



Agenda Item 3

Minutes of a meeting of the Licensing Committee held in the Council Chamber at The Grange, Nutholt Lane, Ely on Wednesday, 22 June 2022 2022 at 9:30am.

PRESENT

Cllr Julia Huffer (Chairman)
Cllr Christine Ambrose-Smith
Cllr David Ambrose-Smith
Cllr Sue Austen
Cllr Bill Hunt (Substitute for Cllr Edwards)
Cllr Mark Inskip
Cllr Alan Sharp
Cllr John Trapp (Substitute for Cllr Jones)
Cllr Gareth Wilson
Cllr Jo Webber

OFFICERS

Stewart Broome – Senior Licensing Officer
Maggie Camp – Legal Services Manager
Tracy Couper – Democratic Services Manager
Angela Tyrrell – Senior Legal Assistant
Adeel Younis - Legal Assistant

IN ATTENDANCE

5. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillors Lavinia Edwards, Simon Harries and Alec Jones. Councillors Bill Hunt and John Trapp acted as Substitutes for this meeting.

6. DECLARATIONS OF INTEREST

No declarations of interests were made.

7. MINUTES

It was resolved:

That the Minutes of the Licensing Committee meetings held on 9 March and 19 May 2022 be confirmed as a correct record and be signed by the Chairman.

8. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that a Licensing (Statutory) Sub-Committee was to be held on Monday 18 July 2022 to consider a Licensing application at Willow Farm, Pymoor.

9. **REVIEW OF STREET TRADING FEES**

The Committee considered a report, X16 previously circulated, that detailed proposed amendments to the Council's Street Trading fee structure and consequent amendments to the Policy.

The Senior Licensing Officer reminded the Committee that at the March meeting Members asked officers to undertake a review of the fees charged for street trading consent within the district, following a request by the National Caterers Association (NCASS) and a local representative body known as "Off the Beaten Truck" (OTBT) who felt that the fees for trading on private land where the trading was not the primary function of the premises, but connected to the primary premises, did not reflect the transient nature of this area of street trading.

The proposed fee structure reflected these concerns and the differing nature of this type of trading, whilst still aiming to recover the costs of administration relating to these types of Licenses. The new structure was considered to be fair and reasonable and initial consultation with NCASS and OTBT on the proposals had shown the two groups to be fully supportive of the new fee structure.

The reduced fees could be achieved by waiving formal public consultation in the case of applications, where the applicant:

- is requesting to trade on private land owned or leased by them, that falls within the policy definition of a Host Premises, and
- such trading is ancillary to the main purpose of that premises, and
- the trading hours requested are within the permitted hours of the main premises, or 11pm (whichever is latest)

This was because these premises were likely to be a location of existing public gathering or public movements, (whether vehicular or pedestrian), and therefore, the potential for a trader to bring a higher degree of operational nuisance was minimal.

Where the three bullet points above were met, determination powers would be delegated to Officers. However, the safeguard to this proposed change was that relevant responsible authorities still would be consulted on all annual street trading licence applications and, if complaints were received due to poor trading practices at these locations, consent could be revoked at any time.

Members raised a number of questions regarding the definition of private land in relation to Parish Council owned property and village halls, which were responded to by the Senior Licensing Officer. He stated that the new fee structure was aimed at covering village halls, social clubs, public houses, leisure/community centres, and applications would be considered on a case-by-case basis. As responsible authorities usually objected to applications on Legal or factual grounds, officers could refuse applications, or add conditions in response to such objections using delegated powers.

Members welcomed the proposals which represented a pragmatic approach, aimed to reduce bureaucracy and simplify processes, responded to the

requirements of an emerging market, promoted both improved availability and choice in local villages and the creation of new local businesses, whilst still maintaining suitable safeguards.

It was resolved (unanimously):

- 1. That the amended Street Trading Policy contained in Appendix 2 to the submitted report be approved to take effect immediately.
- 2. That officers be authorised to publish the new fee structure contained in Appendix 3 to the submitted report to take effect immediately.

10. **SENIOR LICENSING OFFICER’S UPDATE**

The Committee considered a verbal report that updated Members on current and emerging issues relating to Licensing both locally and nationally.

The Senior Licensing Officer reported on the significant number of objections received to the Willow Farm, Pymoor application which had resulted in the requirement for the convening of a Sub-Committee.

The Senior Licensing Officer advised the Committee of a proposal in the Government’s Levelling-up Bill for Taxi Licensing powers to be transferred to upper tier authorities such as Combined Authorities or County Councils with Transport responsibilities.

The Taxi trade was recovering well from the pandemic, but increases in fuel costs had led to a formal request for a review of Taxi fares, which it was aimed to submit to the July meeting of this Committee.

A Member referred to rail operators’ policy of reduced rail fares over Bank Holiday periods and queried if Taxi companies could adopt a similar approach.

11. **FORWARD AGENDA PLAN**

The Committee received its Forward Agenda Plan.

It was resolved:

That the Forward Agenda Plan be noted and amendments made as follows:

- Review of Taxi fares be added to Agenda Plan for July meeting
- CCTV in Taxis be moved to September meeting of Committee
- Times of meetings be amended to 10am

The meeting concluded at 10.46am.

Chairman.....

Date: