



Licensing and Regulatory Committee

Time and Date

9.30 am on Tuesday, 24th January, 2023

Place

Diamond Rooms 1 and 2 - Council House

Public Business**1. Apologies****2. Declarations of Interest****3. Minutes** (Pages 1 - 8)

To agree the minutes of the Committee meeting held on 20 December 2022 and the Sub-Committee (Hearing) held on 3 January 2023.

4. Exclusion of Press and Public

To consider whether to exclude the press and public for the items of private business for the reasons shown in the reports.

5. Outstanding Issues Report

There are no outstanding issues to report.

6. Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved**Private Business****7. Applications for the Grant/Suitability to hold Hackney Carriage & Private Hire Drivers' Licences**

Reports of the Director of Street Scene & Regulatory Service on the following:
(Listing Officer: Mick Coggins, Email: mick.coggins@coventry.gov.uk)

7.1 Application for Grant of a Private Hire Driver's Licence (Pages 9 - 16)

8. Any other items of private business which the Chair decides to take as matters of urgency because of the special circumstances involved

Julie Newman, Chief Legal Officer, Council House, Coventry

Monday, 16 January 2023

Note: The person to contact about the agenda and documents for this meeting is
Usha Patel/Carolyn Sinclair
usha.patel@coventry.gov.uk/carolyn.sinclair@coventry.gov.uk

Membership: Councillors F Abbott, L Bigham (Deputy Chair), J Birdi, J Clifford (Chair),
B Gittins, G Hayre, A Hopkins, J Innes, T Jandu, S Keough, R Lakha, A Masih,
R Thay and CE Thomas

Public Access

Any member of the public who would like to attend the meeting in person is encouraged to contact the officer below in advance of the meeting regarding arrangements for public attendance. A guide to attending public meeting can be found here: <https://www.coventry.gov.uk/publicAttendanceMeetings>

Usha Patel/Carolyn Sinclair

usha.patel@coventry.gov.uk/carolyn.sinclair@coventry.gov.uk

Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Committee held at 9.30 am
on Tuesday, 20 December 2022

Present:

Members: Councillor J Clifford (Chair)
Councillor J Birdi
Councillor B Gittins
Councillor G Hayre
Councillor T Jandu
Councillor S Keough
Councillor R Lakha

Employees Present:

Law and Governance: U Patel

Regulatory Services: N Castledine, R Vaughan

Apologies: Councillor A Hopkins, J Innes and CE Thomas

Public Business

44. Declarations of Interest

There were no declarations of interest.

45. Minutes

The minutes of the Committee meeting held on 25 October 2022 and the Sub-Committee (Hearings) held on 10 October and 8 and 15 November 2022 were agreed and signed as true records.

46. Skin Piercing Registration - Review of Fees

The Committee considered a report of the Director of Streetscene and Regulatory Services which provided information on the legislative powers to enable fee setting for skin piercing registration.

The Local Government (Miscellaneous Provisions) Act 1982 requires the person who carries out the practice of skin piercing to register the premises where the skin piercing business operates. Under the provisions of the Act, local authorities may determine reasonable fees for the registration of skin piercing activities. This gave Councils the power to set their own local fees that would enable it to recover reasonable costs.

The City Council is required to register certain activities that require the puncturing of the skin for cosmetic purposes or acupuncture (this did not include the treatment by a qualified medical practitioner). The purpose of the registration was to ensure satisfactory standards of hygienic practice and business management were met to minimise risk to the client and the operator.

When a needle, razor or other similar instrument breaks a person's skin, blood, serum or small fragments of tissue adhere to the instrument used. These could then be directly transferred to the blood stream of another person or could contaminate materials or other pieces of equipment and potentially enabling infection to be transmitted. Therefore, it was imperative that adequate controls are in place.

Skin piercers must also comply with all relevant health and safety legislation such as the Health and Safety at Work etc Act 1974 as well as complying with any associated byelaws made by the Local Authority.

The City Council formally adopted a set of skin piercing byelaws in 1983 that set hygienic standards for skin piercing. Between 1983 and 2007, the byelaws were updated several times to take account of new skin piercing techniques such as body piercing and semi permanent skin colouring.

Over recent years, the number of applications to register skin piercing premises had risen dramatically from 9 applications in 2014/15 to 68 in 2019/20. So far this year 34 applications had been received and processed and over the course of the year application numbers were likely to reach pre pandemic levels.

The skin piercing regime and fees charged had not been reviewed since 2007 and as a result, the current registration fee would not cover the administration costs; therefore, it was proposed to increase the fee charged for registering premises and introduce other local fees to enable cost recovery. The proposed fees were attached as Appendix 1 of the report and benchmarking data was attached as Appendix 2 of the report.

RESOLVED that, the Licensing and Regulatory Committee:

1. Approves the proposed fees for:

- (a) Applications to register premises to undertake the practice of skin piercing and**
- (b) Applications to register individuals, vary applications and other skin piercing services not previously charged for.**

2. Delegates authority to the Strategic Lead for Regulation to conduct an annual review of the fees and, where appropriate, amend if necessary.

47. Outstanding Issues Report

There were no outstanding issues to report.

48. Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved

There were no other items of business.

(Meeting closed at 9.55 am)

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Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Sub-Committee (Hearing)
held at 2.00 pm on Tuesday, 3 January 2023

Present:

Members: Councillor L Bigham
Councillor S Keough
Councillor R Thay

Other Members: Councillor Masih (Observer)

Employees:

Law and Governance: S Ahmed, C Sinclair

Streetscene &
Regulatory Services: D Blackburn, D Cahalin-Heath, R Masih

In Attendance: West Midlands Police (Review Applicant):
L. Hammerton, S Hopkinson, P Horton, L Meade

Environmental Health (Responsible Authority):
D Burns, N Castledine

Premises Licence Holder

Apologies: None

Public Business

1. Appointment of Chair

RESOLVED that Councillor S Keough be appointed as Chair for the meeting.

2. Declarations of Interest

There were no declarations of interest.

3. Exclusion of Press and Public

RESOLVED that, under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the item of business at Minute 5 below (Licensing Act 2003 – Application to Review a Premises Licence) as the matter relates to information required to be kept private in accordance with Paragraph 7, Schedule 12A of the Local Government Act 1972 as amended. The grounds for privacy were that the matter may relate to any action taken in connection with the prevention, investigation or prosecution of crime. The public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

4. Any other items of public business which the Chair decides to take as a matter of urgency because of the special circumstances involved

There were no other items of public business.

5. Application for a Premises Licence Review under the Licensing Act 2003 following a Section 53a Summary Review

The Sub-Committee considered an application to review the Premises Licence in respect of The Pilot Hotel, Catesby Road, Coventry.

The Sub-Committee considered the Licensing Act 2003, guidance relating to summary reviews and the representations made by all parties.

In addition, to ensure that there were appropriate and proportionate safeguards in place at all times, the Licensing Authority reviewed the interim steps it had taken that were in place on the date of the hearing and gave consideration as to whether it was appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.

RESOLVED that the Sub-Committee revoke the premises licence for the following reasons:

- **Each responsible authority was regarded as the experts in their field as per the guidance to the Licensing Act.**
- **The Sub-Committee look to the police as the leading responsible authority in providing advice relating to the prevention of crime and/or disorder – and the police have been clear in their recommendations to revoke the premises licence.**
- **Further, given the general advice from the police on public safety and the representations made by health and safety officers, the Sub-Committee were not satisfied that the licensing objective of public safety would be upheld.**
- **In addition, the breaches of licence conditions are such that the Sub-Committee do not have confidence in the Licence Holder to uphold the licensing objectives.**

In respect of interim steps, the Sub-Committee resolved to keep the suspension of the premises licence in place until the revocation came into force. The Sub-Committee's reasons were:

- **There was no compelling information and/or evidence put before the Sub-Committee to depart from the determination made on the 14 December 2022.**
- **The Sub-Committee were not satisfied that the licensing objective of public safety would be upheld should the premises licence be reinstated in the interim.**

6. Any other items of private business which the Chair decides to take as a matter of urgency because of the special circumstances involved

There were no other items of private business.

(Meeting closed at 5.10 pm)

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By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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