

Confirmed



Minutes of a Meeting of the **Licensing Committee** held in the Deben Conference Room, East Suffolk House, on **Monday, 14 February 2022 at 6.30pm**

Members of the Committee present:

Councillor Edward Back, Councillor Linda Coulam, Councillor Janet Craig, Councillor Tony Goldson, Councillor Colin Hedgley, Councillor Mark Newton, Councillor Keith Patience, Councillor Russ Rainger, Councillor Keith Robinson, Councillor Steve Wiles

Other Members present:

Councillor Judy Cloke, Councillor Mary Rudd

Officers present: Teresa Bailey (Senior Licensing Officer), Kerry Blair (Head of Operations), Sarah Carter (Democratic Services Officer), Martin Clarke (Licensing Manager and Housing Lead Lawyer), Duncan Colman (Estates Manager), Jo Hooley (Legal and Licensing Services Manager), Matt Makin (Democratic Services Officer), Darren Newman (Economic Regeneration Manager)

Others present: Lizzie Hall (First Light Festival CIC)

1 Apologies for Absence and Substitutions

Apologies were received from Councillors Ashdown, Fisher, F Mortimer and T Mortimer.

Councillor Cloke attended the meeting as a Substitute for Councillor Ashdown.

It was noted that Councillor Goldson would be late arriving.

2 Declarations of Interest

There were no Declarations of Interest.

3 Minutes

RESOLVED

That the Minutes of the Meeting held on 18 October 2021 be confirmed as a correct record and signed by the Chairman.

4 Street Trading at Lowestoft Seafront

The Cabinet Member with responsibility for Community Health introduced report ES/1046 which proposed a review of the Council's Street Trading Policy at Lowestoft Seafront in order to support the Council's project for the redevelopment of the East Point Pavilion.

The Cabinet Member advised that, following the formation of East Suffolk Council, the northern and southern part of the Council's area had retained differing approaches to street trading. As a result, it had been recognised that a District wide review of Street Trading was now due. The report before Members was the first part of the review, focussing on the Street Trading Policy at Lowestoft Seafront, with the remainder of Council's area to follow in the latter half of 2022. East Point Pavilion had been constructed in the early 1990s but had, in recent years, fallen into disuse. The Council's Cabinet had approved a new project for the redevelopment of the Pavilion and, in support of that project, the Council's Street Trading Policy at Lowestoft seafront needed to be reviewed. The seafront between the Pavilion and Claremont Pier was designated as a Licence Street and therefore a licence was required for street trading. Under the current policy, only three licences could be issued and none had been issued at the present time, so the Council did not therefore receive any income for the area. Marine Parade and Royal Green car park were currently designated as prohibited streets, meaning that street trading could not take place within 20 metres.

The Committee was being requested to consider the report and approve going out to consultation on the proposed un-designation of Lowestoft Seafront between East Point Pavilion and Claremont Pier, Royal Terrace, Royal Plain, Parade Road North, Marine Parade between Parade Road North and the first junction of Royal Green Car Park and the portion of Royal Green car park within 20m of the East Point Pavilion project area, from the Street Trading Policy.

The Cabinet Member advised that it was an offence under paragraph 10(1) of schedule 4 of the 1982 Act to engage in street trading on a licence street without being authorised to do so. Therefore, the proposed events at the Pavilion would be severely limited as the number of outside stalls would be restricted to three. It was therefore being recommended to vary the Council's current Policy in order to support the redevelopment project and the regeneration of the area. Should the Policy be varied, any traders on Lowestoft seafront would still need consent from the Council as landowner which would ensure that undesirable traders could be excluded.

The Head of Operations advised that he was accompanied by Lizzie Hall from First Light Festival CIC who would be running the Pavilion and events in the area. By giving context to the report, he explained the seafront vision which would provide a boost to the economy for the town and encourage visitors into the area. In 2017, there had been one million visitors to Lowestoft, with 80% some 250,000 people coming from within a 20 mile radius. If that was pushed out to a 40 mile radius 500,000 people could be captured and a 50 mile radius would capture Norwich and Ipswich and up to 750,000 visitors. It was important to put on events that people would wish to travel to, including arts, culture and food/drink, and bringing people into the area would provide benefits for the local economy too.

The Head of Operations advised that the 2019 First Light Festival, which would be held again in 2022, had been a success with 35/40% of people never having previously visited Lowestoft. Local traders did well with an increase in business and the local B&Bs benefitted from extra bookings. Street trading in the seafront areas would help facilitate the proposals for the Pavilion and enhance the area, not compete with local traders.

Note: *At this point, Councillor Goldson joined the meeting at 6.45pm.*

Lizzie Hall, from First Light Festival CIC, outlined their ideas for East Point Pavilion in that there would be five permanent year round traders including one for drinks. In addition to First Light, specialist small trader events would be held through the year to attract more people into the town, for example a vintage fair, a produce event, children's literature festival and street food. The flexibility would make the Pavilion work and additional street traders would encourage visitors into the town. They would have an element of control as the street traders would have to apply for a stall and tick all the environmental health boxes.

The Economic Regeneration Manager advised that the project was part of the investment plan for the town from the levelling up project supported by the Government. It would help with expanding the tourism season and increase footfall over the full year resulting in an increase in spend in the town of Lowestoft. The First Light Festival had also encouraged local businesses to promote themselves.

Members raised questions relating to:

- Competition with the Town Council's street market.
- How this would affect existing street traders.
- The number of licenced traders and frequency of events.
- If stalls outside of the Festival would regenerate the seafront.
- Number of applicants for the stalls.
- Reference in paragraph 1.3 of the report indicting there would be 46 events per year.

The Licensing Manager advised that the proposal was not classed as a market and therefore not in competition with any existing street markets. The Town Council would be consulted on the proposals. There were no licensed traders in the area at the present time.

Ms Hall advised that there had been 12 traders at the 2019 First Light Festival and, going forward, it would depend on the event whether there would be 2-3 or eight stalls. With 5,000 people attending the festival, they would need at least eight food stalls to feed the visitors and they would look at various options to supplement the Pavilion. The Head of Operations confirmed that the proposed changes to street trading in the report would give the Council the option to increase the number of stalls and that the stalls would still be under the control of the Council as licences would need to be applied for. It was hoped to have five core traders permanently in the Pavilion. By testing the market, people had already shown interest. Ms Hall advised that they hoped to identify 46 events of various scale in size and certainly there would be no less than 10 in a year.

In response to a comment on the current policy being divided between the former Waveney and Suffolk Coastal District Councils, the Licensing Manager advised that this was the beginning of a long planned review; it was hoped to start further work in the second half of the current year.

The Committee acknowledged the proposals for the regeneration of Lowestoft which would hopefully enhance the town and attractiveness of the seafront to visitors, as well as encouraging new visitors into the area. Members supported the proposals and

RESOLVED

That the consultation process to un-designate from the Street Trading Policy, Lowestoft Seafront between East Point Pavilion and Claremont Pier, Royal Terrace, Royal Plain, Parade Road North, Marine Parade between Parade Road North and the first junction of the Royal Green Car Park and the portion of Royal Green Car Park within 20 metres of the East Point Pavilion Project Area, be commenced.

5 Department for Transport Statutory Taxi and Private Hire Vehicle Standards and Review of Existing Policy

The Cabinet Member with responsibility for Community Health introduced report ES/1047, the purpose of which was to clarify the Safeguarding Training required for Private Hire Operators following the 2021 review of the Council's Hackney Carriage and Private Hire Licensing Policies, guidance and conditions as a result of the Department for Transport's (DfT) Statutory Taxi and Private Hire Vehicle Standards published in July 2020.

The Senior Licensing Officer reminded Members that the statutory standards had been reported to Committee in 2021 and, following consultation, the recommendations had been approved by Committee. As a result, the new Taxi Licensing Policy was due to be published on 1 March. The purpose of the report now before the Committee was to clarify Safeguarding training for Private Hire Operators as the DfT's standards very much focussed on protecting children from exploitation, those with a disability and vulnerable adults. The Council currently required Private Hire Operators to undertake the on-line Barnardos Safeguarding module, same as drivers. However, the new policy for drivers required them to undertake a two day college course 'Introduction to the Role for the Professional Taxi and Private Hire Driver' for new applicants and a half day refresher based on that course for existing drivers.

The Senior Licensing Officer advised that, in order to maintain high standards in the District, it was being proposed that Private Hire Operators be required to undertake a half day course, based on the two day course, at their own cost, which would cover safeguarding for children and vulnerable adults.

In response to Members' questions, the Senior Licensing Officer advised that the half day course for Operators would cost £40-50 and it would be at their cost. It might not be possible to stipulate that all children needed to be carried in the rear of a taxi; that was not part of the policy now under consideration.

Members welcomed the proposal and fully supported Safeguarding proposals. Safety was an important factor and it might encourage the public to start using taxis again with such high standards being put in place. Having received a proposal which was duly seconded, it was unanimously

RESOLVED

That, having considered the new updated Safeguarding Training for Private Hire Operators, that training be approved.

6 Issued Licences in East Suffolk and an Overview of the Work of the Licensing Sub-Committees - October to September 2021

The Cabinet Member with responsibility for Community Health introduced report ES/1048 which provided Members with information relating to issued licences in East Suffolk and gave an overview of the work of the Licensing Sub-Committees during the period October to December 2021. She congratulated the Licensing Team on their excellent work.

The Senior Licensing Officer advised that the report was for noting and she would not go through the statistics in detail unless Members had specific questions.

The Senior Licensing Officer provided updated with regard to paragraph 1.3:

- Review of Premises Licence for Field's in Lowestoft - conditions had been added to the licence.
- New Premises Licence for The Wood Yard in Woodbridge - licence granted with additional conditions.

With regard to the hearings in paragraph 1.5:

- Undercliff Road West in Felixstowe, Bungay Community Centre and the Personal Licence - all had been granted.
- Sole Bay Inn, Southwold - conditions added to the licence.

With reference to Taxi and Private Hire licences, it appeared that Covid had affected the numbers with 589 licensed drivers in 2020 and in 2022 that number was now 515, down 12%. However, applications for 20 drivers were currently being processed. Again, vehicle numbers were down 12% from 585 in 2020 to 423 in 2022. In January 2020, there were 1,071 premises licensed and in 2022 that had increased to 1,106.

On behalf of the Committee, the Chairman thanked the officers for a very detailed report and there being no specific questions, it was

RESOLVED

That the overview of the work of the Licensing Team and the Licensing Sub-Committees during the fourth quarter of 2021 be noted.

The meeting concluded at 7.22pm.

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Chairman