

LICENSING COMMITTEE

**Minutes of a meeting of the Licensing Committee held on Tuesday
24th March 2015 at 6.00 pm at Addenbrooke House, Ironmasters Way, Telford**

PRESENT

Councillors C Mason (Chair), L Murray, J Seymour, R Sloan (substitute for A Mackenzie), B J Thompson and C Turley

Officers in attendance: L Noakes (Assistant Director: Health, Wellbeing and Public Protection), N. Minshall (Service Delivery Manager: Public Protection), L Fletcher (Public Protection Manager), S Fisher (Principal Licensing Officer), C Phillips (Licensing Technical Officer), T Street (Solicitor) and P Smith (Democratic Services Team Leader)

LC-5 MINUTES

RESOLVED – that the minutes of the Licensing Committee meeting held on 9 July 2014 be confirmed and signed by the Chair.

LC-6 APOLOGIES FOR ABSENCE

Councillors A Mackenzie and R Scammell

LC-7 DECLARATIONS OF INTEREST

None.

LC-8 STREET TRADING CONSENT POLICY AND CONDITIONS

The Licensing Technical Officer presented the report of the Service Delivery Manager – Public Protection, which outlined a proposal to amend the current Policy and Conditions in respect of Street Trading Consents, subject to an eight week consultation period with affected bodies.

The current Policy and Conditions applicable to street trading were reviewed in early 2014, which resulted in the introduction of street trading day consents in addition to the full year consents. The cost of a day consent (for a period up to 7 days) was agreed at £60 for the first day and £18 for each additional day. The Licensing Service had since received concerns from event organisers about the prohibitive cost of the day consents, given that each commercial trader at the event was required to apply for a consent. It had been suggested that an ‘umbrella’ consent could be introduced to cover a number of commercial traders at one event. Following discussions with local event organisers, it was proposed that such an ‘umbrella’ consent would consist of a day consent for up to five commercial traders limited to one specific event. It was considered that there would still be a demand for day consents from individual traders, and this option should continue to be offered.

Appendix 1 of the report identified revisions to the existing Conditions, along with the addition of some new conditions in order to reflect the proposed changes and to provide clarification of existing conditions. New conditions were proposed in relation to requirements for wash hand facilities and a temperature probe to ensure correct food temperatures were maintained. Guidance notes for applicants had also been modified and were attached to the report, along with a Community Impact Assessment.

It was proposed to undertake an 8 week consultation exercise on the proposed changes to the Policy and Conditions with all current licensed street traders in the Borough and other interested bodies/organisations. Consultation responses would be considered by the Licensing Service in association with the Chair, and any significant comments would be brought back to the Committee.

During the ensuing discussion on the proposed 'umbrella' consent, a question was asked about how the Council could ensure that each of the traders covered under such a consent met the conditions. The Licensing Technical Officer advised that the application process would be the same, with the necessary certificates/checks being required for each trader. It was accepted that the process could take longer, and therefore any applications for an 'umbrella' consent would have to be submitted at least 14 days before an event. Members referred to the potential extra costs and Licensing Officer time in processing 'umbrella' consent applications, and asked how the figure of up to 5 commercial traders had been determined. The Service Delivery Manager: Public Protection and the Licensing Technical Officer stated that there would be a different fee structure for 'umbrella' consents that would reflect the need for additional checking etc. The number of potential street traders operating under an 'umbrella' consent had been based on the optimum cost recovery basis – any more would be prohibitive for organisers. However, costs arising from environmental/trading standards checks of traders could not be recouped through the licensing process.

Members broadly welcomed the proposal for an 'umbrella' consent which would help to make local events more cost effective, and simpler to organise. It was suggested that if adopted following the consultation period, the new consent should be reviewed after a few months operation.

RESOLVED -

- (a) that the amendments to the Street Trading Consent Policy and Conditions, as set out in the report and appendices, be approved for consultation for an eight week period.**
- (b) that authority be delegated to the Principal Licensing Officer, in consultation with the Chair, to consider and determine the results of the consultation, subject to any significant comments being brought back to Licensing Committee for consideration.**

LC-9 LICENCE FEES REVIEW

The Principal Licensing Officer presented the report of the Service Delivery Manager – Public Protection, which detailed the proposed level of fees and charges for 2015/16 for Hackney Carriages, the Private Hire trade, Gambling and General Licences.

The current level of licence fees was implemented on 1 May 2014. In reviewing the level of fees and charges, the Committee needed take account of the need to recover the costs of administering licences so as not to subsidise the service area to the detriment of front line services, but at the same time to have regard to the impact that any increase might have upon the livelihood of licence holders. The licence fees had been reviewed in conjunction with an analysis of the costs of administering the licensing service. Appended to the report was a table showing the current and proposed new licence fees. The table also showed the projected cost recovery for each licence for the 2015/16 financial year, with the proposed licence fees largely corresponding with the cost recovery figure. A couple of minor typographical errors in the Gambling Licences fees were amended, and there was a missing line for new Sex Establishment licence applications – the figures for this were current licence fee £3000, cost recovery for 2015/16 £1161, proposed 2015/16 fee £1161. The fees and charges had been benchmarked against several other local authorities, and this information had been appended to the report and displayed at the meeting. A Community Impact Assessment had been carried out, and was appended to the report.

In response to a question about the costs that the Council could recover, the Principal Licensing Officer advised that the administrative cost of processing and issuing a licence could be recouped, but that enforcement costs for taxi licensing could not be recovered through the fees charged to licensees. A question was asked about the proposed increase in the cost of the street knowledge repeat test for taxi drivers from £10 to £128. The Service Delivery Manager – Public Protection responded that the driver training element of the licensing process was being taken out of the fee charged, so that effectively the first street knowledge test would be free. If an applicant needed to re-take the test, the £128 fee was based on the cost of administering the test. A further question was asked about the increase in cost for a performing animal registration and what checks were made on such animals, to which the Principal Licensing Officer advised that checks were done before the licence was issued, but there were no regular planned follow-up checks unless information was received from the public. Concern was also raised at the increase in fees for riding establishments given the pressures facing small businesses. The Service Delivery Manager – Public Protection stated that such establishments had to be visited by an Officer and the cost of administering this particular licence was reflected in the proposed fee.

Members acknowledged that there were significant variations in the cost of some licences, but were satisfied that the costs of administering and issuing the licences had been rigorously assessed and that the proposed fees now more accurately reflected these costs. It was noted that income targets and the administrative costs of the licences would continue to be monitored to ensure that an efficient and effective service was being provided.

RESOLVED - that the level of proposed fees, as shown at Appendix A of the report as amended, be approved to come into force on 1 June 2015, subject to any consultation responses received.

The meeting closed at 7.00pm.

Chairman:

Date: