

**GENERAL LICENSING COMMITTEE**

**13 MARCH 2018**

**PRESENT** – Councillor Kane (in the Chair); Councillors Donoghue, B Jones, Mrs D Jones, Lawton, Lee, Newall and Rahman. (8)

**APOLOGIES** – Councillors Nutt and C. Hughes. (2)

**OFFICERS** – David Burrell, Private Sector Housing and Licensing Manager, Julie Richings, Principal Licensing Officer, Leanne Maloney-Kelly, Licensing Officer, Amy Wennington, Lawyer, Bethany Symonds, Layer; PCSO M McAllister, Durham Constabulary; and Allison Hill, Democratic Officer.

**L1. DECLARATIONS OF INTEREST** – There were no declarations of interest reported at the meeting.

**L2. MINUTES** – Submitted – The Minutes (previously circulated) of the meeting of this Committee held on 9 May 2017.

**RESOLVED** – That the Minutes be approved as a correct record.

**L3. MINUTES** – Submitted - The Minutes (previously circulated) of the meetings of the General Licensing Sub-Committees held on 14 June, 11 July, 19 September, 14 November 2017 and 16 January, 2018.

**RESOLVED** – That the Minutes be approve as a correct record.

**L4. TAXI LICENSING FEES AND CHARGES FOR 2018-19** – The Director of Economic Growth submitted a report (previously circulated) to invite Members to determine the licence fees relating to the licensing of hackney carriages and private hire vehicles, their drivers and operators. The proposed fees have been based on the cost of recovery of administering and where appropriate enforcing the relevant legislation relating to such licences.

It was reported that Full Council at its meeting on 28 January 2016 delegated the setting of fees and registrations within the remit of the General Licensing Committee to that Committee to enable in depth consideration to be given by Members in a specialist Committee.

A review of the fees was undertaken in 2016/17 (Minute L25/Mar/17 refers) for the current financial year and a surplus income was identified which resulted in the authority being able to hold its licensing fees at 2016 levels for vehicles and operators and reducing the licence fees for drivers renewals from £125.00 to £76.00 in order to give a predicted surplus for 2017/18 of around £23,000.

The submitted report detailed that at the end of 2016/17 financial year showed that there was actually a surplus of £27,985 for the hackney carriage budget and £28,482 for the private hire budget which resulted in £56,467 being carried over to the 2017/18 financial year. £20,000 was set aside to subsidise the cost of driver licences and £11,245 for an additional member of staff.

It was reported that a similar exercise had been undertaken with regard to anticipated income and expenditure and once again, income was anticipated to be higher than the projected budget for the financial year which had enabled the authority to maintain the current charge for each licence for a further year; and by holding the driver licence fee and all other fees at this rate seeks to achieve a reduction of the estimated surplus to be carried into 2019/20.

Members were advised that due to technical issues beyond the authority's control, it had not been possible to implement the processing of applications and associated paperwork electronically and Members were therefore requested to approve the realisation of the projected surplus income to fund a temporary officer to be employed for a further period of 12 months, and if approved, the cost of salary would be met on a 50 per cent recharge to the taxi licensing budget and 50 per cent being assigned to the general licensing budget.

The submitted report provided full details of the cost of the reimbursement of the drivers who have a two or three year licence and the breakdown of the costs; the completed 2018/19 proposed fees in respect of the taxi licensing service; the estimated projected budget outturn for 2018/19 of £153,445.37 and details of how the recharges had been accrued to the taxi licensing budget; the estimated income for taxi licensing for 2017/18 and after deducting the costs of the service the estimated surplus of £40,569.59; the anticipated recharges to the taxi licensing budget for 2018/19 estimated to be £162,328; and the anticipated financial position for the taxi licensing budget at 2018/19 year end which showed an estimated surplus carry forward to 2019/20 of £9,910.81.

Members questions related to employment of the temporary officer; the estimated surplus for 2017/18; if the authority has a contingency plan for the level of surplus to carry forward; and the costs related to ICT Software Support and Maintenance, Professional Fees and Consultancy and Subscriptions; and the consultation process carried out with the trade.

**RESOLVED** – That Members of this Licensing Committee:

- (a) approve the fees as detailed in the submitted report to continue to apply from 1 April 2018;
- (b) approve the partial refund of driver licence fees pertaining to those drivers who had taken a two or three year licence in 2017/18;
- (c) approve the notification of current licence holders of the decision; and
- (d) approve the employment of a temporary officer for a further period of 12 months.

**L5. APPLICATION FOR RENEWAL OF LICENCE FOR PREMISES TO BE APPROVED AS A VENUE FOR MARRIAGES AND CIVIL PARTNERSHIPS – BANNATYNE HOTEL** – The Assistant Director Law and Governance and Proper Officer for Darlington Registration District submitted a report (previously circulated) to consider an application received from Bannatyne Hotel for the renewal of a licence I to be approved as a venue for Marriages and Civil Partnerships in accordance with the provisions of the Marriage Act 1949 (as amended by the Marriage Act 1994) and the Marriage and Civil Partnerships (Approved Premises) Regulations 2005 and the Marriage (Same Sex Couples) Act 2013.

The submitted report gave a summary of Bannatyne Hotel as an approved venue; a copy of the application was also appended to the submitted report; a summary of the consultation that had been carried out with the Licensing Officer, Building Control Manager and the Fire Service; and the designated rooms and maximum capacity.

**RESOLVED** – That approval be granted for Bannatyne Hotel as an approved venue for the solemnisation of Marriages and Civil Partnerships in respect of the venue subject to the standard licence conditions and that the maximum number of persons permitted to occupy ceremony rooms on the occasion of Civil Marriages or Civil Partnerships should be as outlined in accordance with the previous licensing conditions and the Fire Officer's recommendations for a period of three years from the date of issue of the Licence.