

Minutes of the meeting of the Licensing Committee held on 8 July 2014 at 7.00pm

Present: Councillors Mike Stone, Ben Maney, Terry Hipsey, Roy Jones, Brian Little, Sue Little, Bukky Okunade, John Purkiss, Robert Ray and Joy Redsell.

Apologies: Councillor Pauline Tolson

In attendance: Paul Adams – Principal Licensing Officer
Chris Pickering – Principal Solicitor - Employment & Litigation
Kenna-Victoria Martin – 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.

1. Minutes of the Previous Meeting

The Minutes of Licensing Committee, held on 2 October 2013, were approved as a correct record.

2. Items of Urgent Business

There were no items of urgent business

3. Declaration of Interests

There were no declarations of interest.

4. Hackney Carriage and Private Hire Vehicle Specification and Licence Condition Amendment

The Principal Licensing Officer introduced the report to the Committee explaining that the policy was brought to the Committee last year and Full Council in October 2013. It was explained to the Committee that there was a typographical error within the policy which was outlined at 3.2 of the report.

Members queried as to whether the error would have affected any of the drivers currently licensed with the council. Officers assured members of the committee that drivers had not been affected

The Committee enquired whether drivers had been communicated with and informed of the mistake. It was confirmed by officers present at the committee that it would be highlighted to drivers directly and at the next drivers meeting.

Following questions from Members to clarify as to whether a driver can ask a passenger to put their dog in the back of the vehicle, it was agreed that Officers would review the whole of section 11 within the policy.

RESOLVED:

The Licensing Committee agreed the change to the vehicle specification and licence conditions for Private Hire and Hackney Carriage Vehicles as set out in appendix A, referring to Full Council for adoption.

5. Setting of Licensing Fees

The report was introduced to the Committee by the Principal Licensing Officer, during which it was outlined that fees would be generally set for three years and then brought back to Committee at such time to be reviewed.

Members of the Committee were informed that most licences attracted a fee and there were three different ways this could be done:

- A statutory set fee
- A locally set fee that had a capped maximum amount
- A locally set fee with no maximum capped amount

The Committee were informed that fees which could be set locally without a cap, had to be set on a cost recovery basis only as the Council could not generate an income to perform other functions within the council.

It was outlined to Members what was included under cost recovery and was explained that cost recovery was considered to cover the costs of administering and ensuring compliance with the licensing regime.

Officers clarified to the Committee that generally fees could not make a profit, however should a profit be made; the Council could carry this forward to the following year.

Members sort assurance that court cases were a last resort and that Officers were communicating with licensees before taking court action. Officers assured the Committee that court action was a last resort and that licensees were communicated with.

The Committee queried with regards to the £75,000 in the account as to whether any of the money was carried over from last year, as it was understood that departments were not allowed to make a profit. The Principal Licensing Officer explained that a small proportion of the £75,000 was owed to management as at present there was not a separate account, although this was being worked on. The Committee were informed that it was difficult to divide the time of the Head of Service, as Licensing was only a small proportion of what she did

Members enquired the cost of agency staff being used within the department. The Committee were informed that a Licensing consultant was employed to assist with the work load as a member of the licensing team was absence for a few months.

RESOLVED:

The Licensing Committee request the review of all current locally set licence fees under the delegated authority of the Licensing Committee, and where there is any proposed increase or decrease to any fee, the changes are to be consulted on with local stake holders relevant to that licence and in accordance with any legislative requirements, to be reported back to the next Licensing Committee following consultation for consideration.

The meeting finished at 7.25pm.

Approved as a true and correct record

CHAIR

DATE

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