



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

AGENDA ITEM NO. x

Minutes of a meeting of the Licensing Committee held in the Council Chamber, The Grange, Nutholt Lane, Ely on Thursday, 9th October 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
Cllr Gareth Wilson (as a Substitute)

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

11. **APOLOGIES**

Apologies were received from Councillor Alison Whelan.

12. **DECLARATIONS OF INTEREST**

No declarations of interest were made.

13. **MINUTES**

It was resolved:

That the Minutes of the Licensing Committee meeting held on 11th September 2019 be confirmed as a correct record and be signed by the Chairman.

14. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made no announcements.

15. **REVIEW OF LICENSING FEES**

The Committee considered a report, U88 previously circulated, that set out the statutory fees for specific licences and discretionary fees for licences and licensing related activities where the Council had discretion to determine those fees.

The Senior Licensing Officer advised the Committee that the proposed discretionary fees for 2020/21 has been set out in the report. There was no requirement for the Council to consult on the proposals. Appendix 7 to the report gave a list of the relevant legislation under which those proposals had been made and set out the charging parameters allowed. Any challenge to the fees set could be made via the courts and a recent case had shown that local authorities had to set them annually and had to justify the fee levels.

To protect the Council, a financial modelling tool had been created which gave a better idea of what the Council was doing and the time spent on each licensing activity. No cross subsidising of fee levels was permitted, so the Council could not use statutory fee income to prop up discretionary licensing work and vice versa. In 2015 Members agreed to look at getting the fees up to the correct levels to cover relevant costs by 2021. So far this was ahead of schedule. Some things could not be charged for, mainly charity collections, even though this took officer time to deal with.

The table under paragraph 4.5 of the report set out the 2015 figures with the fee increases since, showing that the recovery rates were up to 81%. During that period of two objections had been received, both of which had been dealt with satisfactorily by the Senior Licensing Officer. 100% recovery costs could not be recovered but between 80% and 85% should be achievable. The costs for 2020/21 had not yet been set, so an increase of 1.5% would be possible. Current projections slightly ahead of the budget, so the department was on target for the recovery figure.

The money going out had been looked at to seek efficiencies and to question the costs involved, which had led to lower costs. During 2018/19 a lot of work had revolved around implementation of animal welfare requirements and inspections. The income from statutory fees had not covered the costs involved over that period. An increase in fees for the animal work had been suggested but as a lot of this work would not be repeated, and was expected to decrease, this was not appropriate.

Over the last few years there had been a number of changes to licensing operations which had impacted workloads and consequently the setting of discretionary fees. However, there was no justification in increasing the 3-year taxi licence fees.

The department had only recently taken over scrap metal licensing and the current 3-year fee was much lower than other authorities' fees. In the model used discrepancies had shown up. The figures had been looked at which highlighted the significant budget deficit around the work undertaken.

The number of different licences in the district were: around 350 premises licences; 6 Gambling Act licences; no Dangerous Wild Animal licences; 1 for a zoo; 59 for Animal Welfare, a mixture of kennels, catteries and house boarding establishments; 5 for riding establishments; no sex establishments licences; 5 for scrap metal sites and 6 for scrap metal collectors; 8 street trading plus one-off permits for special events. There were also a number charity licences issued.

The fee levels were now at a 'maintenance' point so only fine tuning of the fees should be required from now on, with no major increases. The recovery levels should be between 80 and 85%, but this could depend on the budgets set.

It was resolved:

- (i) That 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 2020 be noted.
- (ii) That Officers be instructed to implement, as appropriate, any other statutory fees that may be brought into force during the 2019/20 financial year.
- (iii) That Officers be instructed to include the agreed fees in the 2020/21 annual fees and charges report that is presented to full Council.
- (iv) That, 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, be implemented on the 1 April 2020.
- (v) That, 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, be implemented immediately.
- (vi) That, with any necessary modification, the proposed fees relevant to Animal Welfare licensing, as set out in Appendix 5 on the 1 April 2020 be implemented.
- (vii) That Officers be instructed to include the fees in the 2020/21 annual fees and charges report that is presented to full Council.
- (viii) That, with any necessary modifications, the proposed fees relevant to driver licences, as set out in Appendix 6, be implemented immediately.
- (ix) That the proposed fees relevant to hackney carriage vehicle, private hire vehicle and operator licences, as set out in Appendix 6, be implemented on 1 April 2020.
- (x) That Officer be instructed to include the proposed fees, as set out in Appendix 6, in the 2020/21 annual fees and charges reports that is presented to full Council.

16. **FORWARD AGENDA PLAN**

The Committee considered its Forward Agenda Plan.

The Senior Licensing Officer advised the Committee that the fees and charges report originally suggested for the December Committee was not now required. However, the scheduled meeting should remain in case it was needed for other matters.

The meeting concluded at 9:54am.

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