



LICENSING AND ENFORCEMENT COMMITTEE

MEETING : Tuesday, 13th March 2012

PRESENT : Cllrs. Noakes (Chair), Porter (Vice-Chair), Tracey, Durrant, C. Witts, Lugg, Ravenhill, Field, Dallimore, Mozol, Patel and Toleman

Officers in Attendance

APOLOGIES : Cllrs. Hansdot

26. DECLARATIONS OF INTEREST

Councillor Witts expressed a personal interest in agenda item 7 because of his role as Chair of the Friends of the Waterways Museum.

27. MINUTES

The minutes of the meeting held on 17th January 2012 were confirmed as a correct record and signed by the Chair.

28. PUBLIC QUESTION TIME (15 MINUTES)

There were no questions from members of the public.

29. PETITIONS AND DEPUTATIONS (10 MINUTES, MAXIMUM 3 MINUTES PER PERSON)

There were no petitions and deputations received by the Committee.

30. PRESENTATION BY GLOUCESTERSHIRE POLICE - UPDATE ON NIGHT-TIME ECONOMY AND EASTGATE STREET

The Chair welcomed Police Superintendent Gary Thompson, his Deputy Richard Burge and PC Mark Mansfield, who had recently taken up a new role as a dedicated night time economy officer for the City Centre. Councillor Tarren Randle

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was also welcomed to the meeting in her capacity as a member of the Evening Economy Group.

The Committee was shown a short film portraying a typical late night patrol in the City Centre and the pressures faced by the Police in controlling drunk and disorderly behaviour. Members were advised that disorder occurred between 11 pm and 6 am on Friday and Saturday nights, peaking at 4 am to 6 am when revellers left nightclubs and proceeded to fast food outlets. Police resources and cell capacity was stretched at weekends and the Police welcomed assistance from the Committee and the Evening Economy Group in working together to overcome the problem.

A question and answer session followed the presentation during which the Committee explored the various issues which had been identified in the DVD. Members thanked Gloucestershire Police for their presentation and confirmed their commitment to working together with the Police and the Evening Economy Group in the future to resolve the issues.

RESOLVED

That the presentation be noted.

31. POLICIES FOR THE LICENSING OF ITEMS TO BE PLACED ON THE HIGHWAY ('A' BOARDS AND TABLES AND CHAIRS)

The Licensing and Enforcement Manager briefed the Committee on a report which presented:-

1. A draft revised Policy for the Placing of Advertising Signs on the Highway (generally referred to as 'A' boards) for approval by the Licensing and Enforcement Committee for public consultation.
2. A draft revised Policy for the Placing of Tables and Chairs on the Highway (sometimes referred to as 'street cafes') for approval by the Licensing and Enforcement Committee for public consultation.
3. A review of the current arrangements relating to charging for 'A' boards and allowing for tables and chairs on the Highway at nil charge

Members were advised that the current Council policy did not include any detailed criteria to regulate these matters against and therefore it needed updating. It was also best practice to review such policies at three year intervals. Comparison of the current policy with those of other local authorities demonstrated that Gloucester City's existing version was no longer robust enough to deal with issues arising in a 21st century City.

The Committee noted that 'A' boards were currently licensed at a fee of £50 each, but there appeared to be a growing number of unlicensed and sometimes multiple boards at premises. Licences for tables and chairs on the highway were currently free, but there appeared to be a growing number of unlicensed tables and chairs

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within the City. Additionally, Members were told that there had been a number of complaints relating to the positioning of 'A' boards and tables and chairs.

It was explained to Members that consultation with stakeholders would take place over a 6 week period for the two proposed new Policies and that in the future, once approved, the Policies would be routinely reviewed every three years with licence fees being reviewed on an annual basis.

The Licensing and Enforcement Manager concluded her presentation by reminding Members that they were being recommended to:-

- a) Leave the fees at the existing levels for 'A' boards (£50) and to continue to allow businesses to place tables and chairs on the highway at no charge.
- b) To approve the two draft Policies so that they could go out to stakeholders for a period of 6 weeks' consultation.

The following matters were clarified by the Licensing and Enforcement Manager:-

- The policies would cover all highways within the City and not just those in the City Centre
- 'A' boards would be a maximum size and style, but would not be required to be identical.
- Tables and chairs would match within the perimeter of a premises
- Data on complaints received was not available at the meeting but would be made available to Members afterwards
- Information on the additional costs to traders of meeting the requirements of the proposed new Policies would be gathered through the consultation process and would be brought back to Members

Councillor Field left the meeting at this point.

The following matters were debated by the Committee:-

- There was concern that in the gated streets, particularly Westgate Street, there was insufficient space for emergency vehicles to pass through where tables and chairs were on both sides of the street and it was considered that a minimum distance should be specified in that Policy.
- There should be a different policy for the gated pedestrian streets where traffic considerations did not need to be taken into account when calculating the size of the footway for pedestrians to negotiate tables and chairs. It was agreed that the draft table and chairs Policy would be amended to reflect this.
- The preferred type of 'A' Board would be stipulated as a static model and the height and width of this would also be set out in that draft Policy.
- Councillor Patel considered that it was unfair that small traders should have to pay £50 for an 'A' Board, whilst larger chains could put chairs and tables out on the highway at no cost, and moved an amendment to recommend that businesses should be charged £50 for licences for tables and chairs on the highway, which was seconded. Councillor Patel withdrew the amendment following discussion about the Council's desire to promote a café culture in

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the city and proposed a further amendment recommending removal of the licence fee of £50 for 'A' boards, which was seconded. Councillor Durrant raised concerns about the impact of this amendment on the Council's budget. The amendment was put to the vote and was lost.

RESOLVED

1. That the fee for licences for 'A' boards be fixed at £50 with a review in 12 months' time.
2. That licences for the placing of tables and chairs on the highway would continue to be free of charge with a review in 12 months' time.
3. That the draft Policy for the Placing of Advertising Signs on the Highway be approved for consultation subject to an amendment relating to the size and style of the 'A' Board.
4. That the draft Policy for the Placing of Tables and Chairs on the Highway be approved for consultation subject to the changes identified by Members.

32. MEMBERS' UPDATE FOR LICENSING AND ENFORCEMENT COMMITTEE

Members were presented with an update on key licensing activities carried out in the last quarter, including feedback on appeal cases heard by the Magistrates' Court against decisions made by the Licensing and Enforcement Committee. The report also detailed future work from March 2012 to June 2015. The information was provided for Members' information with no decisions being required.

RESOLVED

That the report be noted.

33. DATE OF NEXT MEETING

Tuesday 26th June 2012 at 18.30 hours

Time of commencement: 18:30 hours
Time of conclusion: 20:25 hours

Chair