

MEETING OF THE LICENSING COMMITTEE

held 26th July 2012

PRESENT: Councillors John Robson (Chair), Nikki Bond, Jillian Creasy, Neale Gibson, Ian Saunders, Clive Skelton (Deputy Chair), Stuart Wattam and Philip Wood

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1. WELCOME AND HOUSEKEEPING ARRANGEMENTS

1.1 The Chair welcomed attendees to the meeting and outlined basic housekeeping and fire safety arrangements.

2. APOLOGIES FOR ABSENCE

2.1 Apologies for absence were received from Councillors Jenny Armstrong, David Barker, George Lindars-Hammond, Vickie Priestley and Nikki Sharpe.

3. EXCLUSION OF THE PUBLIC AND PRESS

3.1 No items were identified where resolutions may be moved to exclude the public and press.

4. DECLARATIONS OF INTEREST

4.1 There were no declarations of interest.

5. MINUTES OF PREVIOUS MEETINGS

5.1 The minutes of the meetings of (a) the Licensing Sub-Committee held on 10th, 14th, 15th, 16th, 21st and 29th May 2012 and 7th June 2012 and (b) the Licensing Committee held on 31st May 2012, be approved as correct records and, arising therefrom, (i) Councillor Jillian Creasy referred to the decision of the Licensing Committee at its meeting held on 31st May 2012, specifically relating to the establishment of a Task And Finish Multi-Agency Working Party to investigate the implications on the City of the Government Alcohol Strategy, expressing concern at the fact that she believed that she had been asked at that meeting to be a member of the Working Party, but it had since transpired that this was not the case and (ii) the Solicitor to the Committee referred to the decision of the Licensing Sub-Committee at its meeting held on 15th May 2012, relating to a review of a Premises Licence made in respect of Nisa Supermarket, 61-65 Barber Road, indicating that (A) since the decision, the premises had passed a further test purchase when the Premises Licence Holder was on the premises and (B) the Premises Licence Holder had appealed against the wording of the modified condition (b) (i) of the Premises Licence, as revised at the meeting on 15th May 2012, and it had been agreed that the

condition would now read as follows “When new staff (under two years service) are working at the premises, a person who has undertaken the Safeguarding Children training is to be on the premises at all times alcohol is for sale”, with all the other modified conditions remaining as recorded at the meeting.

5.2 In response to the concerns raised by Councillor Jillian Creasy, the Chair stated that he would contact Councillor Creasy to discuss this issue further.

5.3 The Committee noted the information now reported.

6. **LICENSING FEES REVIEW**

6.1 The Chief Licensing Officer submitted a report containing (a) a review of current licensing fees and (b) proposals to increase the fees in respect of Private Hire and Hackney Carriage Drivers and Vehicles, Animal Health, Street Trading and Motor Salvage Operations. The report also made reference to those systems where no increase in the fees had been proposed at the present time, together with details of those systems of which the fees were governed by the Secretary of State.

6.2 Steve Lonnia, Chief Licensing Officer, stressed that the increases in the licence fees were necessary mainly due to inflation and the increased costs of processing applications and that the level of the proposed increases had been set solely so as to enable the Licensing Service to recover its costs of processing applications. He also stressed that if a decision was made by the Committee to increase the fees in respect of Private Hire and Hackney Carriage Drivers and Vehicles, full consultation would then take place with the trades representatives.

6.3 In response to questions from Members of the Committee, it was reported that the large increase in the fees in terms of applications for licences to hold marriage and civil partnership ceremonies had been made due to changes in legislation in December, 2011, with the core reason being the responsibility of the Licensing Service to place an advert in the local press relating to the application. The proposed increase in fees regarding consents for street trading activities in the vicinity of Sheffield Wednesday and Sheffield United Football Grounds had been based on the cost of last year’s service and any likely increased costs in connection with this function this year was likely to result in further proposed increases the following year.

6.4 Hafeas Rehman, Sheffield Taxi Trade Association, stated that he objected to the proposed increase regarding Hackney Carriage vehicles and drivers, indicating that, although it was only a minor increase, he considered that drivers were being punished as opposed to the operators, which he did not consider fair. He also stated that he would have liked to have seen a full detailed breakdown of the costs of the service to give him the opportunity of commenting on such detail at this meeting, prior to a decision being

made.

- 6.5 Mohammed Yasim, Yorkshire Professional Drivers' Association, stated that he also objected to the proposed increase in the fees relating to Private Hire Drivers' Licences and also considered it unfair that drivers were having to pay the increased charges whereas the operators, particularly the two main operators in the City, who were earning considerable amounts of money, were not being asked to pay any increased charges.
- 6.6 In response, Steve Lonnia stated that officers spent a considerable amount of time dealing with issues or queries regarding Hackney Carriage and Private Hire vehicles and drivers in comparison to dealing with private operators and this was the reason behind the need to increase the fees.
- 6.7 RESOLVED: That the public and press and attendees be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in Paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 6.8 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the proposals in the report.
- 6.9 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees
- 6.10 RESOLVED: That (a) in the light of the information contained in the report now submitted and the representations now made, authority be given for the Chief Licensing Officer to increase the licensing fees and keep the remaining fees as they are currently, as detailed in the report now submitted; and
- (b) the Chief Licensing Officer be requested to make arrangements for formal consultation on the increase in the fees set out in Appendix 'A' to the report now submitted, relating to Hackney Carriage and Private Hire vehicles and drivers, with the taxi trade associations.

7. GAMBLING ACT 2005 – DRAFT STATEMENT OF PRINCIPLES

- 7.1 The Chief Licensing Officer submitted a report (a) informing Members of the results of the recently undertaken consultation exercise on the Gambling Act 2005 – Statement of Principles and (b) notifying Members of the changes made to the Act and seeking approval from the Committee on the draft revised Statement of Principles (Policy), drafted by the Licensing Authority in accordance with Section 349 of the Gambling Act 2005.
- 7.2 Steve Lonnia, Chief Licensing Officer, referred to the Draft Consultation Document, which had been sent to all Members of the Committee.

- 7.3 RESOLVED: That (a) the contents of the report now submitted, together with the Draft Consultation Document, be noted; and
- (b) approval be given to the revised Statement of Principles (Policy) document, for referral to the Cabinet and consequently, the Council, for approval.