

LICENSING COMMITTEE13 October 2014
10.00am - 10.40 am

Present: Councillors Benstead (Chair), Smith (Vice-Chair), Austin, Gawthrope, McPherson, Meftah, O'Reilly, Pippas, Sinnott, Baigent and Bick

Officer Present:

Licensing & Enforcement Manager: Robert Osbourn

Head of Head of Tourism and City Centre Management: Emma Thornton

CCM Markets & Street Trading Development: Daniel Ritchie

Legal Advisor: Carol Patton

Committee Manager: Glenn Burgess

FOR THE INFORMATION OF THE COUNCIL**14/19/LIC Apologies for absence**

Apologies were received from Councillor Owers.

14/20/LIC Declarations of Interest

No interests were declared.

14/21/LIC Minutes of the previous meeting

The minutes of the meeting held on 21 July 2014 were agreed as a correct record and signed by the Chair.

The Team Manager gave the following update on minute item 14/18/LIC (Limiting the number of Hackney Carriage Licences):

- i. Work was ongoing regarding the demand survey.
- ii. Two companies had been identified and the selection process would be completed by the end of the week.
- iii. A further report would be brought to the next meeting of the Licensing Committee.

14/22/LIC Public Questions

There were no public questions.

14/23/LIC Urgency Action taken by Director of Environment

Urgency Powers to publish a public notice of the Council's intention to make a resolution designating St Andrews Street as a Consent Street for the purpose of street trading

The Urgency Action taken by the Director of Environment was noted.

14/24/LIC Designation of St Andrews St for the Purposes of Street Trading

The Committee received a report from the Head of Tourism and City Centre Management regarding designation of St Andrews Street for the purposes of Street Trading.

In response to member's questions the Head of Tourism and City Centre Management said the following:

- i. Looking back to 1988 there did not appear to be any evidence or critical analysis of why some streets were chosen for designation above others.
- ii. The designation area ran from the junction of Sidney Street to the junction of Regent Street.
- iii. The County Council were consulted on the principle of re designating St Andrews Street as a Consent Street, not on specific pitches. The current trader had been on the pitch since 2007 and the County Council had raised no specific concerns about this trader to date.
- iv. A full review of all other Consent Streets across the City had been undertaken. A full audit trail had been identified for the consents and officers had no further concerns.

The Committee:

Resolved (unanimously) to:

- i. Consider the representations received to the public notices.

- ii. Pass a resolution to change the designation of St Andrews Street from a prohibited street to a consent street in accordance with the requirements set out in Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982.
- iii. Publish a notice that the resolution has been passed.

14/25/LIC Setting Fees for Taxi Plate Transfers

The Committee received a report from the Licensing & Enforcement Manager regarding the setting of fees for Taxi Plate Transfers.

In response to member's questions the Licensing & Enforcement Manager said the following:

- i. The fee charged for processing licence applications should be cost-neutral and not make a surplus nor subsidise those licensed. Working by this process the Council may minimise the risk of legal challenge.
- ii. Fewer than 10 Taxi Plate Transfers have been processed since April 2014.
- iii. 121 Taxi Plates were in place before the City Council made a decision to remove the restriction. Whilst these plates are transferable, any plates above this 121 are not.
- iv. All fees were set after a full assessment of the time and work involved to process the applications. This was a complicated calculation and covered costs such as officer time/salary, creation of plates and Manager/Head of Services input.
- v. Whilst all fees were reviewed annually the costs involved could vary during the course of a year.
- vi. The Committee had recently looked at fees for the boarding of pet animals. This was not a full review of costs but simply introduced a separate fee for *home* boarding that met certain criteria.
- vii. On the back of concerns raised by the taxi trade regarding fees charged by other authorities, the Committee had also asked officers to look at fees for plate transfers.
- viii. The fee setting process was reviewed and agreed in October 2013. If the Committee were now minded to look again at the process there would be a cost involved that was not recoverable from fees.

The Chair agreed with concerns raised by the Committee regarding the base rate criteria for fee setting but suggested that it needed a wider Council approach.

The Committee:

Resolved (by 10 votes to 1) to:

- i. Agree that the fees set by the Committee in January 2014 for taxi plate transfers should be reviewed in advance of other licence fees.
- ii. Approve a revised fee of £50 following the statutory consultation period.

The meeting ended at 10.40 am

CHAIR