



Strategic Licensing
Committee

8 December 2021

Item

Public

**MINUTES OF THE STRATEGIC LICENSING COMMITTEE MEETING HELD ON 6
OCTOBER 2021
10.00 - 10.50 AM**

Responsible Officer: Tim Ward

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Present

Councillors Simon Jones (Vice Chairman), Mike Isherwood, Peter Broomhall, Garry Burchett, Pamela Moseley, Vivienne Parry, Dave Tremellen and Mary Davies (Substitute) (substitute for Alex Wagner)

15 Apologies

15.1 Apologies for absence were received from Councillors Roy Aldcroft, Elliott Lynch, Nigel Lumby, Kevin Pardy, Chris Schofield and Alex Wagner.

15.2 Councillor Mary Davies substituted for Councillor Wagner

16 Minutes of Previous Meeting

16.1 The minutes of the meeting held on 9 July 2021 had been circulated.

RESOLVED:

That the minutes of the meeting of the Strategic Licencing Committee held on 9 July 2021 be approved as a true record and signed by the Chairman

17 Public Question Time

17.1 There were no questions.

18 Disclosable Pecuniary Interests

18.1 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.

18.2 There were no declarations made

19 Gambling Act 2005 – Policy Statement

19.1 Members received the report of the Transactional and Licensing Team Manager which set out the proposed updated Gambling Act 2005 – Policy Statement.

19.2 In response to a question the Transactional and Licensing Team Manager confirmed that comments made by Oswestry Town Council after the closing date for submissions had been considered as part of the consultation.

19.3 RESOLVED:

- a. That the Committee considers the representations received following the formal consultation on the draft Gambling Policy Statement and agrees the officers' comments in Appendix 1 in response to the comments made and recommends to the Cabinet that the policy statement is published and advertised by the Head of Trading Standards and Licensing in accordance with the provisions of the Act and that the policy statement will take effect from 31 January 2022.
- b. That the Committee delegates to the Head of Trading Standards and 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 Gambling Policy Statement as set out in Appendix 1 prior to the policy statement being presented to the Cabinet for final approval

20 Licensing Fees and Charges 2021- 2022

20.1 Members received the report of the Transactional and Licensing Team Manager which set out revised fees for the period 1 April 2022 to 31 March 2023.

20.2 The Transactional and Licensing Team Manager advised Members that the report set out proposed fees and charges for the financial year April 2022 – March 2023 and that if approved they would go forward to Cabinet and Council for approval prior to implementation and reminded the meeting that some fees were set by law and that there were some licenced activities for which no fee could be charged all of which were listed in the report.

20.3 The Transactional and Licensing Team Manager advised the meeting that the process for fees applicable to hackney carriage, private hire vehicle and operator licences was different in that a separate consultation was required and that if objections were received it may delay the implementation of the new fees, but if there were no objections fees would be implemented the day after the end of the consultation.

20.4 In response to a question regarding how the deficit in 2020/21 compared with previous years the Transactional and Licensing Team Manager advised that it was difficult to compare as different licences ran for different lengths of time, so renewals varied. She added that there would be a knock-on effect from the pandemic as some activity had ceased.

20.5 In response to a question regarding whether any work was being done to get statutory fees raised to a realistic level the Transactional and Licensing Team Manager confirmed that Government had said that they would look at this and that the Council had done the necessary modelling work to set those fees when allowed.

- 20.6 A Member asked what was done to notify businesses of the proposed increases in fees. The Transactional and Licensing Team Manager advised that all businesses were advised of fees by email. She outlined measures that had been taken to help businesses through the pandemic.
- 20.7 A Member asked whether any consideration have been given to offering a discount to those applying for a private hire or hackney carriage vehicle licence if the vehicle was electric or hybrid. The Transactional and Licensing Team Manager advised that as part of the policy all vehicles had to achieve "Euro 5" levels for emissions which was a very high level, and that there were no plans to introduce a discount but that the length of licence for an electric car was longer which did provide an element of saving.
- 20.8 A Member asked what was being done to reduce costs to limit increases in fees. The Transactional and Licensing Team Manager advised that work had been done to review all previous models and to look at all elements of the process. She advised that there was currently a procurement process being undertaken to secure a new IT system which would allow more "self-service" and online application service which would reduce officer time and cost.
- 20.9 Members thanked the Transactional and Licensing Team Manager for her clear and comprehensive report.
- 20.10 **RESOLVED:**
- a. 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 2022 and instructs the Head of Trading Standards and Licensing to arrange for the fees to be included in the 2022/23 annual fees and charges reports that are presented to Cabinet and Council and further instructs the Head of Trading Standards and Licensing to implement, as appropriate, any other statutory fees that may be brought into force during the 2022/23 financial year and to publish all relevant statutory fees on the licensing pages of the Council's website as soon as is practicable.
 - b. That the Committee implements, with any necessary modification and with effect from 1 April 2022, 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 Head of Trading Standards and Licensing to arrange for the fees to be included in the 2022/23 annual fees and charges reports that are presented to Cabinet and Council and further instructs the Head of Trading Standards and Licensing to publish the fees on the licensing pages of the Council's website as soon as is practicable.
 - c. 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 Head of Trading Standards

and Licensing, 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.

- d. That the Committee instructs the Head of Trading Standards and Licensing to arrange for the proposed fees as set out in Appendix F, with any necessary modification, to be included in the 2022/23 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'.

21 **The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020**

- 21.1 Members received the report of the Transactional and Licensing Team Manager that set out revised procedures for the fit and proper person register required under The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020
- 21.2 The Transactional and Licensing Team Manager advised the meeting that since the Committee decision made at the last meeting the guidance from Government had changed and that the recommendations made would need amending to ensure successful applicants are included in the register for a period not exceeding five years and to remove the requirement for a Fit and Proper Person Determination Policy.
- 21.3 A Member expressed concern that a fee could not be charged for this work. The Transactional and Licensing Team Manager advised that the law governing the licencing of caravan park was quite outdated and that government was updating this slowly. She added that a piece of work was currently being planned to investigate the level of fees for those parts of caravan licencing where charging was allowed but that this work had been delayed by the pandemic.
- 21.4 **RESOLVED:**
 - a. That the delegation that was previously agreed on 9 July 2021 be extended to allow all applications made under The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 ('the Regulations') for a person to be included in the register of fit and proper persons to be determined in accordance with the provisions of the Regulations and all successful applicants to be placed on the register for a period not exceeding five years and that no charge is made in respect of these applications.
 - b. That a Fit and Proper Person Determination Policy ('Determination Policy') is not required and that such a Policy does not need to be prepared for consultation or implemented.

22 **Exercise of Delegated Powers**

- 22.1 Members received the report of the Transactional and Licensing Team Manager which set out details of the licences issued, variations that have been made and the

enforcement action undertaken between 1 June 2021 and the 31 August 2021 and a summary of applications considered by the Committee.

22.2 The Transactional and Licensing Team Manager reminded members that this was a report that was brought to every meeting and that it set out the levels and types of work that officers had carried out over the period since the last meeting.

22.3 A Member asked how the levels of work compared to previous quarters. The Transactional and Licensing Team Manager advised that the period covered in the report coincided with the end of lockdown, so the team had been busier than in previous quarters but not as busy as during the pre-pandemic period.

22.4 A Member requested that the length of time the licence was granted for was included in the appendices as this would be useful in assessing workloads. The Transactional and Licensing Team Manager agreed to do this.

22.5 **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 Licencing Committee would be held on Wednesday 8 December 2021 at 10.00am

Signed (Chairman)

Date: