



<u>Committee and Date</u>	Item
Strategic Licensing Committee	<b>2</b>
20 <sup>th</sup> November 2018	Public

**MINUTES OF THE STRATEGIC LICENSING COMMITTEE MEETING HELD ON 3 OCTOBER 2018  
10.00 - 11.05 AM**

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

**Present**

Councillor Keith Roberts (Chairman)  
Councillors Simon Jones (Vice Chairman), Peter Adams, Roy Aldcroft, Dean Carroll, Paul Milner, Kevin Parry, Ed Potter, Harry Taylor, Dave Tremellen, David Vasmer and Nigel Hartin (substitute for Vivienne Parry)

**22 Apologies**

Apologies for absence were received from Councillors Rob Gittins and Vivienne Parry (Substitute: Nigel Hartin).

**23 Minutes of Previous Meeting**

**RESOLVED:**

That the Minutes of the meeting held on 20<sup>th</sup> June 2018 be approved as a correct record.

**24 Public Question Time**

There were no public questions or petitions received.

**25 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.

**26 Licensing Fees and Charges 2018 - 2019**

Consideration was given to the report of the Transactional and Licensing Team Manager (copy attached to the signed minutes). The report set out the proposed revised fees for the period 1 April 2019 to 31 March 2020 for licences and licensing related activities and new fees in regard to licences issued under the Animal Welfare

(Licensing of Activities Involving Animals) (England) Regulations 2018 which came into effect on 1 October 2018.

The Transactional and Licensing Team Manager answered a number of general queries and in response to a question regarding the budget explained that any surplus as in the Licensing Act budget cannot be used to offset the deficit in Hackney Carriage and Private Hire budget. It was added that the Hackney Carriage and Private Hire budget was reviewed every year and the deficit had decreased but as it was impossible to predict the number of applications that would be received in the year the fees were based on an estimated figure.

*Councillor Dean Carroll left the meeting at this point.*

**RESOLVED:**

1. The Committee noted the statutory fees that Shropshire Council was 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 2019 and instructed the Trading Standards and Licensing Operations Manager to arrange for the fees to be included in the 2019/20 annual fees and charges reports that were 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 2019/20 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 to implement, with any necessary modification and with effect from 1 April 2019 the proposed fees as set out in **Appendices D, E, F and G** 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 2019/20 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 was practicable.
3. The Committee implemented, with any necessary modification and with effect from 3 October 2018, the proposed fees as set out in **Appendix 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 2019/20 annual fees and charges reports that were 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 was practicable.
4. 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.

5. 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 2019/20 annual fees and charges reports that were 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*'.

## 27 **Statement of Licensing Policy - Licensing Act 2003**

Consideration was given to the report of the Transactional and Licensing Team Manager (copy attached to the signed minutes) which set out the representations received from consultees with a view to agreeing a revised statement to be reported to Council for final approval.

The Transactional and Licensing Team Manager referred to paragraph 2.2 of the reported and noted the following amendment to the recommendation:

That the Committee delegates to the Operations Manager – Trading Standards & Licensing, in consultation with the Chair of the Strategic Licensing Committee, the authority to amend any typographical errors and/or administrative inconsistencies in the proposed Statement of Licensing Policy together with executive summary, list of strategies and consultation details as set out in Appendix B prior to the policy statement being presented to the Council for final approval.

In response to questions the Transactional and Licensing Team Manager explained that the responses from consultees were redacted following legal advice and she would check the figures that referred to on page 199 of the report to clarify if this should have stated Market Drayton East.

### **RESOLVED:**

1. The Committee considered the representations received following the formal consultation on the draft Statement of Licensing Policy 2019 to 2024 and the 'Premises Licence Applications – Completing the Operating Schedule and Plan of the Premises Guidance'. The Committee agreed with the officers' comments in **Appendix A** in response to the comments made and recommends to the Council that the policy statement be published and advertised by the Operations Manager – Trading Standards & Licensing in accordance with the provisions of the Act and that the policy statement will take effect from 1 April 2019.
2. The Committee granted the Operations Manager – Trading Standards & Licensing delegated authority, in consultation with the Chair of the Strategic Licensing Committee, to amend any typographical errors and/or administrative inconsistencies in the proposed Statement of Licensing Policy together with executive summary, list of strategies and consultation details as set out in

**Appendix B** prior to the policy statement being presented to the Council for final approval.

## 28 **Proposed Additional Consultation on the Removal of the Existing Five Hackney Carriage Zones**

Consideration was given to the report of the Transactional and Licensing Team Manager (copy attached to the signed minutes). The report set out a proposal for removal of the five existing Hackney Carriage Zones and apply a single Hackney Carriage licensing regime throughout the administrative area of Shropshire Council. It was explained that Officers had considered the responses following a ten week consultation period and as a result now consider that the original transitional arrangements that were proposed had changed fundamentally and therefore request that the Committee allow a further period of consultation on the revised proposal. It was noted that an additional meeting would be required in November to consider the consultation responses.

### **RESOLVED:**

1. The Committee considered all the suggested amendments put forward by those who responded to the consultation and agreed with the officer's summary as set out in Appendix A.
2. The Committee agreed to a further formal consultation for not less than 4 weeks to commence from the 8 October 2018, on the removal of the five existing Hackney Carriage Zones and apply a single Hackney Carriage licensing regime throughout the administrative area of Shropshire Council with effect from 1 April 2021, with no transitional arrangements.

## 29 **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 of the Transactional and Licensing Manager be noted.

## 30 **Future Agenda Items**

The Committee were given the opportunity to identify additional matters that ought to be brought before the Committee for consideration.

A request was made to the Transactional and Licensing Team Manager to provide details in relation to wheelchair accessible vehicles.

### **RESOLVED:**

The Transactional and Licensing Team Manager agreed to provide a list of wheelchair accessible vehicles.

31 **Date of Next Meeting**

**RESOLVED:**

It was noted that the next meeting of the Strategic Licensing Committee would be held on Tuesday, 20<sup>th</sup> November 2018.