

LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

Wednesday, 21 March 2018

Present:

Councillors	J McManus	T Anderson
	C Meaden	L Rowlands
	P Stuart	D Mitchell
	A Hodson	

Apologies:

Councillors	W J Davies
	R Abbey

21 APPOINTMENT OF CHAIR

On a motion by Councillor L Rowlands and seconded by Councillor D Mitchell it was –

Resolved – That Councillor P Stuart be appointed Chair for this meeting.

22 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were asked to declare any disclosable pecuniary and non pecuniary interests in connection with any application on the agenda and state the nature of the interest.

No such declarations were made.

23 MINUTES

Resolved – That the minutes of the meeting held on 1 February 2018 be approved.

24 CHANGES TO POLLING PLACES AND POLLING STATIONS

The Electoral Services Manager introduced a report which provided details of a change in relation to a polling place within the Borough and sought Members' approval of a suitable alternative.

Claughton Ward – Polling District CB

The Electoral Services Manager reported that an alternative polling place had to be considered as the Library in Ridgeway High School which was the current polling place was currently situated within an area where demolition of the old building was being undertaken with no access to the Library and no connection to any utilities. As it would not be practicable to site a porta-cabin at the existing polling place and there were no other suitable alternative venues with polling district CB, consideration had been given to St Andrews Church Centre, situated in polling district CA which

although is within a different polling district, is located on the boundary of polling districts CA and CB directly opposite the entrance of Ridgeway High School.

Members were advised that further to an inspection of St Andrews Church Centre, this had been considered suitable for use as a polling place, had confirmed availability and the hire cost would be £250. The Electoral Services Manager informed Members that there was a possibility the building housing the library at Ridgeway High School might be retained by Wirral Council for use as a community library and that should this be the case, the designation of a polling place for polling district CB would be revisited in the future and subject to availability, the community library would be the proposed polling place. Ward Members had been consulted and supported this proposal.

On a motion by Councillor A Hodson and seconded by Councillor D Mitchell, it was -

Resolved – That the polling place for polling district CB be relocated to St Andrews Church Centre, Moorfield Avenue, for all future elections/referenda in 2018 and the designation of a polling place for polling district CB be revisited in 2019.

25 LOCAL ELECTION FEES AND CHARGES

The Electoral Services Manager reported on the proposed fees paid to the Returning Officer and his staff employed to undertake various duties in connection with elections held in the Borough. The next scheduled Borough elections would take place on 3 May 2018 and the proposed election fees were outlined in Appendix 1 of the report.

Members were advised that the Returning Officer had overall responsibility for the conduct of elections held within the Borough and that the role was one of a personal nature which was distinct and separate from their duties as an employee of the Council. The responsibilities of the Returning Officer were outlined within the report.

On a motion by Councillor A Hodson and seconded by Councillor L Rowlands it was -

Resolved – That the proposed Local Election Fees and Charges set out within Appendix 1 of the report be agreed.

26 PERIODIC REVIEW OF LICENSING FEES FOR MARRIAGE PREMISES LICENCES

The Managing Director for Delivery requested that Members review and approve the licence fees in respect of Marriage Premises.

The Licensing Manager reported that the Council were legally entitled to charge such a fee for licences that they considered reasonable with a view to recovering the full cost of providing the service.

It was reported that the current application fee and renewal fee for a Marriage Premises Licence was £970 and that further to a review of the costs of administering this process and ensuring compliance had been undertaken, it had been identified that from 1 April 2018 the licensing function may be subject an increase in staffing

costs. Members were informed that the Council had agreed to reinstate a 1% pay increase which the Council did not pay to employees in 2013/14 and that a further 2% increase was currently being negotiated. Members were therefore requested to approve an increase in the licensing fee for a Marriage Premises Licence in line with the agreed pay increase and for this to be delegated to be implemented by officers when the increase had been agreed.

On a motion by Councillor A Hodson and seconded by Councillor P Stuart it was -

Resolved – That the increase in the Marriage Premises Licence fee be approved and that this be delegated to be implemented by officers following agreement by the Council to a pay increase for staff.

27 **PERIODIC REVIEW OF LICENSING FEES FOR SEXUAL ENTERTAINMENT VENUE LICENCES**

The Managing Director for Delivery requested that Members review and approve the licence fee in respect of Sexual Entertainment Venue Licences.

The Licensing Manager reported that the Council were legally entitled to charge such a fee for licences that they considered reasonable with a view to recovering the full cost of providing the service.

It was reported that the current application fee and renewal fee for a Sexual Entertainment Venue Licence was £1,240 and that further to a review of the costs of administering this process and ensuring compliance had been undertaken, it had been identified that the licensing function may be subject to an increase in staffing costs. Members were informed that the Council had agreed to reinstate a 1% pay increase which the Council did not pay to employees in 2013/14 and it was understood that a further 2% increase was currently being negotiated.

Members were therefore requested to approve an increase in the licensing fee for a Sexual Entertainment Venue Licence in line with the agreed pay increase and that this be delegated to officers to implement when it had been agreed by the Council.

On a motion by Councillor A Hodson and seconded by Councillor P Stuart it was -

Resolved – That an increase in the Sexual Entertainment Venue Licence fee be agreed and that this be delegated to officers to implement following agreement by the Council to a pay increase for staff.

28 **PERIODIC REVIEW OF LICENSING FEES FOR TAXIS AND PRIVATE HIRE VEHICLES**

The Managing Director for Delivery requested that Members review and approve the licence fees in respect of Hackney Carriage, Private Hire and Operator Licences with effect from 1 May 2018.

The Licensing Manager reported that the Council were legally entitled to charge such a fee for licences that they considered reasonable with a view to recovering the costs of the issue and administration of the licence.

It was reported that the fees for Hackney Carriage, Private Hire and Operator Licences were reviewed on an annual basis to determine whether the income received from the previous year had been in line with the cost of delivering the service.

The current licence fees were set out within Appendix 1 to the report and further to a review of income and expenditure in respect of Hackney Carriage, Private Hire and Operator Licences, it had been identified that if the administrative cost of issuing a new licence in circumstances when a licence holder changes their vehicle is included in the fees the projected income for the financial year 2018-2019 would cover the costs of delivering the service, therefore there was no proposal to increase the current fees.

It was therefore proposed that a fee of £35 would be charged which would cover the cost of the administration of the process to change the licence when an individual changes their vehicle.

On a motion by Councillor A Hodson and seconded by Councillor P Stuart it was -

Resolved – That, with effect from 1 May 2018, the licence fees set out within the report including an additional fee of £35.00 to be charged to cover the process of issuing a new licence when a licence holder changes their vehicle be agreed.

29 **MINOR REVISIONS TO PRIVATE HIRE OPERATOR LICENCE CONDITIONS**

The Managing Director for Delivery sought Members' approval in respect of an amendment to the Private Hire Operator Licence conditions.

The Licensing Manager reported that the current Private Hire Operator Licence Conditions had been approved by Members of this Committee on 25 November 2015 and that the proposed minor amendment was to remove condition 14 from the schedule of conditions.

On a motion by Councillor A Hodson and seconded by Councillor P Stuart it was -

Resolved – That the minor amendment to the Private Hire Operator Licence Conditions be approved.

30 **REGULATION OF STREET TRADING**

The Managing Director for Delivery requested that Members consider the regulation of street trading in New Brighton and the adjoining coastal thoroughfares.

The Licensing Manager reported that the Council may allow street trading through a Street Trading Licence or a Street Trading Consent or prohibit street trading. Members were advised that it had been identified that whilst the legislation provided that a Council may categorise its streets as prohibited, licensed or consent streets, Wirral Council currently only had two designations and the consequence of this was that the Council may not use the powers provided in the legislation to refuse an application for street trading that was provided when a street is designated as a licensed street.

The Licensing Manager advised that on 20 September 2017, Members of this Committee had resolved to consult on the re-designation of streets in New Brighton and the adjoining coastal thoroughfares as Licensed Streets and Prohibited Streets in accordance with the details set out in Appendix 2 of the report. During this consultation, discussions had taken place with three existing Street Trading Consent Holders and two individuals who had indicated that they would like to trade in New Brighton, however, they had not provided any input to the consultation.

On a motion by Councillor P Stuart and seconded by Councillor A Hodson it was -

Resolved –

- (1) That, with effect from 23 May 2018, some of the streets in New Brighton and the adjoining coastal thoroughfares be re-designated as Licensed Streets and Prohibited Streets in accordance with the details set out within appendix 2 of the report.**
- (2) That a notice in respect of this be published in two consecutive weeks in a local newspaper.**

31 PERIODIC REVIEW OF FEES IN RESPECT OF STREET TRADING

The Managing Director for Delivery requested that Members review and approve the licence fees in respect of Street Trading.

The Licensing Manager reported that the Council were legally entitled to charge such a fee for licences that they considered reasonable with a view to recovering the full cost of providing the service.

It was reported that the current application fee in respect of Street Trading was £210 and the renewal fee was £68.50 and that further to a review of the costs of administering this process and ensuring compliance had been undertaken, it had been identified that the licensing function would be subject to an increase in staffing costs. Members were informed that the Council had agreed to reinstate a 1% pay increase which the Council did not pay to employees in 2013/14 and it was understood that a further 2% increase was currently being negotiated.

Members were therefore requested to approve an increase in the fees in respect of Street Trading in line with the agreed pay increase and that this be delegated to officers to implement when it had been agreed by the Council.

On a motion by Councillor A Hodson and seconded by Councillor P Stuart it was -

Resolved – That an increase in the fees in respect of Street Trading be agreed and that this be delegated to officers to implement following agreement by the Council to a pay increase for staff.