

M MINUTES

meeting: **LICENSING COMMITTEE**

date: **14 NOVEMBER 2012**

PRESENT:-

Councillors Dass (Chair), Angus, Bolshaw, Claymore, Inston,
N A Patten, Judith Rowley and John Rowley.

APOLOGIES FOR ABSENCE:-

Apologies for absence were submitted on behalf of Councillors Clarke and Mrs Patten.

IN ATTENDANCE:-

Delivery

L Banbury - Democratic Support Officer
S Hardwick - Solicitor

Education and Enterprise

R Edge - Section Leader (Licensing)
A Jervis - Head of Regulatory Services
C Parr - Licensing Manager

Wolverhampton
City Council



Declarations of Interest

104. No interests were declared.

Minutes

105. Resolved:-
That the minutes of the meeting held 17 October 2012 be approved as a correct record.

Legal Proceedings

106. Pursuant to minute 101, the Head of Regulatory Services advised that the implications of legislation in regard to regulatory powers needed to be assessed in order to plan covert operations over the Christmas period.

Consultation Response to Law Commission Provisional Reform Proposal for Taxi Licensing

107. Pursuant to resolution 102(b), details of the consultation response had been sent to the three Wolverhampton Members of Parliament, together with Baroness Heyhoe-Flint and Lord Turner; a response was awaited.

Schedule of Outstanding Minutes (Appendix 33)

The Democratic Support Officer submitted a report, which set out a schedule of outstanding minutes together with details of when it was expected that reports on individual items would be presented for consideration.

108. Resolved:-
That the report be received.

Night-time Tour of City Centre

The night-time tour of the City Centre was an annual event attended by members of the Licensing Committee and Licensing Officers, and hosted by the West Midlands Police. Following a request made at a meeting of the Safer Communities Scrutiny Panel, at which two representatives of the Hackney Carriage trade were present, the members of that Panel had also been invited to participate in the tour. Six Councillors had participated on 27 October; three from the Licensing Committee and three from the Scrutiny Panel. The tour followed the same format as in previous years, commencing with a briefing at Bilston Street Police Station and a tour of the facilities. The tour also involved a walk through of a number of licensed premises in the City and nearby vicinity. The tour group also visited the Market Street taxi rank at 0230 hours and again at 0330 hours. It was not a particularly busy night; the waiting time at 0230 hours was approximately 10 minutes, but busier with a longer waiting time at 0330 hours.

The Licensing Manager advised that representations had since been made, via the Leader of the Council, commenting that the Trade should be made aware of the proposed tours and that, as it was a quiet evening, a further tour should be undertaken.

Councillors who attended acknowledged that it was a quiet night and that it was raining, but there were still queues at the taxi rank in Market Street. The Taxi Marshalls were commended on their work. The Licensing Committee believed that the problems of trying to clear the City in a timely and safe manner, in the early hours and as quickly as possible, could be alleviated if a higher percentage of Hackney Carriages were deployed to deal with the night-time economy. This would also assist in dealing with the problems relating to Plying for Hire. It was suggested that a rota system for night-time shifts for the Hackney Carriage drivers would assist in dealing with the busy weekend periods, or that the introduction of a night-time and a day-time licence could be introduced. It was acknowledged, however, that it was not possible to enforce a rota, that any conditions imposed on the Licence had to be reasonable and fair, and would be open to challenge. It was further suggested that it would be beneficial for a single Licence to be introduced for Hackney Carriages and Private Hire Vehicles.

It had to be concluded that the Trade currently had sufficient work, primarily in relation to school contracts, for a large percentage of them to only have to work during the daytime. It was suggested, however, that market forces dictated that there was the potential for a significant earning power for the Trade during the weekend to cater for the night-time economy.

It was acknowledged that the above problems were experienced around the country and were not unique to Wolverhampton. Some areas had dealt with the issues by way of de-regulation of the Hackney Carriage requirements, others had introduced zones; all measures were obviously subject to challenge and had to be reasonable and fair. Reference was made to the measures undertaken by Coventry City Council.

109.

Resolved:-

(a) That the issues raised at this meeting in regard to the night-time economy and the need to pursue measures to ensure the safe and speedy dispersal of patrons from the City Centre be considered and the outcome included in the report on the future of Hackney Carriage provision, due to be presented to the Licensing Committee in January 2013.

(a) That a note on the discussion at this meeting be presented to the Hackney Carriage Working Group, scheduled to take place on 27 November 2012.

Gambling Act 2005 – Review of Statement of Gambling Policy (Appendix 34)

The Section Leader (Licensing) presented a report, which sought endorsement to the proposed Statement of Gambling Policy, following completion of a consultation exercise on the draft revised policy, for approval by full Council.

110. Resolved:-
That the Statement of Gambling Policy be endorsed, for approval by full Council, for implementation with effect from 31 January 2013.

Street Trading Review of Decision Making (Appendix 35)

The Licensing Manager presented a report, which sought endorsement and approval of the proposed decision making process and for proposed delegations in relation to the Council's street trading function.

111. Resolved:-
- (a) That approval be given to the proposed delegation to the Licensing Manager to grant, renew and revoke street trading consents.
 - (b) That approval be given to the proposed delegation to the Licensing Manager to create and relocate and delete street trading pitches, in consultation with Highways and Landscape Services.
 - (c) That the introduction of a review process be approved and that the Head of Regulatory Services be delegated to undertake this process.
 - (d) That the outcome of any reviews be reported to the Licensing Committee for information purposes.