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Telford & Wrekin
Co-operative Council

Protect, care and invest
to create a better borough

Borough of Telford and Wrekin

Licensing Committee

Tuesday 21 November 2023

6.00 pm

Walker Room, Meeting Point House,
Southwater Square, Telford, TF3 4HS

Democratic Services: Jayne Clarke 01952 383205

Media Enquiries: Corporate Communications 01952 382406

Committee Members: Councillors L Parker (Vice-Chair), E Aston, A J Burford,
P Davis, B J Thompson, K T Tomlinson and R Tyrrell

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	To confirm the minutes of the previous meeting.	
5.0	Terms of Reference 2023/2024	7 - 12
	To approve the Licensing Committee Terms of Reference for the 2023/2024 municipal year.	
6.0	Review of Taxi CCTV policy	To Follow
	To receive a report to review the current Taxi CCTV policy.	

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LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held on Tuesday 14 March 2023 at 6.00 pm in The Telford Room, Addenbrooke House, Ironmasters Way, Telford, TF3 4NT

Present: Councillors H Rhodes (Chair), A R H England, M B Hosken, S J Reynolds, J M Seymour, B J Thompson and D Wright

In Attendance: A Hunt (Public Protection Manager), S Fisher (Principal Licensing Officer), R Attwell (Democracy Officer (Democracy)) and S Hardwick (Lead Lawyer: Litigation & Regulatory)

Apologies: Councillor C R Turley and M J Smith

LIC20 Declarations of Interest

None.

LIC21 Minutes of the Previous Meeting

RESOLVED – that the minutes of the meeting held on 10 October 2022 be confirmed and signed by the Chair.

LIC22 Annual Licensing Report

The Public Protection Group Manager presented the Annual Licensing Report for the 2022/23 municipal year to the Committee. Members noted that this was the first Annual Licensing Report brought to the Licensing Committee. The report provided an overview of the activities and duties that the Licensing Team had been involved in throughout the municipal year.

There were 270 licensed vehicles operating as taxis within the Borough, with 150 of these being new licenses. During 2022/23, 54 complaints had been received, of which only 14 related to drivers licensed by Telford & Wrekin. Stickers containing a QR code had been installed in taxis, with the aim to raise awareness of the checks completed, as well as clarity regarding the complaints procedure. A review of the Hackney Carriage and Private Hire Licensing Policy had been undertaken. A trial was underway for the use of CCTV in licensed vehicles in the Borough. The trial involved 20 units and a passenger survey was ongoing.

The Service had issued 18 new premise licenses, 181 temporary event notices and 42 personal licences since April 2022. A new initiative programme called “Licensing Safety and Vulnerability Initiative” (LSAVI) had been launched. The programme had been designed as a Self-assessment tool aimed at pubs and clubs, to support a safe and secure night time environment. The Enforcement Team had supported in the undertaking of

13 multi-agency operations. In addition, over 30 routine Night-Time Economy inspections had taken place in the last municipal year. During these inspections, the Night-Time Economy team had provided advice and support to licensees, completed checks on compliance with licence conditions, taxi vehicle and driver checks with compliance to conditions and monitoring and supporting the taxi marshal scheme.

The focus of the Licensing Team over the next 12 months was to promote and facilitate the Licensing Safety and Vulnerability Initiative, develop the CCTV and driver survey forms for taxis, continued participation in the 'Multi-Agency Targeted Enforcement Strategy' (MATES) operations and fulfilment of any statutory duties.

A discussion took place in relation to the CSE report, and the compliances that the Licensing Team have been required to achieve these objectives. Members requested that any CSE compliances from a Licensing perspective be added to any future annual reports.

RESOLVED that:

- a) the content of the annual report be noted and the areas of focus for 2023/24 be approved;**
- b) the consolidated Information Sharing Policy detailed in Hackney Carriage and Private Hire Licensing Policy as contained in Appendix A of the report be approved.**

LIC23 Licensing Fees

The Public Protection Group Manager provided an update regarding changes to Licensing Fees. Fees had been amended to improve fairness and any increase had been due to the Local Authority attempting to recover the costs of administering licences from establishments such as taxi drivers/firms, gambling establishments, Metal and Animal Establishments.

Members raised concerns around how fee increases would impact licence holders and their businesses. Members were advised that the Council were required to consider the impact that any increase may have upon the livelihood of licence holders and the Licensing Team followed the Local Government Association guidance on locally set licence fees, to ensure a fair and transparent approach for businesses.

RESOLVED that:

- a) the fees, charges and policy set out in Appendices A, B and C of the report be approved;**
- b) the approved fees, charges and policy take effect from 1st April 2023.**

The meeting ended at 7.00 pm

Chairman:

Date: Tuesday 17 October 2023

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Borough of Telford and Wrekin

Licensing Committee

Tuesday 13 June 2023

Terms of Reference 2023/2024

Cabinet Member:	Cllr Nathan England - Cabinet Member: Finance, Customer Services and Governance
Lead Director:	Anthea Lowe - Director: Policy & Governance
Service Area:	Policy & Governance
Report Author:	Sam Yarnall - Democracy Officer (Scrutiny)
Officer Contact Details:	Tel: 01952 382193 Email: sam.yarnall@telford.gov.uk
Wards Affected:	All Wards
Key Decision:	Not Key Decision
Forward Plan:	Not Applicable
Report considered by:	Licensing Committee – 21 November 2023

1.0 Recommendations for decision/noting:

It is recommended that the Licensing Committee:-

- 1.1 Reviews and agrees the Terms of Reference for 2023/2024 as set out at Appendix A to this report.

2.0 Purpose of Report

- 2.1 The purpose of this report is to set out the recommended Terms of Reference for the Licensing Committee as outlined in Appendix A.

3.0 Background

- 3.1 The Council's Constitution requires that Full Council should agree, at its Annual Meeting, The Terms of Reference for each of its Committees to enable the Council to eddiciently conduct its business.

3.2 At the Annual Meeting of the Council on 25 May 2023, Full Council delegated authority to each Committee to review its own Terms of Reference.

3.3 The Terms of Reference form part of the Constitution and were approved by Full Council in that context on 3 March 2022.

4.0 Summary of main proposals

4.1 For the Licensing Committee to agree its Terms of Reference attached at Appendix A to clarify the procedure for election of a Chair and Vice-Chair of the Committee.

5.0 Alternative Options

5.1 There are no alternative options arising from this report.

6.0 Key Risks

6.1 There are no key risks arising from this report.

7.0 Council Priorities

7.1 This report links to the Council's priority to be a community-focused, innovative Council providing efficient, effective and quality services.

8.0 Financial Implications

8.1 There are no financial implications arising from this report.

9.0 Legal and HR Implications

9.1 The Constitution requires that Full Council should agree at its Annual Meeting the Terms of Reference for each of its committees. At the Annual Meeting of the Council on 25 May 2023, Full Council delegated authority to each Committee to review its own Terms of Reference.

9.2 The Council's set out that the Chair of the Committee shall be decided at the Annual meeting of the Full Council. Accordingly, the terms of reference for the Committee should mirror these provisions. It is also prescient for the terms of reference to provide clarity on the election of a Vice-Chair for the Committee.

9.3 Once the Committee has confirmed its terms of reference, the Monitoring Officer will update the Constitution to ensure consistency of the terms of reference of the Committee.

10.0 Ward Implications

10.1 There are no ward implications arising from this report.

11.0 Health, Social and Economic Implications

Terms of Reference 2023/2024

11.1 There are no health, social and economic implications arising from this report.

12.0 Equality and Diversity Implications

12.1 There are no equality and diversity implications arising from this report.

13.0 Climate Change and Environmental Implications

13.1 There are no climate change and environmental implications arising from this report.

14.0 Background Papers

1 Council Constitution

15.0 Appendices

A Terms of Reference 2023/2024

16.0 Report Sign Off

Signed off by	Date sent	Date signed off	Initials
Legal	04/04/2023	15/05/2023	SH
Finance	04/04/2023	05/07/2023	AM

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Licensing Committee – Terms of Reference and Procedure

The Committee has the responsibility and delegated powers to act on behalf of the Council in respect of licensing matters within the Borough as follows.

Licensing and registration functions

- (a) As set out in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000/2853 (as amended) and including functions under the Licensing Act 2003 and the Gambling Act 2005 (excluding paragraphs 37/38 and 46A – 55).

Health & Safety at Work/ Fire Safety

- (b) Functions under any of the relevant statutory provisions within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the Council's capacity as an employer.
- (c) Matters relating to fire safety.

Health Act 2006

- (d) All powers and duties under the Health Act 2006 Part 1 Chapter 1 and legislation given effect there under including authority to prosecute as it relates to smoking matters.

Miscellaneous

- (e) Power to make payments or provide other benefits in cases of maladministration etc.
- (f) Powers in respect of common land, village greens and open space.
- (g) Powers in respect of the management and regulation of alcohol in public places, the provision and management of sites for the accommodation of gypsies and the closure of take away food shops.
- (h) Annually at the first meeting after the Annual Council Meeting consider its terms of reference.
- (i) Power to determine fees and charges in respect of any of the above functions.

PROCEDURE

- (a) **As a general rule the [Council Procedure Rules](#) govern the way that committees operate but these, with the exception of paragraph 14 of the Council Procedure Rules, may be varied or suspended at the discretion of the Chairman of the Committee in the interests of efficient and effective management of the committee.**

Separate procedures will apply when the committee is undertaking administrative or quasi-judicial functions to ensure a fair hearing.

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