



LICENSING AND ENFORCEMENT COMMITTEE

MEETING : Tuesday, 11th September 2018

PRESENT : Cllrs. H. Norman (Chair), Brooker (Vice-Chair), Brazil, D. Brown, Haigh, Hanman, Hansdot, Lugg, Patel and Walford

Officers in Attendance

Ian Edwards, Head of Place

Vikki Fennell, Solicitor, One Legal

Meyrick Brentnall, City Improvement & Environmental Manager

Darren Mountford, City Centre Improvement (Licensing Lead) Officer

Rebecca Tuck, Community Wellbeing Officer

Shannon O'Loughlin, Democratic Services Officer

Tony Wisdom, Democratic Services Officer

APOLOGIES : Cllrs Gravells, Hyman and Tracey

11. DECLARATIONS OF INTEREST

No declarations were made on this occasion.

12. MINUTES

The minutes of the meeting held on 12th June 2018 were confirmed and signed by the Chair as a correct record.

13. PUBLIC QUESTION TIME

Mr Paul Macsween, a licensed Hackney Carriage driver who drove a London style taxicab stated that he was also speaking on behalf of seven or eight colleagues who drove similar vehicles. He noted that the Trade seemed to be directed by events in London where it was planned to introduce all-electric vehicles. He asked if it was known when the City of Gloucester would introduce a similar requirement and if possible the process could be slowed down to assist drivers with forward planning.

The Chair referred Mr Macsween to Agenda item 6 where the Committee were asked to approve proposed changes to the rule books for consultation. She advised that the consultation provided an opportunity for Mr Macsween and his colleagues to make appropriate representations on the issue.

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She stated that she would welcome formal responses from Mr Macsween and his colleagues which would be considered by the Committee at its December meeting.

14. PETITIONS AND DEPUTATIONS

There were no petitions or deputations.

15. PROPOSED REVISED DRAFT CONDITIONS FOR HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING

The Licensing Lead Officer presented the report which sought Committee approval to consult on the draft revised conditions for Hackney Carriage and Private Hire Licensing.

Councillor Haigh welcomed the revisions and tightening up of the rules relating to convictions.

Councillor David Brown noted that on the Isle of Wight licensed vehicles were only allowed to use a bus lane when carrying fare-paying passengers. He was advised that this was also the case in the City of Gloucester.

Councillor Patel drew the Officers' attention to an error on page 55 of the report and was assured that it would be corrected.

RESOLVED that the revised draft policy for Hackney Carriage and Private Hire Licensing be approved for an eight week public consultation.

16. ANIMAL WELFARE (LICENSING OF ACTIVITIES INVOLVING ANIMALS) REGULATIONS 2018

The Community Wellbeing Officer presented the report which advised Members on the new Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

She reported that since the publication of the agenda it had been decided, in line with other Gloucestershire Districts, not to set the fees until the new financial year when the anticipated DEFRA guidance would have been issued and consideration would be given to a County-wide approach.

She advised that an amended Animal Welfare Policy would be brought to Committee as soon as was practicable.

The Chair questioned plans for enforcement of the Regulations and she was informed that officers would take any necessary action and be guided by Stroud District Council Animal Welfare Officers.

The Community Wellbeing Officer stated that the Council would need to be more proactive than in the past but she advised that officers already respond to complaints received.

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Councillor Haigh called for the delegation to Officers to include a requirement to consult with the Chair or Vice-Chair of the Committee. Members indicated their support for this suggestion.

Councillor Walford asked how the proposed fees had been calculated. He was advised that the proposed fees had been benchmarked against authorities outside of the County and were based on officer time and guidance from DEFRA and the Local Government Association. The Finance Team had provided information on costs and the fees would be set on the basis of full cost recovery.

The Community Wellbeing Officer recommended that the Committee awaited the forthcoming DEFRA guidance and the proposals of the other Gloucestershire Districts before setting the fees.

RESOLVED that

1) Powers under the Animal Welfare Act 2006 and relevant Regulations be delegated to the Head of Communities and the Head of Place following consultation with the Chair or Vice-Chair of the Licensing and Enforcement Committee.

2) Existing fees be maintained to await further guidance from DEFRA.

17. GAMBLING ACT 2005 - REVISED STATEMENT OF PRINCIPLES FOLLOWING TEN WEEK CONSULTATION.

The Community Wellbeing Officer presented the report which requested the Committee to consider the responses received during the recent consultation on the revised draft Gambling Act 2005 Statement of Principles and recommend to Council that the revised Statement of Principles for 2019-2022 be formally adopted.

She drew Members' attention to the consultation responses contained in Appendices 2-5 to the report and advised that the responses from Gamcare and Gambleaware were generic responses not specific to this draft statement.

Councillor Haigh welcomed the work undertaken with the County Council and co-operation with other District Councils to promote awareness of gambling harm.

The Chair congratulated the Community Wellbeing Officer and the team on the report.

Councillor Patel asked if there was any indication of the size of the problem of gambling harm in Gloucester.

The Community Wellbeing Officer advised that no complaints relating to gambling harm had been received by the Council.

Councillor Haigh observed there was a national lack of data on gambling harm and the effects of gambling harm on families, friends and employers of those affected.

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RESOLVED that the revised **Gambling Act 2005 Statement of Principles 2019-2022** be approved and to **RECOMMEND** to Council that it be adopted and the **Head of Communities** be authorised to publish and advertise it.

18. MEMBERS UPDATE FOR LICENSING & ENFORCEMENT COMMITTEE

The Licensing Lead Officer presented the report of the Head of Place which provided details of key licensing activities carried in the last quarter (April to June 2018), including applications and service requests received, details of any enforcement work, progress updates on the work plan and any changes to licensing law.

Councillor Haigh asked if there had been any enforcement work undertaken in respect of the enforcement of gambling licence conditions.

The Community Wellbeing Officer advised that a programme of inspections was being planned and an independent betting office had been inspected with the Gambling Commission.

Members agreed that information on enforcement of gambling licence conditions be include in future Members' Update reports.

Councillor Patel was advised that the Licensing Team co-operated with the County Council on a regular basis regarding licensed vehicles being fined for using bus lanes.

The Licensing Lead Officer hoped that the problem was being rectified and fewer complaints about Fixed Penalty Notices had been received.

RESOLVED that the report be noted.

19. EXEMPT MINUTES OF THE LICENSING ENFORCEMENT SUB-COMMITTEE

The Chair had ascertained that no Members wished to discuss the exempt minutes of the Licensing Enforcement Sub-Committee therefore it was not necessary to exclude the press and public.

RESOLVED that the exempt minutes of the Licensing Enforcement Sub-Committee held on 30th May, 12th June and 9th August 2018 be received.

20. DATE OF NEXT MEETING

Tuesday, 11th December 2018 at 6.00pm.

Time of commencement: 6.00 pm hours

Time of conclusion: 6.40 pm hours

Chair