

GENERAL LICENSING COMMITTEE

Tuesday, 25 July 2023

PRESENT – Councillors Ali, Allen, Crumbie, Mrs Culley, Donoghue, Dulston, Haszeldine, Kane, Lawley, Lee, Mahmud, K Nicholson, Ray and Robinson

OFFICERS IN ATTENDANCE – Amy Wennington (Principal Lawyer (Litigation)), Colin Dobson (Licensing Manager), Brian Murray (Assistant Licensing Manager), PC Alan Newcombe (Durham Constabulary) and Hannah Miller (Democratic Officer)

LG1 APPOINTMENT OF CHAIR FOR THE MUNICIPAL YEAR 2023/24

RESOLVED – That Councillor K Nicholson be appointed Chair of the General Licensing Committee for the Municipal Year 2023/24.

LG2 APPOINTMENT OF VICE-CHAIR FOR THE MUNICIPAL YEAR 2023/24

RESOLVED – That Councillor Kane be appointed Vice Chair of the General Licensing Committee for the Municipal Year 2023/24.

LG3 DECLARATIONS OF INTEREST

Councillor Robinson declared an interest in Minute LG7 and left the meeting during the consideration of the item. There were no other declarations of interest reported at the meeting.

LG4 TO CONSIDER THE TIMES OF MEETINGS OF THIS COMMITTEE FOR THE MUNICIPAL YEAR 2023/24 ON THE DATES AGREED IN THE CALENDAR OF MEETINGS BY CABINET AT MINUTE C258/FEB/23

RESOLVED – That for the remainder of this Municipal Year the timings of meetings of this General Licensing Committee be held at 9.30 a.m.

LG5 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 18 APRIL 2023

Submitted – the Minutes (previously circulated) of the meeting of the General Licensing Committee held on 18 April 2023.

RESOLVED – That the Minutes of the meeting of the General Licensing committee held on 18 April 2023 be approved as a correct record.

LG6 TO APPROVE THE MINUTES OF THE MEETINGS OF THE GENERAL LICENSING SUB COMMITTEE HELD ON :-

(1) 18 APRIL 2023

Submitted – The Minutes (previously circulated) of the meeting of the General Licensing Sub-Committee held on 18 April 2023.

RESOLVED – That the Minutes of the meeting of the General Licensing Sub Committee held on 18 April 2023 be approved as a correct record.

(2) 13 JUNE 2023

Submitted – The Minutes (previously circulated) of the meeting of the General Licensing Sub-Committee held on 13 June 2023.

RESOLVED – That, with the addition of Councillor Ray to ‘Also in attendance’, the Minutes of the meeting of the General Licensing Sub-Committee held on 13 June 2023 be approved as a correct record.

LG7 PAVEMENT CAFE LICENSING FEES

The Group Director of Services submitted a report (previously circulated) inviting Members to determine the fees relating to the licensing of Pavement Cafes in light of a further extension to the current temporary pavement licensing measures, until September 2024.

It was reported that Councils are responsible for administering a range of licences and for the majority of these regimes the costs are recovered through fees set by each council and paid by the licence applicant; that Legislation permits the Council to recover all or part of the costs of providing the licensing but does not permit the Council to profit from its fees and charges; and that the setting of fees and registrations had been delegated to this Committee.

Members were informed that pavement café licences were ordinarily issued under the Highways Act 1980; that the Business and Planning Act 2020 introduced a fast track system to assist the hospitality trade in recovering from Covid-19; and that whilst the legislation placed a maximum fee of £100, this committee had approved licences to be issued free of charge.

The report stated that the legislation had been extended to September 2022 due to the second wave of Covid-19; that it was now the intention of the Government to make this Act permanent with an initial decision made to extend to September 2023 and a likely further extension to September 2024. Members were informed that this Committee had agreed, at its meeting on 17 January 2023, that new fees would be charged once the extension had ended in September 2023; and there was an expectation that charges of up to the maximum of £350 would be made after this date.

Members were provided with details of the fee proposal, noting that as funding was no longer available to subsidise the licensing service post-covid, that a proposed maximum fee of £100 be imposed on all pavement café licenses issued under the Business and Planning Act until September 2024.

Members queried the income raised by a fee of £100 and the classification of a pavement café.

RESOLVED – That this General Licensing Committee approves a pavement café licensing fee of £100 be introduced under the Business and Planning Act 2020 until September 2024.

LG8 TAXI DRIVER EQUALITY AND DIVERSITY TRAINING

The Licensing Manager provided Members with an update on the work being undertaken to provide equality and diversity training for taxi drivers, following a recent taxi driver review which had identified a requirement for this training.

Members were informed that the proposal had been taken to the North East Licensing Group and that work was progressing to introduce equality and diversity training as part of the knowledge test, ensuring that the questions were aimed at the right level and that there was adequate reading materials in place. Work was also being undertaken in the Tees Valley to include this training as a mandatory course prior to a licence being issued.

Discussion ensued regarding in house training.

RESOLVED – That the update be noted.