

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Licensing and Regulatory Committee held
at County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 9th February, 2016 at 10.00 am**

PRESENT: County Councillor L. Guppy (Chairman)
County Councillor B. Strong (Vice Chairman)

County Councillors: R. Chapman, R. Edwards, D. Evans, J. Prosser,
F. Taylor, P. Watts, A. Webb and M. Hickman

OFFICERS IN ATTENDANCE:

Linda O'Gorman	Principal Licensing Officer
Pat Perkins	Legal Assistant
David Jones	Head of Community Protection
Paula Harris	Democratic Services Officer

1. Apologies for absence

We received apologies from Councillors J. Higginson and J. Marshall.

2. Declarations of interest

There were no declarations of interest.

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

We confirmed and signed the following minutes of the Licensing and Regulatory Committee & Sub Committee:

- 10th November 2015

4. Proposal for Taxi and Private Hire Policy and Conditions 2016

The Principal Licensing Officer presented the Proposal for Taxi and Private Hire Policy and Conditions 2016. The purpose was for the Licensing and Regulatory Committee to consider the proposed 'Taxi and Private Hire Policy Conditions 2016'. Prior to the policy to coming into force on 1st April 2016.

Members were invited to comment and ask questions, during discussion the following points were noted:

The amount of information was quite overwhelming and it was asked how unique our standard was. In answer to this we were told that we are commensurate with several other authorities and we have a number of extras, such as horse and cart.

The dual language signage of Welsh and English was confirmed as being required to comply with the Welsh Language Act. We were reassured that we are able to source help with Welsh translation within the 5 local authorities and that the licensing department has one fluent Welsh speaker.

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Monitoring infringements would be a high priority, the Officers were keen to investigate any complaints received by members of the public or County Councillors. The Council has written in that they would not accept electronic cigarettes being used in vehicles.

Issues with disabilities have been recognised in the policy, the onus has been put back with the taxi drivers to respect the rights of all of their passengers.

It was asked that when the policy is finalised, would hard copies of the document be available, and the officers advised that hard copies would be available on request.

The Chair thanked the Officers for bringing the report to the Committee and praised the comprehensive content. All recommendations were accepted unanimously.

5. Review Of Annual Licensing Fees For Financial Year 2016/2017

We received a report inviting members to approve the fees set out in Appendix A of the report, entitled "Schedule of Licence Fees for 2016-17", subject, where relevant, to any required public notice. Any objections, duly made, regarding fees for the grant of licences for hackney carriage and private hire vehicles be brought back to Committee at the earliest opportunity for due consideration. Members were invited to comment and ask questions, during discussion the following points were noted:

Legally, fees are unable to generate profit, we can only charge in line with cost recovery.

It was asked if the new sport grounds certificates involves local football clubs and we were advised that it only applied to locations with 10,000+ capacity, this would only apply to Chepstow Race Course at present.

Councillor Chapman asked that Mike Moran contact him regarding safety issues at Abergavenny Thursday ground. **(ACTION D.J.)**

Guidance was sought on the impact of street trading fees. We were told that the fees would remain on the fee list for items which do not fall within the category of waived fees. This would be discussed in more detail in the following item on the agenda.

The Chair thanked the Head of Public Health & Culture for bringing the report to the Committee.

All recommendations were approved unanimously.

6. Draft Street Trading Policy and Conditions 2016

The Committee considered proposals to update the Authority's Street Trading Policy and Conditions 2016 as presented by the Senior Licensing Officer.

Members were asked to determine whether fees should be retained or if fees in whole, or in part, should be waived for fetes, carnivals and similar community based, charitable and non-commercial events, as referred to in Section 9 of the Draft Street Trading Policy and Conditions 2016 attached as Appendix A.

It was asked that Members approved the revised policy and conditions for Street Trading, attached to the report as Appendix A.

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It was asked if Town Teams get charged for holding events and were advised that everyone would be treated the same, although Licensing have been working with the Town Teams and advising them to pay for an annual block to avoid contacting Licensing for each event.

A Member asked if mobile businesses were treated the same and we were advised they would have to have a different type of consent.

A Clarification was sought on part of Exemption 4.g of policy 'The use for trading under Part VIIA of the Highways Act 1980 of an object or structure placed on, or in or over a highway.' We were told that reference had to be made legally as the trading took place on a public street.

We were told that we have struggled with 'what is a charity' and have kept the exemption in the policy so that we can charge if necessary.

Members thanked the officers for clarification and welcomed the balanced offered. Members hoped that by having the option to waive fees, this may encourage new fledgling events as well as non-commercial, charitable events.

It was agreed that item 9 will now read:

A fee will not be required for fetes, carnivals and similar charitable and non-commercial events in certain exceptional circumstances, and at the approval of the Licensing and Regulatory Committee. In such circumstances, each Application will be treated on its own merit.

Upon a vote, recommendation 2.1 was agreed and recommendation 2.2 was agreed with the new wording.

7. To note the date and time of the next meeting

- Tuesday 22nd March 10am
- Tuesday 22nd March 1pm - Special

The meeting ended at 11.23 am