

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Licensing and Regulatory Committee held at on Tuesday, 15th October, 2019 at 10.00 am

PRESENT: County Councillor B. Strong (Chairman)
County Councillor J. Higginson (Vice Chairman)

County Councillors: S. Howarth, R.Roden, J.Treharne, D. Evans,
L. Guppy and A. Webb

OFFICERS IN ATTENDANCE:

David Jones	Head of Public Protection
Linda O'Gorman	Principal Licensing Officer
Leigh Beach	Licensing Officer
Nicola Perry	Senior Democracy Officer

APOLOGIES:

Councillors A. Easson, M.Lane and R. Edwards

1. Declarations of interest

None.

2. Street Trading in Abergavenny

The Committee received a report in order to consider existing street trading arrangements in Abergavenny, noting recent concerns raised by Elected Members from the area.

Further to the 'Topping Out' ceremony in Abergavenny on Bank Holiday Saturday, 24th August 2019, some local Councillors raised concerns about some mobile vehicles situated on St John's Square on the same day:

- County Councillor Sheila Woodhouse emailed the Council's Chief Executive on 29th August. Main concern was how a large burger van could be permitted to trade, taking trade off local businesses that pay high business rates.
- Councillor Maureen Powell formally asked a question at Full Council on 19th September raising the same concerns, directed to Councillor Sara Jones as Cabinet Member with responsibility for Licensing.
- Bryn y Cwm Area Committee raised this issue at their meeting on 25th September. Agreed it would be discussed at the next Licensing & Regulatory Committee.

Officers clarified that procedures had been followed correctly, and the intention was not to change the policy but to seek approval that licensing officers liaise with Town Councils to identify the best way forward. Estates do not wish to take responsibility for Block Street Trading Consents as of February 2020.

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The Head of Public Protection highlighted that the Estates Department have expressed that they do not have a service need to be involved, and would rather deal with their side of matters being the running of the market.

Following discussion the Committee resolved to approve the following recommendations:

To provide information to Members on existing arrangements on how street trading is managed in Abergavenny town, determine adequacy and consider any areas for improvement.

That Licensing Officers have further discussions with Estates colleagues on implications of restricting the scope of their existing Block Street Trading consent.

Members to be advised of any additional cost implications to major events, such as Abergavenny Food Festival, noting their interest in attracting tourism and vibrant town centres.

Members requested that they remain updated.

3. Discussion further to an application received for the licensing of a Tuk Tuk as a Private Hire vehicle. This requires amendments to the Taxi and Private Hire Policy and Conditions to include Tuk Tuk and Rickshaw Licensing

Members were presented with a report to discuss a proposal for Taxi and Private Hire Policy and Conditions be amended to include the Licensing of Rickshaw and vehicles.

A request has been made to the Licensing Team to licence a Tuk Tuk. This is the first request received by Licensing. The current policy briefly referred to Tuk Tuks in appendix J of the policy, stating the vehicles are considered to be hackney carriages and are therefore required to be licensed as hackney carriages and in accordance with this Policy. It was recognised these vehicles did not comply with the standard criteria set within this Policy.

Tuk Tuks could be ideal for promoting tourism and sightseeing within Monmouthshire. There are currently none operating in the Gwent area, with the nearest being licensed in Cardiff.

One of the main aims of the Taxi and Private Hire Policy is to ensure that licensed vehicles are safe for use by the public, the driver and do not pose any risk to other road users. Highways have stated that if it is roadworthy they will not get involved.

Officers are currently awaiting a further report from DVSA.

In terms of monitoring everyday use, an operator base would be needed, with a record of bookings. All other elements of the policy would be checked. In this case, the applicant wants to establish designated tour routes, and would avoid certain areas. It was requested that the final report details of the operating routes.

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Members were interested to see working examples in other areas.

Members resolved to accept the following recommendations:

Members consider amending the Taxi and Private Hire Policy and Conditions, to remove points 32 and 33 in appendix J of the current Policy and amend Appendix M of the current policy to include an additional section. The additional section would include, should the policy be amended, the licensing of Tuk Tuks, Electric and Cycle Rickshaws (pedicabs). A draft version is attached to this report as Appendix A.

A further report be submitted when outstanding information is received, to enable Members to make an informed decision on whether to amend the Taxi and Private Hire Policy and Conditions.

4. To confirm and sign the minutes of the previous meeting

The minutes of the meeting held on 16th July 2019 were confirmed and signed by the Chair.

5. To note the date and time of the next meeting as 10am on Tuesday 26th November 2019

Noted.

The meeting ended at 10.55 am