



LICENSING AND ENFORCEMENT COMMITTEE

MEETING : Tuesday, 10th December 2013

PRESENT : Cllrs. Noakes (Chair), Porter (Vice-Chair), Brown, Tracey, C. Wiggs, Lugg, Ravenhill, Mozol, Randle, Toleman and Gilson

Officers in Attendance

Lisa Jones, Food Safety and Licensing Service Manager

Gill Ragon, Head of Public Protection

Steve Isaac, Solicitor

Tony Wisdom, Democratic Services Officer

APOLOGIES : Cllrs. Durrant and Hanman

19. DECLARATIONS OF INTEREST

Councillor Randle declared a non-prejudicial interest as Night-time economy champion.

20. MINUTES

The minutes of the meeting held on 10 September 2014 were confirmed and signed by the Chair as a correct record.

21. PUBLIC QUESTION TIME

There were no questions from members of the public.

22. PETITIONS AND DEPUTATIONS

The Chair welcomed a deputation from the Gloucester Hackney Carriage Association led by their Chairman, Mr Zeya Ahmed.

Mr Ahmed advised the Committee that his association had concerns relating to the report on the suggested taxi rank in the Southgate Street area. He questioned the suitability of the survey which had not taken into account the association's request for an evenings only facility. He noted that the association had not seen the raw data gathered and he hoped that the survey had not been funded by income from hackney carriage licences.

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He advised that the association would prefer that driver names were on the rear rather than the front of badges.

On behalf of the association, he requested that the Committee approve the recommendation to increase the hackney carriage tariff as the revised rates would place the City in the South West average bracket.

The Chair thanked Mr Ahmed for his representations.

23. GLOUCESTERSHIRE CONSTABULARY UPDATE ON LICENSING AND ENFORCEMENT MATTERS

The Chair welcomed Mr David McFarlane, Head of Licensing and Crime Prevention for Gloucestershire Constabulary and his colleagues to the meeting.

Mr McFarlane introduced Jane Simner who was the licensing officer in charge of visiting licensed premises in Gloucester, Cheltenham and Stroud.

He advised Members if an incidence of violence involving glasses or bottles as weapons was reported the licensee would be sent a letter informing them that in the event of any recurrence the Police would insist on the use of plastic or polycarbonate glasses.

Mr McFarlane advised Members that he represented the constabulary at many Licensing Act 2003 hearings and it was apparent to him that police objections were not upheld in Gloucester as much as the other areas of the County. He asked if the Committee could indicate what information they required and how the Constabulary could improve upon it.

The Head of Public Protection suggested that the matter would best be pursued outside of the meeting and she would seek Members' views. The Chair suggested that an informal session be arranged with herself, the Vice-Chair and appropriate Officers to discuss the matter with Mr McFarlane.

Mark Mansfield, the Night-time Economy Officer, referred to the work of the Night Safe Group chaired by Councillor Jennie Dallimore. There had been a focus on addressing disorder on Friday and Saturday nights. A street lighting upgrade and the closure of Eastgate Street had improved matters although there had been some disorder last weekend. The Officers attending had found it easier to deal with the incidents when the Street was closed to traffic.

He advised Members that he would be working closer with the Police licensing team as the Police and Crime Commissioner had funded a night time co-ordinator post for two years to provide a joined-up approach to night-time economy issues. the co-ordinator would be arranging briefings for all involved in policing the night-time economy.

Mr Mansfield advised Members that the Beer goggle and Go-kart events were a popular means of communicating the 'don't drink and drive' message.

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He noted a council in London was using litter legislation to address urinating in the street.

The Night-time Co-ordinator would be arranging door staff training events funded by the Police and Crime Commissioner.

A Yellow Card scheme modelled on a Brighton initiative, was to be introduced whereby offenders would be issued for a Section 27 Notice and a follow-up home visit. Three occurrences could result in a ban from the City in the evening for a period of three to twelve months. the bans would be determined by a Night Safe Committee comprising the Co-ordinator and five directors.

The Chair thanked the Constabulary representatives for their attendance and looked forward to similar updates in the future.

24. SCRAP METAL DEALERS' FEES

The Food Safety and Licensing Service Manager introduced the report which presented proposals for the level of fees for the Scrap Metal Dealer licences introduced by the Scrap Metal Dealers Act 2013.

She advised Members that the proposed level of costs was designed to recover the costs incurred by the authority in exercising the licensing function. She noted that the use of revenue from licence fees to cover the cost of enforcement against unlicensed activities was specifically prohibited by the Provision of Services Regulations 2009.

She advised Members that it was intended to review the level of fees on an annual basis and a further report would be prepared on the number of licences granted or refused in the New Year.

Members noted the wide variation in fees set by various other local authorities.

In answer to a question, the Food Safety and Licensing Service Manager confirmed that a licence issued by Gloucester City Council only permitted dealing within the City boundaries and would not be valid in other areas where the fee could be considerably higher.

RESOLVED that the fees associated with the licensing of scrap metal dealers set out below be approved for implementation with immediate effect:-

| | |
|--|----------------|
| New Site Licence Application | £430.00 |
| New Collectors Application | £258.00 |
| Site Renewal Application | £336.00 |
| Collectors Renewal Application | £212.00 |
| Variation to Site Application | £230.00 |
| Variation to Collectors Application | £138.00 |
| Replacement Vehicle Badge | £ 20.00 |
| Copy of Paper Licence | £ 10.50 |
| Change of Details | £ 47.00 |

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25. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 HACKNEY CARRIAGE TARIFF

The Food Safety and Licensing Service Manager introduced the report which provided the Committee with details of an objection to the proposed hackney carriage tariff changes and sought approval to implement the published proposals.

She drew Members' attention to the objection at Appendix D of the report and circulated received an amendment to appendix B which contained details of the new tariff introduced by Cheltenham Borough Council.

She advised that the tariff had last been increased in February 2012 and the Hackney Carriage Association had requested an increase to counter increases in the cost of living, fuel and motoring costs. Members noted that the tariff was a maximum charge and individuals were free to charge a reduced rate or discount the tariff fare.

RESOLVED that the published hackney carriage tariff proposals be implemented with effect from 14 December 2013.

26. HCD AND PHD DRIVERS' BADGE CONSULTATION

The Food Safety and Licensing Manager introduced the report which sought a decision from the Committee as to whether driver's names should be displayed on the front or rear of license badges.

She noted that the original decision to display names on the front of badges had been made without consultation as this was deemed to be an operational matter and did not require a change to licensing policy.

RESOLVED that drivers' names be displayed on the back of hackney carriage and private hire driver's licences with the change to be implemented upon renewal of licences.

27. HACKNEY CARRIAGE RANK SURVEY

The Food Safety and Licensing Service Manager introduced the report which detailed the result of a survey into the feasibility of providing a hackney carriage rank in the Southgate Street area of the City.

A Member noted recent developments in the docks including the new cinema and was advised that there was a taxi rank in Llanthony Road. The Public Protection Manager undertook to investigate signage relating to taxi ranks generally.

RESOLVED not to proceed with the creation and adoption of a new taxi rank in the vicinity of Southgate Street at the present time.

28. MEMBERS' UPDATE

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Consideration was given to a report outlining key licensing activities carried out in the last quarter including enforcement work, progress against the work plan and legislative updates.

A Member enquired about progress with the Gating Order for Organ's Alley. He was advised that a planning application had been submitted and two quotations had been received for the gates. Should a third quotation not be forthcoming a waiver of financial regulations would be sought.

RESOLVED that the report be noted.

29. DATE OF NEXT MEETING

Please note: subsequent to the meeting and consultation with The Chair and Vice-Chair of the Committee, the next meeting will be held on **Tuesday 11 March 2014 at 18.30 hours.**

Time of commencement: 18:30 hours

Time of conclusion: 20:00 hours

Chair