

LICENSING COMMITTEE

* Councillor David Elms (Chairman)
Councillor Mike Parsons (Vice-Chairman)

Councillor Graham Ellwood	* Councillor Marsha Moseley
* Councillor David Goodwin	* Councillor Dennis Paul
* Councillor Christian Holliday	* Councillor Tony Phillips
* Councillor Mike Hurdle	* Councillor David Quelch
* Councillor Jennifer Jordan	Councillor James Walsh
* Councillor Nigel Kearse	* Councillor David Wright
* Councillor Nigel Manning	

*Present

L1 APOLOGIES

Apologies for absence were received from Councillors Graham Ellwood, Mike Parsons and James Walsh.

L2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

There were no declarations of interest.

L3 MINUTES

The minutes of the meeting held on 27 March 2017 were confirmed as a true record and were signed by the Chairman.

L4 ANNOUNCEMENTS

The Chairman reported that the meeting would be recorded for subsequent broadcast on the Council's website. The whole of the meeting would be recorded, except where there are confidential or exempt items, and the footage will be on the website for six months.

If someone makes a representation to the meeting they will be deemed to have consented to being recorded. By entering the meeting room they are also consenting to being recorded and to the possible use of those images and sound recordings for webcasting and / or training purposes.

L5 STREET TRADING POLICY - APPROVAL FOR CONSULTATION

The Committee considered a report on an updated Street Trading policy for the Guildford Borough. The Council is the Licensing Authority for Street Trading under the Local Government (Miscellaneous Provisions) Act 1982. The Council had previously designated a list of streets in the Borough as "consent" or "prohibited" streets in order to control Street Trading as adopted by the Licensing Committee in November 2008.

The Committee noted that it was proposed to extend the street trading consent scheme to designate all streets in the Borough as "consent" streets. This means that no trading in any area of the Borough would be permitted without consent of the Council and was a common approach adopted in other Local Authorities.

There was currently no appeal mechanism in place to deal with refused street trading applications. However, the updated Policy includes the provision to refer any contentious application to the Licensing Regulatory Sub-Committee who would consider such an application in its merits.

The Committee considered concerns raised in relation to a case in London whereby a 5-year-old girl was issued with a £150 fine for selling lemonade on the street and whether thresholds could be applied to the Street Trading Policy in Guildford to prevent such a scenario. The Licensing Team Leader confirmed that in London fixed penalty notices could be issued to any trader that did not have a permit. In Guildford, traders would face prosecution for such an offence and therefore instances like this are highly unlikely to occur due to prosecutions needing to satisfy the public interest test.

The Committee was informed that Guildford did have problems with street traders, particularly with multiple fast food vans locating around the University of Surrey and the Royal Surrey Hospital without a permit. Currently, the Licensing Authority did not have the powers to deal with offenders as they were located in areas that were not designated as "consent" streets. Therefore, the updated Street Trading policy would enable a fair and transparent process to be applied across the whole of the borough. This meant that no trading in any area of the Borough would be permitted without the consent of the Council.

Having reviewed the updated Street Trading Policy Document, the Committee

RESOLVED:

To approve the updated draft Street Trading Policy for public consultation over a 12-week period.

Reason for Decision:

To obtain the views of interested parties on the proposed updated Street Trading Policy and use these views to formulate any changes to the draft prior to adoption.

L6 STREET TRADING RESOLUTION - APPROVAL FOR CONSULTATION

The Committee considered a report seeking approval to designate all streets in the Borough as "consent" streets in order to improve control of Street Trading and to rescind the existing designation. An updated resolution would enable the Council to manage street trading across the Borough in areas where currently no control exists. The existing street trading resolution was passed on 29 July 1987 and designated a number of streets, predominantly in the town centre, as either consent or prohibited streets.

Having considered the Street Trading Resolution, the Committee

RESOLVED:

To approve the draft Street Trading Resolution for consultation.

The Committee will receive a further report at its meeting on 17 January 2018 to consider any objections received, before making a decision on whether to adopt the Street Trading Resolution.

Reason for Decision:

To obtain the views of interested parties on the proposed updated Street Trading Policy and use these views to formulate any changes to the draft prior to adoption.

L7 TAXI AND PRIVATE HIRE LICENSING POLICY - CARD PAYMENTS

The Committee considered a report on proposed changes to the Taxi and Private Hire Licensing Policy to help customers access the taxi service and prevent crime through the introduction of a requirement that all hackney carriages have the facility to accept payments by credit/debit card from 1 April 2019.

The Committee fully supported the move towards automated payments by credit/debit card for use of taxi services. It would prevent the need for taxi drivers to carry cash floats that leaves drivers vulnerable to attack whilst also giving customers more flexible payment options.

Having considered the proposed change to the Taxi and Private Hire Licensing Policy, the Committee

RESOLVED:

To note the draft changes to the taxi and private hire policy, which will be subject to public consultation over a 6-week period.

The Licensing Committee will receive a report on the findings of the consultation on 17 January 2018.

Reason for Decision:

To update the Committee on the intended changes to the taxi and private hire policy.

L8 TAXI AND PRIVATE HIRE POLICY - CONSULTATION ON CHANGES TO CONVICTIONS POLICY

The Committee considered a report that proposed changes to the Taxi and Private Hire Licensing Policy to help prevent the sexual exploitation of children by introducing consistent standards across Surrey.

The Surrey Safeguarding Children Board (SSCB) and its partners including all 11 Surrey Local Authorities have agreed a Child Sexual Exploitation Strategy and action plan, which proposes introducing further changes to protect vulnerable children across the country.

The Committee noted that the key changes were to adopt a consistent taxi and private hire convictions policy across Surrey and provide mandatory child sexual exploitation (CSE) training for all taxi and private hire drivers in Surrey. The Surrey Chief Executive Group has provided financial assistance to ensure that the training was undertaken as soon as possible and would be facilitated online.

The Committee noted that drivers who were unsuccessful at completing the CSE training would have their case considered on its own merits.

The Committee fully endorsed the proposed CSE Training for all taxi and private hire drivers in Surrey, as it would help ensure a co-ordinated and consistent response across Surrey to prevent the sexual exploitation of children in Surrey.

The Committee therefore

RESOLVED:

To note the draft changes to the taxi and private hire policy, which will be subject to public consultation over a 6-week period.

The Licensing Committee will receive a report on the findings of the consultation at its meeting on 17 January 2018.

Reason for Decision:

To update the Committee on intended changes to the taxi and private hire policy.

L9 BEST BAR NONE AND PURPLE FLAG UPDATE

The Committee received an update on the Best Bar None Awards, which was now in its fourth year. The award scheme represented an opportunity for local businesses to attain accreditation of the scheme and helped the public to make an informed decision when choosing a bar or pub. The award scheme was run by Experience Guildford BID and supported by Surrey Police, Surrey Fire and Rescue Services, Street Angels, PubWatch and the Licensing Authority. A total of fourteen venues were assessed across seven categories. The assessment criteria included the prevention of crime and disorder, public safety and prevention of public nuisance and celebrated best practice across the trade. The award ceremony was held at the Mandolay Hotel on 4 September 2017. The following venues received awards:

- Wetherspoon's – best bar overall and best national late night venue
- Star Inn – best pub in the national category
- The Keep – best independent pub
- All Bar One – best bar in the national category
- Komo – best independent bar
- Boilerroom – best entertainment venue
- Bar 13 – best independent late night venue

In addition, the Committee received an update on Purple Flag, which was also in its fourth year. Guildford had successfully undertaken an interim assessment and retained its Purple Flag status celebrating the fact that Guildford town centre remained a safe place to socialise in the evening and provided a wide variety of venues. Guildford would next be fully assessed in the summer of 2018.

L10 LICENSING COMMITTEE WORK PROGRAMME

The Licensing Committee considered the merits of including in its work programme an item on restricting the availability and number of fixed betting machines in Guildford. The Licensing Team Leader confirmed that there had been an update in planning law whereby betting shops have to make an application via the planning process to open a new betting shop. In addition, the work programme already included an inspection programme of gambling venues to ensure that they were operating in accordance with the Gambling Act, which was to be reviewed in the New Year.

The meeting finished at 7.45 pm

Signed

Chairman

Date