

Licensing Committee

Tuesday 7 December 2021

PRESENT:

Councillor Partridge, Vice Chair in the Chair.

Councillor Salmon, Vice Chair.

Councillors Corvid, Goslin, Hendy, Hulme, McDonald, Patel, Rennie, Smith, Stoneman and Wakeham.

Apologies for absence: Councillors Allen and Jordan.

Also in attendance: Emily Bullimore (BID Street Operations and Street Trading Manager), Ann Gillbanks (Senior Lawyer), Rachael Hind (Licensing Service Manager), David Moore (Licensing Sergeant) and Helen Prendergast (Democratic Support Adviser).

The meeting started at 10.00 am and finished at 10.55 am.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

9. **Declarations of Interest**

Councillor Smith declared a private interest, in accordance with the code of conduct, as she was the Chair of the new Commission on Violence Against Women and Girls.

10. **Minutes**

The Committee agreed that the following minutes were a correct record –

(1) Licensing Committee -

- 8 December 2020;

(2) Licensing Sub Committee -

- 8 June 2021;
- 24 August 2021;
- 31 August 2021.

11. **Chair's Urgent Business**

There were no items of Chair's urgent business.

12. **Licensing Activity Report**

David Moore (Licensing Sergeant) and Rachael Hind (Licensing Service Manager) presented the licensing activity report 2020/21. The report had been compiled to provide the Licensing Committee with an overview of the various aspects of the work undertaken by agencies involved in regulating the licensing regimes within the remit of this Committee.

The main areas of questions from the Committee included –

- (a) the measures that the police were undertaking to address illegal activities such as drinks spiking and safety of women;
- (b) sought clarification -
 - on the process for undertaking alcohol and gambling test purchase operations;
 - on when the safe bus would be available in December 2021 and how this would be advertised;
- (c) raised concerns that -
 - Security Industry Authority (SIA) trained individuals had limited powers to deal with issues that arose on the safe bus and suggested that Special Constables should be engaged instead;
 - if the safe bus was only going to drop off at specific points, rather than individuals being able to alight the bus where required, this could lead to safety issues (as the drop off points would be advertised this could attract undesirable behaviour).

Councillor Smith advised that she was the Chair of the new Commission for Violence Against Women and Girls and suggested that a report be brought back to the Committee in 12 months' time providing details of how the licensing team and the police were liaising with Commission.

The Committee noted the report.

13. **Annual Street Trading Report**

Emily Bullimore (BID Street Operations and Street Trading Manager) presented the Annual Street Trading report which sought to set the process for the issuing and terms and conditions of consents for the 2022/23 trading year. The following key points were highlighted –

- (a) due to the Covid 19 pandemic the financial pressures placed on existing street traders during the 2021/22 trading year, teamed with the decrease in footfall in the city centre, there had been no increase in consent fees;

- (b) 2021/2022 had been a challenging year for all street traders and the issues that hit the high street at the start of the pandemic in March 2020 had continued through this financial year with most traders experiencing the strain of price rises and less income with no grants to assist them this year;
- (c) it was proposed that there was no increase in consent fees for city centre street traders for the 2022/23 trading year, in order to support street traders to continue to trade;
- (d) it was further proposed that there was a restructure of consent fees for the ice cream trading pitches for the 2022/23 year; during 2020 and 2021 several establishments along the waterfront had started to sell ice cream from their premises, some operating on to the highway; this had caused upset and some anger between traders;
- (e) the ice cream traders had highlighted the difference in site fees along the ice cream sites on the waterfront and there had been historically a large difference in consent fees; however, the footfall had changed as have the locations and parking arrangements for the ice cream vehicles, so it was proposed that there was a levelling out of fees across the waterfront; this means that the highest consent payers would not have an increase in fees but others would; the sites would be equal opportunity for all traders with the new price proposal with street trading suffering no loss of income;
- (f) the ice cream consent holders had asked for consideration to be given for them to extend their offer to include hot drinks and hot snacks from the mobile ice cream vans; this would provide a fair opportunity for trade over the colder months; all consent holders would need to meet all health and safety and hygiene requirements;
- (g) it was therefore proposed that the paragraph in the application form (permitted trades for ice cream pitches) was changed to 'all the trading locations would be allocated for the sale of ice cream, frozen confectionery, hot and cold soft drinks; hot drinks and snacks may be permitted on application, the decision with regard to the acceptable type of trade at each location would be decided as part of the application process in consultation with the Chair of the Licensing Committee and lead opposition member'.

The main areas of questions from the Committee included –

- (h) whether in order to alleviate the large increase in consent fees, for some of the consent holders, could be phased in over a period of time;
- (i) concerns relating to the type of hot snacks that the ice cream consent holders could provide; for examples no burgers or chips would be acceptable;
- (j) whether the ice cream mobile vehicles would be complaint in order to be able to use the proposed electrical charging points;

- (k) sought clarification -
- as to the process that would be adopted in order to ensure that consent holders used the electrical charging points once they had been introduced;
 - as to how long the work would take to complete the installation of the electrical charging points, in order to avoid disruption to this busy location and whether the power companies had been consulted;
 - as to the type of vehicle that would be permitted with the proposal to permit hot drinks and snacks to be sold by consent holders;
 - that should the Committee approve the phase-in of the fees for some of the consent holders what would be the proposal to amend the figures stated in the report (with this be done at this meeting or outside of this forum).

The Committee agreed –

- (1) the approval of the consent dates for 2022/23 as 1 April 2022 – 31 March 2023;
- (2) the approval of the consent fees for 2022/23, as set out in Appendix A;
- (3) that the Service Director for Economic Development has delegated authority to approve, within Committee policy, the issuing of consents to existing city centre traders, seeking to continue trading;
- (4) that the Service Director for Economic Development has delegated authority to approve, within Committee policy the issuing of consents to new traders or contested sites for city centre sites in consultation with the Chair of the Licensing Committee and the lead opposition member;
- (5) that the Service Director for Economic Development has delegated authority to approve within Committee policy short-term street trading consents in association with other city centre events and commercial activity;
- (6) that the Service Director for Economic Development has delegated authority to approve and set fees for ad hoc street trading applications, within Committee policy;
- (7) that the Service Director Economic Development has delegated authority to approve, within Committee policy the issuing of consents to existing ice cream traders seeking to continue trading;
- (8) that the Service Director for Economic Development has delegated authority to approve, within Committee policy the issuing of consents to new traders or contested sites for vacant ice cream sites in consultation with the Chair of the Licensing Committee and lead opposition member;

- (9) that the Service Director for Economic Development has delegated authority to approve, within Committee policy, the issuing of consents to existing Hoe and Madeira Road Waterfront trading sites seeking to continue trading;
- (10) for the Hoe and Madeira Road Waterfront trading sites the Licensing Committee delegate approval to the Licensing Sub Committee for all new applications;
- (11) to approve the proposal for ice cream consent holders to also serve hot drinks/snacks from mobile ice cream vehicles; the decision with regard to the acceptable type of trade at each location would be decided as part of the application process in consultation with the Chair of the Licensing and lead opposition member.

The Committee agreed in principle for the fees to be levelled up over a phased period of time and the Service Director for Economic Development has delegated authority to approve the fees, in consultation with the Chair of the Licensing Committee and lead opposition member.

14. **Information regarding Delegated Decisions for Applications for the Grant/Variation of Premises Licences**

Racheal Hind (Licensing Services Manager) presented the delegated decisions for applications for the grant/variation of premises licence report.

Members were advised that between 1 November 2020 and 31 October 2021 there had been 33 applications that had been mediated out by officers which negated the need for these applications to be submitted to the Licensing Sub Committee for consideration.

The Committee noted the report.