



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

LICENSING COMMITTEE

Minutes of the meeting of the Licensing Committee held in the Council Chamber, The Grange, Nutholt Lane, Ely on Wednesday, 11 October 2017 at 9.30am.

PRESENT

Councillor Elaine Griffin-Singh (Chairman)
Councillor Sue Austen
Councillor Michael Allan
Councillor Paul Cox
Councillor Neil Hitchin
Councillor Julia Huffer
Councillor Carol Sennitt
Councillor Alan Sharp

OFFICERS

Stewart Broome – Senior Licensing Officer
Maggie Camp – Legal Services Manager and Monitoring Officer
Liz Knox – Environmental Services Manager
Tracy Couper – Democratic Services Manager
Lyndsay Kirkby – Trainee Solicitor

10. **APOLOGIES**

Apologies for absence were received from Councillors Mike Bradley, Chris Morris and Stuart Smith.

11. **DECLARATIONS OF INTEREST**

There were no interests declared.

12. **MINUTES**

It was resolved:

That the Minutes of the Licensing Committee meeting held on 21 June 2017 be confirmed as a correct record and signed by the Chairman.

13. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had no announcements to report.

14. **REVIEW OF LICENSING FEES**

The Committee considered a report, S149 previously circulated, detailing the outcome of a review of the statutory fees that East Cambridgeshire District Council was required to charge for specific licences under the Licensing Act 2003 and the Gambling Act 2005. It also proposed revised fees for the period 1 April 2018 to 31 March 2019 in respect of those licences and licensing related activities where the authority has the discretion to determine the relevant fees; this included, but was not limited to, hackney carriage and private hire licences, and animal licences.

The Senior Licensing Officer introduced his report by reminding Members of the previous decision of the Committee in November 2015 to work towards recovery of the true costs of administering the Licensing functions of the Council over the period 2016 to 2021, where the Licensing Authority had the discretion to set the fees. The table in paragraph 4.4 of the report showed the progress made towards achieving this objective, which was based on a threshold that 85% of expenditure incurred by the service could be legally recovered. In that connection, it was highlighted in Appendix 7 of the report that some licence fees now were recovering fully the costs of administering them and some were very close to doing so. Therefore, it may be necessary to review the model to ensure that the authority did not potentially recover more than the costs of the resources required to administer certain licences.

The Senior Licensing Officer referred to the proposed discretionary fees for Taxi and Private Hire Licences in Appendix 5. He stated that whilst it was proposed to increase the Driver renewal fee from £100 to £150, the Vehicle licence fees had a very small increase proposed, and as a result the overall increase to a licence holder with a driver and vehicle licence would be no more than last year, but reflected the significantly higher level of resources spent in administering Driver Licences compared to Vehicle licences. The Chairman acknowledged that this appeared to be a reasonable and fair approach, particularly in the light of the continued level of demand in terms of applications.

Councillor Huffer queried why the service expenditure level and therefore, the percentage cost recovery level had been higher in 2016/17 than in the two preceding years and the Senior Licensing Officer explained that this was due to a change in accounting practices within the Council regarding internal costs recovery. However, the Team did challenge the level of internal recharges to ensure that Licensing did not subsidise other Council functions.

Councillor Sharp questioned why the cost of a new application and a renewal application were the same for many of the Licensing activities in Appendix 4. The Senior Licensing Officer explained that this was because the same processes were followed in both cases, as opposed to some licences where renewals involved less work than new applications. In connection with Appendix 7, Councillor Sharp queried if the Council would set the fee for a Dangerous Wild Animals Licence at the 85% recovery threshold, if an application was received. The Senior Licensing Officer stated that as the Council had no data on the costs of administering this type of licence (and similarly in the case of Sex Establishments licences) officers could only make

an assessment of the fee level based on the resources required to administer other similar types of licences. However, this could be reviewed in the light of any experience gained in the future.

It was resolved:

1. That the Committee:
 - i) note the statutory fees that East Cambridgeshire District Council is required to charge in respect of the specified licences under the Licensing Act 2003 and the Gambling Act 2005 as set out in Appendix 1 and Appendix 2, and agree to implement these fees (or if subject to statutory amendment, the relevant amended fees) on the 1 April 2018.
 - ii) instruct Officers to implement, as appropriate, any other statutory fees that may be brought into force during the 2017/18 financial year.
 - iii) instruct Officers to include the agreed fees in the 2018/19 annual fees and charges report that is presented to full Council.
2. That the Committee:
 - i) agree to implement, with any necessary modification, the proposed fees relevant to those licences and licensing related activities where the authority has the discretion to determine the fees, as set out in Appendix 3 and Appendix 4, on the 1 April 2018.
 - ii) agree to implement immediately, with any necessary modification, the proposed fees relevant to scrap metal licences, as set out in Appendix 4, with an understanding that if Council do not approve the measure, refunds will be given.
 - iii) instruct Officers to include the fees in the 2018/19 annual fees and charges report that is presented to full Council.
3. That the Committee:
 - i) agree to implement immediately, with any necessary modification, the proposed fees relevant to driver licences, as set out in Appendix 5, with an understanding that if Council do not approve the measure, refunds will be given.
 - ii) agree to implement, with any necessary modification, the proposed fees relevant to hackney carriage vehicle, private hire vehicle and operator licences, as set out in Appendix 5.
 - iii) instruct Officers in accordance with the provisions of Section 70 of the Local Government (Miscellaneous Provisions) Act 1976, to publish a notice in a local newspaper setting out those fees that

it is proposed will be varied to be advertised for a period not less than 28 days.

- iv) instruct Officers to include the proposed fees, as set out in Appendix 5, in the 2018/19 annual fees and charges report that is presented to full Council, and that in respect of those fees that are to be advertised in accordance with Section 70 mentioned above these are recorded in the said annual report as 'provisional fees under consultation to be confirmed by 31 March 2018'.

15. **LICENSING OFFICER'S UPDATE**

The Committee considered a report, R266 previously circulated, which updated the Licensing Committee on the work of officers in the period 6 April 2017 to 26 September 2017 compared to the equivalent period in 2016. The Senior Licensing Officer explained that some 3 year licences now were issued for Taxis, resulting in a reduction in the figures between years. Conversely, there had been an increase in premise licences due to the opening of the Ely Leisure Village. The Senior Licensing Officer reported that suspensions had decreased significantly as a result of the higher level of compliance generated by improved relations with the taxi and private hire trade and awareness that inspections were regularly undertaken. With regard to the relocation of the Ely Taxi Rank, the new road layout and signage had been approved by the County Council and the draft Traffic Regulation Order (TRO) published, which now was subject to a 21 day consultation period. The road marking and signage costs were estimated at £2,250 and the public parking bays would be marked at the minimum legal size to enable an increase in the Taxi bays from 4.5 to 5.

Councillor Sharp asked what would happen if there were a large number of complaints arising from the TRO consultation. The Senior Licensing Officer explained that the consultation was more of a process matter, rather than allowing challenge of the principle of the relocation, which already had taken place as part of the Licensing consultation.

Councillor Allan enquired if any of the inspections arising from complaints showed a pattern or issues that were worth further consideration. The Senior Licensing Officer stated that the increase in the overall number of complaints was due to a mixture of better recording and a greater willingness of people to report such matters. However, if any policy issues arose from such complaints, the Senior Licensing Officer would bring them to the attention of this Committee.

The Chairman queried if Taxi numbers remained static or were increasing or decreasing. The Senior Licensing Officer stated that one particular company had increased its numbers this year due to winning a number of County Council Schools contracts, but otherwise numbers remained reasonably stable.

In the context of the discussions, the Environmental Services Manager highlighted the improvements in the administrative practices of the Licensing

Team over the past two years, which was demonstrated by the fact that the Performance Officer had intended to undertake LEAN Six Sigma process mapping of the Team, but on further enquiry decided that this would not be a useful exercise due to the efficiency improvements already implemented.

Members commended the improvements in the operating practices of the Team.

Councillor Cox raised a general point on the numbering of appendices within reports on the Licensing Committee Agenda and the Senior Licensing Officer agreed to discuss with the DSO for the Committee the most effective practice to improve clarity for Members.

It was resolved:

That the update report be noted.

16. **FORWARD AGENDA PLAN**

The Committee considered its Forward Agenda Plan.

The Senior Licensing Officer stated that the review of the Gambling Act Policy would be due in April 2018.

It was resolved:

That the Licensing Committee Forward Agenda Plan be noted.

The meeting closed at 10.27am