

GENERAL LICENSING COMMITTEE

Tuesday, 16 January 2024

PRESENT – Councillors Ali, Curry, Donoghue, Dulston, Haszeldine, Kane, Lawley, Mahmud and K Nicholson.

APOLOGIES – Councillors Mrs Culley, Ray and Robinson.

ABSENT – Councillors Crumbie and Lee.

ALSO IN ATTENDANCE – Councillor Snedker.

OFFICERS IN ATTENDANCE – Colin Dobson (Licensing Manager), Amy Wennington (Principal Lawyer (Litigation)), Brian Murray (Assistant Licensing Manager), Paul Dalton (Democratic and Elections Officer) and Olivia Hugill (Democratic Officer).

LG13 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

LG14 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 28 NOVEMBER 2023

Submitted – the Minutes (previously circulated) of the meeting of the General Licensing Committee held on 28 November 2023.

RESOLVED – That the Minutes of the meeting of the General Licensing committee held on 28 November 2023, be approved as a correct record.

LG15 TO APPROVE THE MINUTES OF THE MEETINGS OF THE GENERAL LICENSING SUB COMMITTEE HELD ON 17 OCTOBER 2023

Submitted – The Minutes (previously circulated) of the meeting of the General Licensing Sub-Committee held on 17 October 2023.

RESOLVED – That the Minutes of the meeting of the General Licensing Sub-Committee held on 17 October 2023, be approved as a correct record.

LG16 VARIATION TO HACKNEY CARRIAGE FARES

The Group Director of Services submitted a report (previously circulated) to enable Members to consider an application to revise the tariffs levied in respect of Hackney Carriage Fares.

The submitted report stated that Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 provided for a District Council to fix the rates of fares for Hackney Carriage Vehicles (HCV), and that it may fix the fares based on time as well as distance and any other charges that may be made in connection with the hiring of the vehicle.

It was reported that a formal request for an increase in tariffs had been made by the trade,

and that following consultation three options for potential changes were proposed by representatives of the trade, with a fourth option being that the tariffs remain unchanged.

A separate option ('Option 5') was included within the submitted report and outlined a proposal for an additional charge levied by those vehicles carrying five or more passengers to reflect higher running costs (this option would only be applicable whilst the vehicle was carrying five passengers).

The submitted report highlighted the consultation that had taken place with the trade on the proposed options, and detailed the responses received. Consideration was also given to an 'extra button' which would add an extra amount to the meter for additional costs, such as drop off charges at airports, for example.

Members gave consideration to this report, noting that any increase in tariffs must reflect a balance between allowing licensed drivers to generate a reasonable income whilst representing value for money for the travelling public, and, in doing so, heard from a representative of the trade who was in attendance at the meeting.

RESOLVED – (a) That tariffs remain unchanged ('Option 1' within the submitted report); and
(b) That the proposal for an additional charge levied by those vehicles carrying five or more passengers be rejected ('Option 5' within the submitted report).

LG17 LICENSING FEES AND CHARGES FOR 2024 - 2025

The Group Director of Services submitted a report (previously circulated) to invite Members to determine the fees associated to licensing. The submitted report stated that Councils were responsible for administering a range of licences and for the majority of these regimes the costs were recovered through fees set by each Council and paid by the licence applicant. It was stated that it was an accepted principle in relation to these schemes that those who benefit from the system (the licence holders) should cover the cost of it.

It was reported that legislation permitted the Council to recover all or part of the costs of providing the licensing service, including its administration and control (i.e. enforcement or supervision), however it did not permit the Council to profit from its fees and charges, thus ring fencing the income to the licensing service. It was highlighted that some fees, notably in relation to the Licensing Act 2003, were set nationally within legislation and the Council had no control, and noted that whilst the Gambling Act 2005 allowed local authorities to set fees, regulations stipulated a maximum amount that can be charged.

The submitted report noted that Council had delegated the setting of fees and registrations to the General Licensing Committee on 28 January 2016. The current National economic position was outlined within the report, together with the provisions around taxi licensing, general licensing and mobile homes.

Members entered into discussion on how fees could be balanced to encourage or reinforce desirable behaviour; how licence fees for street trading could best be structured to attract trade, with incentivisation for longer licences; the discount offered in relation to Hackney Carriage fees for hybrid and electric vehicles; and the need for licensing activity to remain

self-sufficient in the face of increased staffing costs.

RESOLVED – (a) That licensing fees across all regimes remain unchanged; and

(b) That the fee collection arrangements be amended for a mobile home site ‘fit and proper person’ registration.

REASON - To ensure there is a balance between recovering the costs of delivering the licensing service from the relevant licence fees, whilst acknowledging the dynamics involved in setting them.