought the Committee's approval for the variation of some Licenced Streets previously designated as Licence Streets on 1 April 2018 in accordance with Local Government (Miscellaneous Provisions) Act 1982.
- 20.2 The Transactional and Licensing Team Manager reminded Members that a consultation on the street trading policy had been carried out earlier in the year and a part of the responses to this, requests had been made to amend some of existing adopted licenced streets. She then outlined the process that must be carried out to effect the change.
- 20.3 **RESOLVED:**
- 3.1 That the Strategic Licensing Committee resolve to vary the list of designated streets that are currently contained in the policy by removing those streets identified as set out in Appendix A, documents 1 to 5 of the report.
- 3.2 That the Committee instructs the Transactional and Licensing Team Manager to publish and serve the relevant notices, setting out the designation of streets, as required by Section 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
- 3.3 That where there are representations that object to the designation of streets as set out in Appendix A, documents 1 to 5 the Committee instructs the Transactional and Licensing Team Manager to bring a further report before the Committee to enable those representations to be considered in accordance with Section 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
- 3.4 That where no representations or only supporting or neutral representations are received, the Council resolves through delegated authority granted to the Strategic Licensing Committee, to pass a resolution designating the streets as set out in Appendix A, documents 1 to 5 with effect from 1 April 2023 and further instructs the Transactional and Licensing Team Manager to make the necessary arrangements as set out within Section 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 to give effect to the designations.

## 21 **Responsibilities of Premises Licence Holders under the Licensing Act 2003**

- 21.1 Members received the report of the Transactional and Licensing Team Manager which set out the responsibilities placed on premises licence holders, when undertaking licensable activities that are authorised under the Licensing Act 2003 ('the 2003 Act'), with a focus on the safety of those who attend licensed premises.
- 21.2 The Transactional and Licensing Team Manager advised the meeting that a motion at Council had asked the Strategic Licensing Committee to clarify the obligations on liquor licensees regarding care and protection of their users and work with the Police to ensure that the responsibilities are exercised, including giving advice to vulnerable people on leaving such premises.

- 21.3 In response to a question the Transactional and Licensing Team Manager confirmed that with regards to the log of persons refused service which was required to be kept, where a person would not give their personal details, a record of the time and date and any other action taken was made.
- 21.4 In response to a question the Transactional and Licensing Team Manager confirmed that the was not legal definition of drunkenness and that it very much a matter of perception.
- 21.5 In response to a question the Transactional and Licensing Team Manager confirmed that it was a condition of some licences that safety information was displayed and that a lot of licenced premises displayed this information voluntarily.
- 31.6 In response to a question the Transactional and Licensing Team Manager stated that there was no specific council run training but that advice could be sought from the out of hours officers and other licencing officers.

31.7 **RESOLVED**

That the contents of the report be noted

**22 Exercise of Delegated Powers**

- 22.1 Members received the report of the Transactional and Licensing Team Manager which gave details of the licences issued and the variations that have been made under delegated powers between 1 June 2022 and the 31 August 2022 and a summary of applications considered by the Committee.
- 22.2 The Transactional and Licensing Team Manager reminded Members that the report was brought to each meeting of the committee and that it updated them on the number and types of licences that had been issued since the last meeting

22.3 **RESOLVED:**

That Members note the position as set out in the report

**23 Date of Next meeting**

- 23.1 Members noted that the next meeting of the Strategic Licensing Committee would be held on 7 December 2022 at 10.00am

Signed ..... (Chairman)

Date: