

GENERAL LICENSING COMMITTEE

Tuesday, 28 January 2025

PRESENT – Councillors Kane (Chair), Crumbie, Mrs Culley, Curry, Dulston, Lawley, Mahmud, K Nicholson and Toms

APOLOGIES – Councillors Ali, Haszeldine and Ray

ABSENT – Councillors Donoghue and Lee

OFFICERS IN ATTENDANCE – Jim Langley (Principal Lawyer - Litigation), Colin Dobson (Licensing Manager), Mark Walton (Licensing Enforcement Officer), Sgt C Dickenson (Durham Constabulary), PCSO Nicole Bell (Durham Constabulary), PC Gav Rutter (Durham Constabulary) and Hannah Miller (Democratic Officer)

LG16 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

LG17 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 17 DECEMBER 2024

Submitted – the Minutes (previously circulated) of the meeting of the General Licensing Committee held on 17 December 2024.

RESOLVED – That the Minutes of the meeting of the General Licensing committee held on 17 December 2024 be approved as a correct record.

LG18 TO APPROVE THE MINUTES OF THE MEETINGS OF THE GENERAL LICENSING SUB COMMITTEE HELD ON 17 DECEMBER 2024

Submitted – The Minutes (previously circulated) of the meeting of the General Licensing Sub-Committee held on 17 December 2024.

RESOLVED – That the Minutes of the meeting of the General Licensing Sub-Committee held on 17 December 2024 be approved as a correct record.

LG19 LICENSING FEES AND CHARGES FOR 2025-2026

The Chief Executive submitted a report (previously circulated) inviting Members to determine the fees related to licensing.

It was reported that fees were based on the cost recovery of administering and where appropriate enforcing the relevant legislation relating to such licenses; and 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 also highlighted that locally set fees were a vital means of ensuring that full costs could

be recovered, reducing the risk of a subsidy from local tax payers, and that businesses did not pay more than they should.

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 outlined the provisions around taxi licensing, with particular reference made to the increase in taxi drivers in Darlington that were licensed by other authorities, which made it difficult to predict the potential income as Darlington did not receive a fee for those private hire vehicles. Members also noted that Uber had been granted a licence to operate in Darlington; that the Council now had an integrated digital application process for taxi licensing, improving efficiency; and there had been changes to procurement and greater scrutiny of home-to-school contracts for transport drivers, leading to an increase in work for enforcement officers to ensure the safety of children using this service.

It was reported that a review of taxi licensing fees predicted a surplus of £16K at the end of the financial year; this was well below the predicted surplus for the same period in the previous year; and it was proposed that fees across the taxi and private hire driver licensing regime be increased by 5 per cent for the 2025-2026 period, whilst those of licensing vehicles and operators remain unchanged.

The submitted report also provided information on general licensing fees; a review of the general licensing fees predicted a year end deficit of £13K; and it was proposed that fees across all general licensing regimes under local authority determination be increased by 5 per cent.

The report also provided details of the licensing of primates. Members noted that from April 2026 it would be illegal to keep any primates unless they have licence under the new Regulations Animal Welfare (Primate Licenses) (England) Regulations 2024; there would be a phased introduction of these Regulations to allow Local Authorities to develop an application and inspection regime; and this legislation allows Local Authorities to determine fees in respect of any application and inspection. The proposed fees for the licensing of primates was £241 for a period of three years.

Discussion ensued regarding the costs for developing the digital systems for on-line application forms; following a query relating to the proposed 5 per cent increase in fees Members were advised of the necessity for this increase for licensing activity; and Members were informed of the reasoning for not increasing the fees for Private Hire Operators.

RESOLVED – (a) That the proposed fees, as appended to the submitted report, be approved to commence on 1 April 2025.

(b) That the Primate Licence be approved.

LG20 QUESTIONS

Members entered into a discussion regarding the recent taxi safety operation; and following a request, Members were provided with an update in relation to the complaint made against several taxi marshals in Darlington.

RESOLVED – That the discussion and update be noted.