

LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held on Tuesday, 27 October 2020 at 6.00 pm in Remote Meeting

Present: Councillors A R H England, M B Hosken, J E Lavery, S J Reynolds, H Rhodes (Chair), K S Sahota, J M Seymour (Reserve) (as substitute for R T Kiernan) and C R Turley (Vice-Chair)

In Attendance: A Hunt (Public Protection Manager), S Fisher (Principal Licensing Officer), P Martin (Legal Advisor) and J Clarke (Democratic & Scrutiny Officer)

Apologies:

None.

LIC5 Declarations of Interest

None.

LIC6 Minutes of the Previous Meeting

RESOLVED – that the minutes of the meeting of the Licensing Committee held on 29 October 2019 be confirmed and signed by the Chair.

LIC7 Review of the Council's Statement of Licensing Policy

The Public Protection Manager presented the review of the Council's Statement of Licensing Policy. It was a statutory requirement that a review was undertaken every five years following public consultation and the policy explained how the Local Authority exercised its licensing functions with regard to personal licences, premises licences, club premises certificates and temporary event notices. Whilst undertaking their duties the Local Authority was responsible for ensuring the following four licensing objectives were met; to prevent crime and disorder, to ensure public safety, the prevention of public nuisance and the protection of children from harm. It was also required to look at licensing hours, conditions and roles and responsibilities in conjunction with responsible authorities such as the Licensing service, chief officers of Police and Fire Authorities, Environmental Health and some interaction with the Health and Safety Executive, Planning, Pollution Control, Local Safeguarding Children's Board, trading Standards, the Home Office Immigration Enforcement and the Director of Public Health. The policy had been streamlined into a shorter document and out of date information and information not part of this policy had been removed, but links to policies had been put in place in order to have access to relevant information. Members were asked to approve that the Policy be put before Full Council on 26 November 2020 for approval and be adopted from 7 January 2021.

During the debate some Members asked if the policy could be overridden by Government if it wished to change anything, whether beer gardens could have conditions placed on them with regard to live music and whether paragraph 4.2 needed to be placed within a different area of the Policy. It was also raised that there was a discrepancy regarding the population figures.

The Public Protection Manager and the Principal Licensing Officer responded that policies could be amended ie the recent 10pm curfew on bars and restaurants in order to protect public health. With regard to beer gardens, some music venues had already been operating prior to new houses being built, this was then a matter for planning and environmental health regarding noise nuisance. Further details would be sought with regard to the population figures and planning policy.

RESOLVED – that

- a) the amended Statement of Licensing Policy be presented to the Council at its meeting on 26th November 2020; and**
- b) the Statement of Licensing Policy be approved and implemented on 7 January 2021**

LIC8 Review of the Council’s Private Hire Vehicle and Hackney Carriage Condition of Licence for Tinted Windows

The Public Protection Manager presented the review of the Council’s Private Hire Vehicle and Hackney Carriage Condition of Licensing for Tinted Windows which was to review the condition of licence whereby any vehicle submitted for licence which were factory fitted and constructed and designed for passengers to be seen in a vehicle from any direction when observed from the outside and glass should have minimum light transmission of 75% for the front windscreen, 70% for the front side windows and 34% for all other vehicle window glass. In response from a request from the trade it was asked that the Licensing Team review this condition. The current standards were agreed by the Licensing Committee in 2017. In law level of tint was set but not tested as MOT or compliance test for taxis. The 34% transparency for all other windows is something that the Council have set in order to have clear visibility to ensure public safety and the wellbeing of passengers and such as lone females and young persons, the maximum number of passengers are not exceed to that displayed the licence plate and being able to see who is in the vehicle prior to getting in to the vehicle. Public safety was very important when considering conditions. CSE had now been included in the driver training as this was important for public safety. Five requests had been received by Licensing to add vehicles to the approved list which all complied with the councils window tint condition; Skoda Rapid, Skoda Fabia Estate, Hyundai 140, Peugeot 2008, Suzuki Baleno. A full consultation had been carried out with Town and Parish Councils, Ward Members, Shropshire Fire and Rescue, Independent Safeguarding, Public Health, Hackney Carriage and Private Hire and dual driver vehicle proprietors. Eleven responses were

received from the consultation, seven in support of maintaining the current condition. Two responses were in favour of the current conditions or for there to be a lightening of tint in all areas and two responses to see no specification to level of tint except that of the level when factory fitted at the time of manufacture ie removing the percentage of light transmissions permitted. A petition with 139 signatures asked for a reduction in the tint to manufactured tinted glass and the reasons were reduce risk of small babies and children from getting sunstroke and reduce exhaust emissions by reducing the need to open windows and use air conditioning. Members were asked to consider the recommendations and decide if they wish to maintain the current licensing condition or amend the current licence condition as set out in the report.

During the debate some Members asked if these regulations were standard across all authorities as those private hire vehicles that were registered outside of the Borough were serving Telford and Wrekin residents. Other Members felt that the condition should remain as it was now and that we should encourage other Councils to adopt Telford and Wrekin's standards and asked if Wolverhampton council have conditions regarding tinted windows.

The Public Protection Manager and the Principal Licensing Officer addressed the points raised and confirmed that the Licensing Team do discuss matters with neighbouring Councils and that there was no mention of tinted windows in the new statutory standards to be issued by the Government. Wolverhampton Council have factory fitted tints that have been fitted at the point of manufacture.

Upon being put to the vote it was

RESOLVED – that

a) the current licensing condition relating to tinted windows for hackney carriages and standard private hire vehicles be approved; and

b) the current licence condition relating to tinted windows for hackney carriages and standard private hire vehicles be amended to read;

“Any vehicle submitted for licence which is fitted with tinted windows must have windows which are factory fitted options at the time of the manufacture of the vehicle”

be refused.

The meeting ended at 6.46 pm

Chairman:

Date: Tuesday, 16 March 2021