

DRAFT MINUTES of the extraordinary meeting of Licensing Committee held on 11 July 2011 at 7.00pm.

Present: Councillors Mike Stone (Chair), Tunde Ojetola (Vice-Chair), Wendy Curtis, Angie Gaywood, Robert Gledhill, Sue Gray, James Halden (substitute for Garry Hague), Terry Hipsey, Victoria Holloway, Tom Kelly, John Purkiss, Gerard Rice, Pauline Tolson and Simon Wootton (substitute for Ben Maney)

Apologies: Councillor Garry Hague, Ian Harrison and Ben Maney

In attendance: Lucy Magill - Head of Public Protection
Paul Adams – Principal Licensing Officer
Helen Grayden – Legal Services
Victoria Freeman – Senior Democratic Services Officer

7 DECLARATIONS OF INTEREST

There were no such declarations.

8 REVIEW OF LICENCE FEES

The Head of Public Protection presented a report on the revision of fees in respect of licence applications in relation to Hackney Carriage / Private Hire Drivers; Sex Establishments; Motor Salvage Operators and Animal Welfare Licences.

Members were requested to agree to recommend to Full Council the adoption of the licence fees as attached in Appendix A of the report and also to recommend to Full Council the amendment of all references within Thurrock Council's Hackney Carriage / Private Hire Driver Licence Conditions, of the licence duration of 3 years to 1 year and this to be undertaken on a phased approach.

Members congratulated officers on the breakdown of costs provided in the appendices, however, it was noted that a further breakdown of non-sex establishment costs would have been appreciated. The Head of Public Protection advised Members that no time recording was kept in relation to these types of licences, therefore no reliable figures could have been provided to the Committee. Furthermore, Members were advised that the associated costs for sex establishment licences were purely predictive costs and times.

Members suggested that the consultation area for sex establishment applications could be widened and that this would support a higher fee for this type of licence. However, the Licensing Officer advised Members that the Council had to comply with legislation, otherwise it could be open to challenge.

It was further suggested by Members that a limit be put on the number of sex establishments that could make an application, and were advised that this could be included in the Licensing Policy, however, a justified reason would need to be provided and that it would be easier to defend at appeal if the application were to be determined on its individual merits.

Members were informed that there were currently the following sex establishments in Thurrock:

Sexual Entertainment Establishment	-	1
Sex Shop Establishment	-	2
Sex Cinemas	-	None

It was noted that the budget, if fees were increased as proposed in the report, in excess of £13,000 would be spent on non contracted overtime hours. Members were advised that officers claimed non contracted overtime over a period of time and that an itemised breakdown of the hours and associated work would not be possible.

The Chair requested that an item be included on a future agenda on the Sex Establishment Policy.

The Chair proposed that:

“The Committee agree to recommend to Full Council the adoption of the licence fees as attached in Appendix A, with the exception of the following which should be £80 for the first year and reviewed annually:

Private Hire Driver New
Private Hire Driver Renewal
Hackney Carriage Driver New
Hackney Carriage Driver Renewal
Combined Driver Badge
Combined Drivers Badge Renewal”

Councillor G Rice duly seconded the Chair’s proposal. Upon being put to the vote, 7 members voted in favour of the proposal and 7 against, the Chair subsequently used his casting vote in favour of the proposal and declared the proposal carried.

Councillor Rice proposed and Members unanimously agreed, in addition to the above, that:

“The Committee agree the amendment of all references within Thurrock Councils Hackney Carriage/Private Hire Driver Licence Conditions, of the licence duration of 3 years to 1 year; and that this be undertaken on a phased approach with licences renewed between:

- August 2011 – July 2012 being valid for 3 years;
- August 2012 – July 2013 being valid for 2 years;
- August 2013 onwards being valid for 1 year.”

The meeting was adjourned at 7.45pm and reconvened at 8.15pm for legal advice to be sought on the proposal put by the Chair and that seconded by Councillor Rice in respect of the adoption of the proposed fees.

The Chair put a further proposal forward to the Committee in that:

“The Committee agree to recommend to Full Council the adoption of the licence fees as attached in Appendix A of the report”.

The proposal was duly seconded by Councillor Gaywood. Upon being put to the vote, 14 were in favour of the proposal and there was 1 abstention.

RESOLVED:

- a) **That Full Council be recommended to adopt the licence fees as attached in Appendix A, with the exception of the following which should be £80 for the first year and reviewed annually:**

**Private Hire Driver New
Private Hire Driver Renewal
Hackney Carriage Driver New
Hackney Carriage Driver Renewal
Combined Driver Badge
Combined Drivers Badge Renewal**

or

- b) **That Full Council be recommended to adopt the licence fees as attached in Appendix A of the report.**
- c) **That all references within Thurrock Councils Private Hire Operators Licence Conditions, of the licence duration of 3 years be amended to 1 year and that this is undertaken on a phased approach with licences renewed between:**
- **August 2011 – July 2012 being valid for 3 years;**

- **August 2012 – July 2013 being valid for 2 years;**
- **August 2013 onwards being valid for 1 year.**

9 REVIEW OF LICENCE FEES - CONSULTATION

The Head of Public Protection presented a report that requested Members agree to public consultation for the revision of fees for Hackney Carriage / Private Hire Vehicles and Private Hire Operators.

During discussion, Members were advised that it was proposed that a discount would be offered of £50.00, to applicants of wheelchair accessible vehicles, as an incentive to increase the number of wheelchair accessible vehicles available in Thurrock. Furthermore, Members were advised that although current legislation does not require a taxi to be disability compliant, a percentage of a fleet were required to be so.

Members suggested that when the policy was required, that consideration be given to providing a discount to those fleets that have a higher percentage of disabled access vehicles to that required by legislation.

RESOLVED:

- (a) That the Committee agreed for public consultation, in accordance with the relevant legislation, the fees as attached in Appendix A.**
- (b) That if no objection is received following the public consultation on the fees in Appendix A, then Full Council be recommended their adoption.**
- (c) That all references within Thurrock Councils Private Hire Operators Licence Conditions, of the licence duration of 3 years be amended to 1 year and that this is undertaken on a phased approach with licences renewed between:**
 - **August 2011 – July 2012 being valid for 3 years;**
 - **August 2012 – July 2013 being valid for 2 years;**
 - **August 2013 onwards being valid for 1 year.**

The meeting finished at 8.35pm

Approved as a true and correct record

CHAIRMAN

DATE

**Any queries regarding these Minutes, please contact
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or alternatively e-mail VEFreeman@thurrock.gov.uk**