

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Licensing Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Thursday, 15 July 2021 commencing at
2:30 pm**

Present:

Chair	Councillor G J Bocking
Vice Chair	Councillor E J MacTiernan

and Councillors:

G F Blackwell, C L J Carter, P A Godwin, D W Gray, J W Murphy, C Reid, J K Smith,
R J G Smith, R J Stanley, M G Sztymiak and M J Williams

LIC.3 ANNOUNCEMENTS

3.1 The evacuation procedure, as noted on the Agenda, was taken as read.

LIC.4 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

4.1 Apologies for absence were received from Councillors P W Ockelton and C Softley.

LIC.5 DECLARATIONS OF INTEREST

5.1 The Committee's attention was drawn to the Tewkesbury Borough Council Code of Conduct which was adopted by the Council on 26 June 2012 and took effect from 1 July 2012.

5.2 There were no declarations of interest made on this occasion.

LIC.6 MINUTES

6.1 The Minutes of the meetings held on 18 February and 4 May 2021, copies of which had been circulated, were approved as correct records and signed by the Chair.

LIC.7 GENERAL UPDATE ON THE LICENSING FUNCTION AND PROGRESS ON THE SERVICE REVIEW

7.1 The report of the Interim Environmental Health Manager, circulated at Pages No. 7-10, updated the Committee on the progress of the service review which aimed to deliver an effective and responsive licensing service, both as part of the recovery from the impacts of the COVID-19 pandemic and over the longer term. Members were asked to consider the general update on the licensing function and the progress on the service review.

7.2 The Head of Community Services advised that the Licensing service had been affected by COVID-19 and the workload of the Interim Environmental Health Manager was too great to undertake the review of the service so additional resources had been brought in to assist. The current service was extremely paper-based and not customer friendly which needed to be addressed. Additional operational resources had already been employed and there was now someone working with the Business Transformation Team to make the service more digital.

The Corporate Leadership Team was equally concerned about the shortfalls in the service, particularly as the workload remained high in relation to requests for temporary events licences etc. In the short-term an Officer had commenced with the service this week for two days a week, then a more full-time resource would be employed for a year or so. There was work ongoing with the other authorities in the county so, in this instance, Tewkesbury Borough Council was using a resource from Cheltenham Borough Council who was well respected in the licensing field and in the county.

7.3 During the discussion which ensued, a Member questioned whether the existing paper-based systems would be analysed and taken forward in the most efficient and effective way even if that meant changing them. In response, the Head of Community Services explained there would be a thorough review to ensure the processes were correct and legally compliant. Referring to Paragraph 3.2.1 of the report, a Member questioned whether the consultation on the Taxi and Private Hire and Countywide Convictions Policy (Common Standards Policy), which was due to end on 6 July, had ended. The Head of Community Services undertook to find out, he also undertook to investigate when the consultation on the Mobile Homes and Caravan Sites Licensing Policy would take place.

7.4 A Member referred to Paragraph 3.3 of the report, headed public health as a licensing objective, and questioned what the significance was of public health not being one of the four licensing objectives. In response, the Head of Community Services explained that the government had considered adding it as a licensing objective but had felt that it was not appropriate. The Council's Safety Advisory Group included a member of the Public Health Group meaning it had an input which had been particularly important throughout the COVID-19 pandemic. In terms of the recruitment of a Licensing Enforcement Officer, the Head of Community Services advised that there was an Officer working with the Council's licensing service as an interim measure so some enforcement was being undertaken but there was no proactive enforcement taking place. As advised previously, the Licensing Team Leader at Cheltenham Borough Council had been employed to undertake the review and it was felt that, as he was from within the county, it would be easier to look at broader relationships as well as partnering with other authorities for licensing and those would be considered as options within the review. A Member questioned whether there were any changes in legislation which might impact on licensing activities. The Legal Advisor was not aware of any specific changes at this stage and advised that, whilst there may be changes made as a result of COVID-19, those could take a long time to go through the legislative process. It was confirmed that no information had been forthcoming from the government as yet but letters had been received asking local authorities to be more considerate of licensing requests to help traders get back on their feet following the COVID-19 pandemic.

7.5 Accordingly, it was

RESOLVED That the general update on the licensing function and progress on the service review be **NOTED**.

LIC.8 REVIEW OF CONSULTATION PERIOD FOR STREET TRADING LICENCES

8.1 The report of the Interim Environmental Health Manager, circulated at Pages No. 11-13, explained that, at its meeting on 18 February 2021, the Licensing Committee had agreed to extend the reduction of the consultation period for street trading licences and that the decision would be reviewed at each meeting. The report set out the reasoning for continuing with the reduction in the consultation period in line with the government road map until 19 July 2021 and allowed for the Head of Community Services, in consultation with the Chair and Vice-Chair of the Committee, to amend further if the timescales set out in the government road map changed further. Members were asked to approve a further extension of the

reduced time period for consultations on street trading licences until 19 July in line with the current government road map for the lifting of COVID-19 restrictions; and to delegate authority to the Head of Community Services, in consultation with the Chair and Vice-Chair of the Licensing Committee, to make any further amendments to the consultation time period which may be necessary beyond 19 July should the government road map for the lifting of COVID-19 restrictions change.

8.2 The Head of Community Services indicated that the consultation period was usually 28 days but that had been reduced to five days at the start of the COVID-19 pandemic. The reduction of the consultation period had been agreed as a way to enable street traders to commence working without delay. The current position was that, whilst street trading licences had reduced, there were still certain COVID-19 restrictions in place following the government's decision to delay the easing of restrictions. It was therefore recommended that the dispensation in respect of the consultation period for street trading applications remain in place until 19 July 2021 in line with the current government road map. The circumstances of the COVID-19 pandemic could change rapidly and, in order to ensure Officers were able to react accordingly, it was recommended that authority be delegated to the Head of Community Services, in consultation with the Chair and Vice-Chair of the Licensing Committee, to make any further amendments to the consultation time period which may be necessary beyond 19 July, should the government road map for the lifting of COVID-19 restrictions change.

8.3 A Member indicated that, at a Parish level, Councillors had been told nothing in the community centre would change; he questioned whether there would be a need to get agreement to go back to normality. The Head of Community Services advised that there was no need for permission. It had been decided that the Council Offices would be getting back to normal slowly but it was up to the individual organisations how they moved forward in accordance with the lifting of restrictions.

8.4 Accordingly, it was

RESOLVED

1. That a further extension of the reduced time period for consultations on street trading licences be **APPROVED** until 19 July in line with the current government road map for the lifting of COVID-19 restrictions.
2. That authority be delegated to the Head of Community Services, in consultation with the Chair and Vice-Chair of the Licensing Committee, to make any further amendments to the consultation time period which may be necessary beyond 19 July 2021 should the government road map for the lifting of COVID-19 restrictions change.

The meeting closed at 2:45 pm