

AGENDA ITEM NO. 3



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a meeting of the Licensing Committee held in the Council Chamber, The Grange, Nutholt Lane, Ely on Thursday, 11th September 2019.

PRESENT

Cllr Julia Huffer (Chairman)
Cllr David Ambrose Smith
Cllr Sue Austen
Cllr Lavinia Edwards
Cllr Simon Harries
Cllr Mark Inskip
Cllr Alec Jones
Cllr Alan Sharp
Cllr Jo Webber

OFFICERS

Stewart Broome – Senior Licensing Officer
Maggie Camp – Legal Services Manager and Monitoring Officer
Tracy Couper – Democratic Services Manager
Adrian Scaites-Stokes – Democratic Services Officer

4. **APOLOGIES**

Apologies were received from Councillor Alison Whelan.

5. **DECLARATIONS OF INTEREST**

No declarations of interest were made.

6. **MINUTES**

It was resolved:

That the Minutes of the Licensing Committee meetings held on 27th March 2019 and 30th May 2019 be confirmed as correct records and be signed by the Chairman.

7. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made no announcements.

8. **LICENSING SUB-COMMITTEES**

The Committee considered a report, U60 previously circulated, that provided future options for Licensing Sub-Committees.

The Democratic Services Manager advised the Committee that, following a recent forum attended by the Senior Licensing Officer, it became apparent that the Council needed a Licensing Sub-Committee of three Members to adhere to

the relevant statutory requirements of the Licensing Act 2003 and Gambling Act 2005. This meant that the current Licensing Sub-Committee contained too many Members. To stop any potential legal challenges a new Sub-Committee had to be set up which would incorporate some flexibility by including Substitute Members. The principle for Substitutes was already established so it was proposed to include two Substitutes from each Political Group.

This also gave an opportunity to tidy up the Terms of References for the main Committee and its two Sub-Committees. The intention was to make these more user friendly by implementing a more generic and consistent set of procedures.

Councillor Julia Huffer enquired whether, if all Members of the Sub-Committee were conflicted for a particular case, the case would go to the full Committee, as had happened with a recent street trading application.

The Democratic Services Manager confirmed that this could occur, but only in exceptional circumstances, as the Committee had delegated authority to the Sub-Committee to deal with such cases usually.

Councillor Mark Inskip questioned whether creating a new sub-committee would affect the political proportionality of the Council. He was also uncomfortable that the Sub-Committees' work would now be split thereby creating an additional Special Responsibility Allowance (SRA) payment. Perhaps the Independent Remuneration Panel (IRP) should be asked to consider that.

The Committee was informed that any sub-committees set up ad hoc during the year could be proportional on an individual basis but this would not affect the overall proportionality of the Council, as usually such sub-committees were on a limited time basis. This would be further considered at the Annual Council meeting. Paragraph 3.7 of the report showed that the work of the Sub-Committees had been fairly evenly split, so the future business should be even-handed. The issue of SRA could be put to the IRP, and it could also consider Vice Chairmen payments for sub-committees and working parties. At the moment there was a fixed sum paid per month for Chairmen.

The following nominations were made for the new (Statutory) Sub-Committee:
Members – Councillors Sue Austen, Lavinia Edwards and Alan Sharp (as Chairman)

Substitutes – Councillors Julia Huffer and Jo Webber.

These nominations were approved.

The Liberal Democrat group would inform the Democratic Services Manager of their Substitutes at a later date.

It was resolved:

- (i) That the revised Terms of Reference for the Licensing Sub-Committees attached at Appendix 1 be approved on the following basis:
 - Licensing (Statutory) Sub-Committee: fixed membership of 3, on a proportionate basis of 2 Conservative and 1 Lib Dem Member

with up to 2 named substitutes from each Political Group drawn from the Membership of the Licensing Committee, and that Licensing Committee appoint Members to this Sub-Committee on that basis;

- Licensing (Non-Statutory) Sub-Committee: fixed membership of 5 (with a quorum of 3) drawn from the Membership of the Licensing Committee (Current composition agreed by Annual Council: 2 Conservative and 3 Lib Dem Councillors).
- (ii) That the following Members be appointed to the Licensing (Statutory) Sub-Committee:

Members

- Councillor Alan Sharp (as Chairman)
- Councillor Sue Austen
- Councillor Lavinia Edwards

Conservative Substitute Members

- Councillor Julia Huffer
- Councillor Jo Webber

Liberal Democrat Substitute Members

- To be confirmed later

- (iii) That the Legal Services Manager and Monitoring Officer be authorised to make the necessary consequential amendments to the Licensing Committee Terms of Reference and other relevant documents in the Constitution.

9. **LICENSING OFFICERS UPDATE**

The Committee considered an information only report, S169 previously circulated, that updated Members on the work of officers.

The Senior Licensing Officer advised the Committee that, even though performance had been affected by the long-term sickness of one member of staff, some progress with animal licensing had been made. The number of licences had increased to 54, with more enquiries being received. As well as requiring inspections by the Licensing team, veterinary inspections were also needed. The licence holders were rated, with 5 star being the highest ranking. So far 29 had achieved that rating with a further 17 rated at either 3 or 4 Star with the possibility of improving to the highest level. The success of this scheme, and the information provided on the website, had prompted enquiries from other areas of the country from other local authorities.

The general level of work so far this year was around the same as last, with a few fluctuations in different application categories. The host of inspections undertaken often led to further work, mostly relating to minor indiscretions. The level of suspensions looked high but the 21 day grace period affected those

figures, meaning few of those suspensions became active. A review of fees and charges would be coming to the Committee for consideration at its next meeting.

The Chairman asked the Senior Licensing Officer to give background details of the work done over the last few years, to bring the newer Members up-to-date. The Senior Licensing Officer then explained that, since June 2015, the department had seen its recovery of costs rise from 64% of its budget to around 80%, with the aim of achieving between 80% and 85%. It was accepted that not everything could be recovered, due to legislation. There had been no online presence for the department previously, but that was now available. So applications could now be submitted online, resulting in large amounts of documentation being received electronically. Changes had been made for the taxi trade, who could now collect their plates and badges yearly, and the badges now had a three-year limit as opposed to annually. Generally, bureaucracy had been significantly reduced and standards of service had risen. This had enabled the department to take on scrap metal licensing from another department. So after the last four and a half years massive improvements had been achieved, so much so that other local authorities were approaching the department asking for guidance.

The Environmental Services Manager pointed out that before the Senior Licensing Officer arrived the Council's relationship with the trade taxi was not good. That relationship had since been transformed. Two meetings per year were arranged to meet the trade to discuss issues but the trade were not attending because there were now no major issues to consider. Much of the information they needed was now online and the relationship was much improved. The Senior Licensing Officer explained that this was down to the department being transparent in its dealings with the trade. It was kept up-to-date with relevant issues, via emails, and a balanced approach to help the trade had been adopted, which made things better all round.

Councillor Alan Sharp asked how many people came forward for animal licences on their own volition, when they realised they needed to, and how many did the department identify? Would the Kennel Club want to see owners' registrations? The Committee was informed that roughly two-thirds of applicants came forward on their own. Anyone with more than two litters of puppies needed to be registered and the department had found some that needed prompting.

Councillor Alec Jones enquired after cat breeders and it was disclosed that was not licensable. However, if people wished to sell cats then they would require a pet shop licence, irrespective of where they were sold from. Each case would be considered and looked at on its merits.

10. **FORWARD AGENDA PLAN**

The Committee considered its Forward Agenda Plan.

The Senior Licensing Officer reminded the Committee that a fees review report would be brought to the October meeting.

The meeting concluded at 10:01am.