

Minutes of the Meeting of the Licensing Committee held on 16 November 2023 at 7.00 pm

Present: Councillors Gary Collins (Chair), Cathy Kent (Vice-Chair), Aaron Green, Ben Maney, Augustine Ononaji and Kairen Raper

Apologies: Councillors Graham Snell and James Thandi

In attendance:
Paul Adams, Principal Licensing Officer
Lois Bland, Legal Support Officer
Luke Tucker, Senior Democratic Services Officer

Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

6. Minutes

The minutes of the Licensing Committee meeting on 27th July 2023 were discussed.

- Item 5 - Restricted Private Hire Drivers Licences. Councillor Raper noted that the safeguarding concerns raised by herself, and two other members of the Licensing Committee were not minuted as an explanation for abstention on item 5.

7. Items of Urgent Business

There were no items of urgent business.

8. Declaration of Interests

There were no declarations of interest.

9. Setting of Licensing Fees 2024/2025

The Licensing Manager presented the report to the Licensing Committee.

During questions from Members the following was highlighted:

- Cllr Raper noted that the text on some of the appendices was too small to read without a magnify glass.

- Cllr Green noted that £31,698 was spent on agency staff and £4,261 on overtime and asked if more staff should be employed, and if employed would that bring net costs down.
 - Agency staff were brought in to cover a maternity leave.
 - Staff carry out out-of-hours checks at pubs and clubs; an overtime budget is essential to pay staff to do checks out-of-hours at those locations.
 - No additional staff are required.
- Cllr Green asked how many agency staff were employed and asked if it would be worth to employ someone over the maternity period.
 - There is a possibility of a 12-month contract to cover maternity leave but there would be a struggle to recruit experienced staff on a short contract.
 - The Local Authority could try to recruit for maternity cover instead of using agency staff in the future.
- Cllr Raper sort clarity on the term false on a spreadsheet on page 21 of the agenda
 - Spreadsheet error.
- Cllr Ononaji asked why the increase on Animal Establishments Licences - additional premises under an arrangers element of a Home Boarding Licence, was at 8.33% where most other charge increases were at 6%. Cllr Ononaji asked if there was a particular reason.
 - The increase is approximately 6%, however, to keep figures to round number percentages may differ.
- Cllr Ononaji asked how the Licensing team determined which services are to be reviewed.
 - Each section is looked at independently.
 - Where there is a growing deficit, the Local Authority will increase fees.
 - The Local Authority hasn't chosen at this time to change licensing fees for taxis as they were changed last year.
 - Peaks and troughs in the service are considered.
- Cllr Ononaji asked if the deficit is not balanced in the next 2 to 3 years does it still mean there has to be an increase again.
 - Yes, if the deficit is growing.
 - Normally look to increase every 2 to 3 years. Last year all fees were increased, this year the majority of fees would increase due to growing costs.
 - Many variables

The Licensing Manager continued with his presentation of the report to the Licensing Committee.

During questions from Members the following was highlighted:

- Cllr Maney sought clarity on the LA03 (Licensing Act 2003) figures.
 - Negative figures on spreadsheet are surpluses, positive figures are deficits.

- The Local Authority is running LA03 at a deficit.
- LA03 fees are statutory set by the government. It is costing the Local Authority more each year to administer.
- Cllr Maney noted the high number of deficits.
- Cllr Green noted the deficit stood at £32,135 for animal establishments and asked how other local authorities were managing their deficits.
 - Other local authorities' deficits/surplus are not known, only what they charge.
- Cllr Shinnick asked why there was no increase in gambling, alcohol, and entertainment fees.
 - Gambling, alcohol, and entertainment fees are capped by legislation and the Local Authority is charging the maximum fee.
- Cllr Green asked if there was anything to do to help small business.
 - The cost of fees isn't a massive expense to business.
- Cllr Raper sought clarity on licensing regimes and ask if it is set locally.
 - Some fees are set locally by the Local Authority others are set out by legislation in the Licencing Act 2003
- Cllr Maney asked if the Local Authority was at risk of drivers shifting their operations to another local authority.
 - Operators usually gravitate to where it is easier to get a licence rather than the cost of the licence.
- Cllr Maney noted the stark difference in costs between Thurrock and neighbouring local authorities and the possible harm to trade.
- Cllr Ononaji sought clarity on the term different licencing regimes.
 - The different areas of licencing
- Cllr Green asked what the Local Authority can do to reduce the deficit.
 - For fees set by the government the Local Authority relies on the government to allow fees to be set locally.
 - Increase in fees.
 - More licensees.
- Cllr Kent noted neighbouring local authorities fees all lower and asked what other local authorities are doing to have lower fees.
 - Other local authorities' deficits/surpluses are not known.
 - Southend Borough Council may have more operators due to night-time and tourist economy. They may have similar running costs but may have more applications.
- Cllr Kent stated the Local Authority needs to get the best value it can and there needs to be initiatives to encourage more people to apply for licences to keep costs down.

The Chair asked the Committee if they were happy to approve the recommendations based on a spreadsheet members could not read clearly. Committee discussed how the report and appendixes were presented.

The Chair put forward a motion to send the report back and for a more legible and coherent report to be produced using standard accounting practices.

For (5)

Against (0)

Abstain (2)

RESOLVED: That the Licensing Committee could not approve the officer recommendation to agree for the proposed fees and charges as set out in Appendix 2 for the 2024- 2025 financial year.

The Licencing Committee agree to convene in December 2023.

The recording of the meeting can be viewed from the following link:

[Licencing Committee - 16th November 2023 at 7:00pm - Thurrock Council committee meeting webcasts \(public-i.tv\)](#)

The meeting finished at 7.47 pm

Approved as a true and correct record

CHAIR

DATE

Any queries regarding these Minutes, please contact Democratic Services at Direct.Democracy@thurrock.gov.uk