

**MINUTES OF A MEETING OF THE LICENSING COMMITTEE HELD IN COMMITTEE ROOMS
2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 29
SEPTEMBER 2015 AT 2.30 PM**

Present

Councillor R Williams – Chairperson

GW Davies MBE
PN John
E Venables

E Dodd
DRW Lewis

CJ James
JE Lewis

P James
HE Morgan

Officers:

Sarah Daniel
Andrea Lee
Yvonne Witchell
Will Lane

Democratic Services Officer - Committees
Senior Lawyer
Licensing & Registration Manager

6. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members for the reasons so stated:

Cllr P Davies – Leave
Cllr R Jenkins – Leave
Cllr B Jones – Work Commitment
Cllr DG Owen – Work Commitment

7. DECLARATIONS OF INTEREST

None

8. APPROVAL OF MINUTES

RESOLVED: That the minutes of the Licensing Committee, held on the 21 May 2015 be approved as a true and accurate record of the meeting, subject to Councillor P John's apologies being added to the list.

9. HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER LICENCE FEES

The Operational Manager – Shared Regulatory Services submitted a report to Committee which recommended new licence fee for dual hackney carriage and private hire vehicle drivers which reflected a change to the duration of a licence being brought into effect by the Deregulation Act 2015.

The Operational Manager – Shared Regulatory Services explained that the present practice in Bridgend County Borough Council was to grant a licence for a maximum period of one year. The amendments made by the Deregulation Act establish a standard duration for a driver licence of three years. He added that all new taxi drivers are required to produce an enhanced DBS certificate prior to the grant of their licence, and once licensed, the Council's policy is that drivers are required to produce an enhanced DBS certificate on a triennial basis. He added that the methodology used to calculate the fees followed the process set out in the fees toolkit in that all general expenditure across the Licensing section had been applied to generate an hourly rate for each member of staff. He advised Members that the proposed new fee for a Grant of new Licence would be £102 for one year and £171 for three years and the fee for a Renewal of a Licence would be £63 for one year and £122 for three years.

Members were concerned that if drivers held a three year licence and they received a conviction during that time it could take the Committee up to three years to be made aware of it, by which time they could have received a number of further convictions. Members asked if the drivers had a statutory duty to declare any convictions to the Authority.

The Operational Manager – Shared Regulatory Services stated that if a driver were to receive a conviction the police would contact the Local Authority and the Licensing section would be made aware of such convictions. The Legal Officer added that the Authority could look into reviewing the policy for the Authority and possibly adding a clause so that when drivers are issued their licence, they must declare if they receive any convictions during the three year period to the Authority. Another report would need to be brought to Committee to approve that process.

RESOLVED: That the Committee:

1. approved the proposed licence fees outlined in the Report with the implementation date of 1 October 2015
2. approved the changes to the Statement of Policy regarding the Relevance of Convictions and Licensing of Ex-Offenders outlined in paragraphs 4.9.1 and 4.9.2 of the report

10. PRIVATE HIRE OPERATOR FEES

The Operational Manager – Shared Regulatory Services submitted a report to the Committee to recommend new licence fees for private hire operators to reflect a change to the duration of a licence being brought into effect by the Deregulation Act. He explained that the amendments made by the Deregulation Act established a standard duration for a private hire operator's licence of five years. A licence may be granted for a shorter period where there is a justifiable reason.

The Operational Manager – Shared Regulatory Services advised Members that the proposed new fee for a Private Operator's licence would be £115 for one year and £373 for five years and the fee for a Private Operator's Renewal of Licence would be £97 for one year and £348 for five years. He further advised that it would also be necessary to amend the standard condition of licence which currently states: "The Licence shall be for a period of one year and is not transferable" to "This Licence shall have effect for a maximum of five years and is not transferable"

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Members were concerned at the potential loss of income resulting in the new Operator fees and feared this would in turn result in a loss of jobs. The Operational Manager – Shared Regulatory Services stated that this would be reviewed and monitored once the new Licensing Structure was fully embedded.

RESOLVED: That the Committee:

1. That the Committee approved the proposed licence fees outlined in the Report with an implementation date of 1st October 2015
2. That the Committee authorised the Licensing Officer to carry out the necessary public notice consultation procedure on behalf of the Assistant Chief Executive Legal and Regulatory Services
3. If objections were received within 28 days of the publication of the notice of the proposed changes to the fees, the matter would come back before the next appropriate Committee meeting so that any such objections could be considered, modifications be considered, and a new date for the introduction of the variations could be set
4. That the relevant condition of licence relating to duration is amended as outlined in paragraph 4.8 of the report

11. GAMBLING ACT LICENSING POLICY

The Licensing and Registration Officer submitted a report to the Committee to seek approval to commence the statutory consultation process for the publication of a Statement of Licensing Policy in relation to gambling. She added that the consultation process was prescribed by legislation and involved direct communication with statutory consultees such as the Gambling Commission and the South Wales Police as well as bodies representing the interests of gambling businesses. It also included Town and Community Councils, community groups and consultation via the Council's website.

The Licensing and Registration Officer informed the Committee that as part of the preparation for the consultation, an informal review of current premises and complaints had been undertaken. The current profile was;

| Premises/Permit Type | Number of Premises | Comments |
|---|---------------------------|---|
| Betting | 18 | 18+ |
| Bingo | 2 | 18+ |
| Adult Gaming Centre | 6 | 18+ |
| Family Entertainment Centre | 4 | Mixed access with 18+ segregated area |
| Registered Members Club | 27 | |
| Licensed Premises | 8 | Licensed premises with more than 2 machines |
| Licensed Premises | 82 | Automatic entitlement for two machines |
| Family Entertainment centre (permit) | 10 | Typically Seaside venues –all age access |
| Total Number of premises where gambling available | 157 | |

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The Licensing and Registration Officer stated that during the last three year period since the last policy was published the authority had received 7 complaints relating to gambling premises:

- Five complaints related to allegations of machines sited in unlicensed premises
- One complaint related to an alleged faulty Category D machine which was not substantiated
- One complaint related to children allegedly playing Category B machines in a registered members' club which could not be substantiated

Members asked if the organisation relating to the complaint where children were gambling would have been penalised.

The Licensing and registration Officer stated that Enforcement and Compliance Officers would follow up the complaint and visit the establishment and look at how and where the machines were displayed and offer advice to the company.

RESOLVED: That the Committee:

1. Noted the report
2. Gave approval to consult
3. Noted that a further report would go to Council after the consultation exercise

12. URGENT ITEMS

None

The meeting closed at 3.05 pm