

LICENSING AND APPEALS COMMITTEE

Minutes of a meeting of the Licensing and Appeals Committee held at 10.00 am on 6 November 2017 in the Council Chamber, Council Offices, Holt Road, Cromer.

Members Present:

Mrs A Claussen-Reynolds	Mr P Moore
Mrs H Cox (Chairman)	Mr R Reynolds
Mrs P Grove-Jones	Mr R Shepherd
Mr S Hester	Mr B Smith
Mr R Price (observing)	
Mr J Rest (observing)	

Officers in attendance:

Public Protection Manager, Legal Advisor, Accountancy Technician and Committee Officer (Regulatory)

9 APOLOGIES FOR ABSENCE

Mr P Butikofer, Mr N Coppack, Mrs M Millership, Mr S Shaw and Mrs V Uprichard sent apologies.

10 PUBLIC QUESTIONS

None received.

11 MINUTES

The minutes of the meeting of the Licensing and Appeals Committee held on 11 September 2017 and Licensing and Appeals Sub-Committees held on 6 September and 4 October 2017 were approved as a correct record and signed by the Chairman.

12 ITEMS OF URGENT BUSINESS

None.

13 DECLARATIONS OF INTEREST

Councillor S Hester stated that he had worked in the licensed trade for many years but had now left the trade. He had active contacts within the trade.

14 REPORT OF PROPOSED FEES AND CHARGES FOR THE YEARS 2018/2019

The Public Protection Manager presented a report updating the Committee on the proposed fees and charges for 2018/19. The report also provided information on the work being carried out by the Public Protection and Finance Teams to ensure that all fees and charges which could be set by the Council, and in particular those relating to Private Hire and Taxi licensing, were based on a model of cost recovery. The Public Protection Manager outlined the main changes to the charging structure.

The Public Protection Manager clarified a number of points raised by Members relating to specific fees and charges outlined in the report.

With regard to issues raised by several Members regarding taxi licensing fees, the Public Protection Manager explained that the Council could not charge fees in excess of cost recovery. Charging was reasonable and accurate but further work was necessary to break costs down even further. The Council could charge for the cost of compliance but could not charge for enforcement.

In response to a query by Councillor R Reynolds said that previously all fees and charges had been discussed by the Committee and asked if this was not now the case. The Public Protection Manager explained that fees were set by Officers and agreed by Full Council, except for Gambling fees which were set through the Committee process. The report had been brought to the Committee for discussion and any recommendations or suggestions could be put to Full Council. The Accountancy Technician added that determination of fees and charges was part of the budget setting process.

Councillor Mrs A Claussen-Reynolds asked why new park home licence fees for 2018/19 were less than the current fees. The Public Protection Manager explained that there had been an error on the last budget report and that the fees should be the same as currently stated in the policy.

The Public Protection Manager explained that in some cases there was a need to make amendments to current policies to enable fees and charges to be increased.

Councillor P Moore asked if further work on gambling fees would be done in time for budget setting. He considered that these fees should be raised to a reasonable level.

The Public Protection Manager stated that the work would be done for next year. The Authority was currently charging 75% of the statutory fee but this could rise or fall subject to further work being done on the cost of administration of the licences. She considered that the current fees were reasonable.

Councillor Mrs A Claussen-Reynolds considered that fees for bingo licences were high compared with adult gaming.

The Public Protection Manager explained that there were no licenced bingo establishments in the District at present. The fee was set by statute and the Council's fee was set at 75%.

Councillor Mrs P Grove-Jones questioned the charges for street trading consents and considered that they should not be free.

The Public Protection Manager explained that consent was free for non-profit making organisations. This did not include the direct debit collectors. Commercial street trading consents were subject to a charge.

Councillor S Hester asked if the high charge for sexual entertainment venues was statutory or intended to deter them.

The Public Protection Manager explained that the fee was set by the Council. There was a significant amount of time and work involved and the fee reflected the recovery of costs. There were no licensed sexual entertainment venues in the District at present. The Chairman added that it would be discriminatory to prevent them.

The Accountancy Technician explained that the costs recovery model ensured that in the event of fees and charges being challenged, the Council could demonstrate how they had been arrived at. Further work could be done to ensure that the figures were even more accurate. She was confident that the Council's fees and charges could be justified. She explained that any surplus at the end of the financial year was taken into earmarked reserves. This reserve was used to build back fee income if costs exceeded income. The Public Protection Manager added that consideration would be given to reducing fees if they were too high.

The Committee noted the report.

15 UPDATE ON GENERAL LICENSING ISSUES

The Public Protection Manager updated the Committee on the following matters:

Taxi Test Stations

The taxi test station contract was due for renewal in July. It was hoped that an additional test station could be provided in the west of the District. Work on procurement would commence in the New Year.

Gambling Policy

The gambling policy was due for review. Wide consultation would be carried out and a report brought before the Committee. The Police and gambling authorities would be consulted to see if there were any problems in this District.

Hackney Carriage Fares

A request for a change to Hackney carriage fares had been received. Fares had not been reviewed since 2013. Operators would be consulted as to their preferred charge and a report brought to Committee in January 2018.

Unauthorised Dog Breeding

The Public Protection Manager referred to an ongoing Court case. She confirmed that the premises would continue to be monitored.

"Scores on the Doors"

Councillor Mrs A Claussen-Reynolds stated that she had sent a response to the Chairman following the previous meeting regarding this matter. The Food Standards Agency would be making representations to the Government that it should be a requirement for all premises which sold food to display their food hygiene ratings.

16 UPDATE ON TASK AND FINISH GROUPS

Taxi Policy & Handbook

The Group would be meeting on 8 November to consider significant changes to the policy, prior to consideration by the Taxi Forum and wider consultation with the trade.

Councillor R Shepherd paid tribute to the Public Protection Manager and her team for their excellent work, particularly in recovering costs.

The meeting closed at 10.44 am.

Chairman