

Minutes of a meeting held at the Conference Room, Riverside, Lowestoft
on **Wednesday, 5 October 2016 at 6.00pm**

Members Present:

N Brooks (Chairman), P Ashdown, E Back, J Craig, T Goldson, L Gooch, K Grant, T Mortimer and L Nicholls.

Officers Present:

C Evans (Licensing Services Manager) and S Carter (Democratic Services Officer)

1 APOLOGIES / SUBSTITUTES

Apologies for absence were received from Councillors M Cherry, Y Cherry, A Green, J Murray, R Neil, K Springall and C Topping.

Councillor Gooch attended the meeting as a Substitute for Councillor M Cherry.

Councillor Nicholls attended the meeting as a Substitute for Councillor Green.

2 DECLARATIONS OF INTEREST

No declarations of interest were made.

3 DECLARATIONS OF LOBBYING

No declarations of lobbying were made.

4 MINUTES

RESOLVED

That, subject to the inclusion of Councillor A Green under 'Apologies', the Minutes of the meeting held on 7 October 2015 be approved as a correct record and signed by the Chairman.

5 LICENSING FEES 2017

The Committee considered a report which sought approval for an increase in licensing fees where the Council had the discretion to do so. A schedule detailing the current and proposed fees was attached as Appendix A to the report. The Licensing Services Manager clarified that the proposed annual fee for Sex Establishments was £1,700 and not the amount shown in the Appendix. It was proposed that any increase in fees would apply from 1 January 2017.

Legislation allowed fees to be set at a level that would cover the cost of providing the Licensing Service and therefore the proposed increase had to reflect officer time and resources required to administer an efficient and effective service. The Council's Finance Team had advised that there should be a minimum increase in the region of 1.6%, rounded to the nearest pound.

Further to that, the Licensing Services Manager explained that consideration had been given to aligning the fees between Waveney and Suffolk Coastal District Councils. The same officers undertook the same procedures across the two authorities, there was now a joint website and one fee table was therefore being proposed.

One of the main areas affected was the fees under the Gambling Act; although discretionary, there was a statutory limit. In addition, Section 10 of the Deregulation Act 2015 had amended the duration of licences for private hire operators and the default licence period was now set at five years; that could be varied and specified in the licence according to circumstances. The suggested fee structure would now be based on an administration fee plus an annual fee to maintain the licence and adjusted according to length of licence.

The charging of fees and the relevant income was a necessary balance between being fair to the fee paying customer and ensuring that Council Tax payers were not subsidising the licensing service or licence holders.

Members asked specific questions relating to:

- The reduction in a boating licence.
- Rounding of figures.
- The 1.6% increase.
- Budget deficit and income generated from licensing.
- Methods of payment.
- Daily fee for street trading.

The Licensing Services Manager explained that the fees for the boat/boatman licenses were as a result of the alignment between the two councils; in Waveney area, there were approximately four. It would be difficult to justify a higher fee as no inspection was carried out by the Council. The figure represented a reduction in the fee in Waveney and a significant increase in Suffolk Coastal area. The figures represented a 1.6% increase as recommended by the Finance Team and that figure had been based on the June RPI. Figures had been rounded after adding that percentage; they had not been increased by a fixed number of pounds.

The Committee was advised that any issues relating to Skin Piercing and Animal Welfare would have to be referred back to the Head of Environmental Services and Port Health.

The Licensing Services Manager advised the Committee that although some Gambling fees were discretionary, in some cases there were also statutory maximums. The fees for Taxi Licensing could be challenged by the trade if increased excessively; the fees for Disclosure & Barring checks, the DVLA and ID plates were fixed by the companies responsible for the service. The 50% remission referred to in paragraph 1.3 in the report would continue. With regard to 2018, Members could have the option to increase fees by the same method or round up the fees or make no increase in the fees. In most cases, fees had to be paid in full at the time of the application.

The Committee noted there was a daily fee in addition to the fee for the street trading licence and Members discussed how that might affect trading on the stalls and in the shops. Currently there were licenses for two stalls in London Road North to sell goods, whereas Lowestoft Vision controlled the rides and European Market as they were classed as events. There could also be additional issues if Lowestoft became parished as part of the current community governance review. Members were of the opinion that the street trading protocols were not clear and should be revisited.

In response to specific comments from Members, the Licensing Services Manager confirmed that the Cabinet Member had approved the proposed figures. It was suggested that there could be more discussion prior to the meeting to set the 2018 fees, including liaison with the Finance team to review and consider the implications of a fixed increase and, at the same time, round fees, as an alternative to a fixed percentage increase.

There being no further discussion, it was

RECOMMENDED TO COUNCIL

That, with effect from 1 January 2017, the increase in licence fees as set out in Appendix A to report REP1480 be approved by Full Council.

RESOLVED

That, in consultation with the Cabinet Member for Community Health & Safety, the Council's current Street Trading Policy be reviewed.

Note: Councillor Nicholls arrived at 6.08pm during the discussion of this item.

The meeting was concluded at 6.36pm.

Chairman