

Unconfirmed



Minutes of a Meeting of the **Licensing Committee** held in the Conference Room, Riverside, on **Monday, 15 April 2024 at 6:30 PM**

Members of the Committee present:

Councillor Jan Candy, Councillor Janet Craig, Councillor John Fisher, Councillor Alan Green, Councillor Colin Hedgley, Councillor Mark Jepson, Councillor Keith Patience, Councillor Sarah Plummer, Councillor Lee Reeves, Councillor Keith Robinson, Councillor Ed Thompson, Councillor Tim Wilson

Other Members present:

Officers present: Teresa Bailey (Senior Licensing Officer), Chris Bing (Head of Legal and Democratic Services), Katy Cassidy (Democratic Services Officer), Martin Clarke (Licensing Manager and Housing Lead Lawyer), Danielle Patterson (Finance Business Partner), Alli Stone (Democratic Services Officer)

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Smith-Lyte.

2 Declarations of Interest

Councillor Green declared an other registerable interest as a Director of Lowestoft Town Football Club which holds a licence for alcohol.

Councillors Robinson, Patience, Wilson, Craig and Green notified the Committee that they had received correspondence from Stacey Lock, Operator, regarding item 4 of the agenda.

3 Minutes

On the proposition of Councillor Reeve, seconded by Councillor Jepson, it was by a unanimous vote

RESOLVED

That the minutes of the meeting held on 15 January 2024 be agreed as a correct record and signed by the Chair.

4 Draft Taxi Licensing Fees Report

The Committee received report ES/1924 of the Cabinet Member with responsibility for Community Health which related to the setting of fees for vehicles, operators and drivers for 2024/25. The purpose of the report was to set the Council's fees for hackney and private hire vehicles, operators and drivers in accordance with the Local Government (Miscellaneous Provisions) Act 1976. Councillor Candy introduced the report and advised that notice of the Council's proposed licensing fees for private hire and hackney carriage vehicles and private hire operators for the financial year 2024/25 was placed in the East Anglian Daily Times and the Lowestoft and Beccles Journal on 19 January 2024 and the general public had the opportunity to submit an objection to the proposed fees variation by 16 February 2024. The Committee was informed that during the consultation period 14 objections were received from the licensed trade and not withdrawn, therefore the Committee must consider those objections and set a further date no later than 17 April 2024 on which the table of fees would come into force.

Councillor Candy advised that the proposed modified fees had been calculated to reflect officers' time for processing applications, cost of materials for producing plates/badges, enforcement, website maintenance, policy development, software/systems for applying for applications, training, and legal advice. It was noted that the modified fees did not factor in some costs incurred by the licensing authority, such as the cost of investigating reports of unlicensed drivers.

The Committee was told that the hackney carriage and private hire licensing needed to operate on a cost recovery basis and the proposed modified fees had been calculated so that hackney carriage and private hire licensing broke even, without making a profit or loss, therefore any increase or decrease would need to be balanced to ensure no overall budget impact.

The Chair invited question to Councillor Candy from the Committee.

In response to a question from Councillor Robinson, it was confirmed that the fees were cost neutral, and following concerns from the original objectors, the Licensing Manager advised that the fees were calculated on a cost recovery basis, focusing on the costs the Council occurs in providing the services with discounts applied for wheelchair accessible vehicles and electric/hybrid vehicles.

Councillor Hedgley sought clarification on the new driver applicant cost which post objections was now proposed at £32, a much lower figure than the initial rate. The Licensing Manager confirmed that the rate was calculated using the current costing model and calculating the officer time plus on-costs.

In response to a question from Councillor Green it was noted that should there be a situation where both the discount for wheelchair accessible vehicles and electric/hybrid vehicles were applicable, a 50% discount would be applied. The Chair pointed out that the entire service had to be cost neutral and therefore discounts

applied had to be paid for elsewhere, adding it was within their powers as a Committee to apply discounts and they would continue to apply them for wheelchair accessible vehicles and electric/hybrid vehicles.

The Chair and Councillor Jepson agreed that a number of the objections received sought assurance that the Council providing the service was not making money, and this was confirmed by the Licensing Manager when outlining how the costs were calculated. Councillor Candy added that there were 51 people still waiting to apply for licenses, this was a larger number than in the past and demonstrated that there were people interested in the service.

The Monitoring Officer confirmed that the common theme raised within the objections was that the fees were set on a cost-recovery basis and noted that the modified fee table proposed sought to address this. In addition, members were advised that the licensing fees were also heard at the Scrutiny Committee in September 2023 and recommendations considered at the Licensing Committee with some of the matters raised in the complaints being looked at in those forums at that time.

In response to a question from Councillor Plummer regarding the wording of discounts it was confirmed that the amount listed in the revised fee table was the fee that would be paid. The Senior Licensing Officer confirmed that the published fees would clearly show the fee to be paid with discount taken into consideration as necessary.

Following a question from Councillor Jepson, the Chair compared the fees to those of the other neighbouring Councils, noting that although it was difficult to compare as like for like, East Suffolk Council fees were broadly towards the top end of the middle. The Licensing Manager concurred, adding other authorities had more price variations as they apply bandings to the number of vehicles of an operator. The Chair told the Committee that it was within their gift to apply a similar banding system.

There being no further questions, the Chair invited Councillor Candy to make the recommendation, that the Licensing Committee approved and imposed the modified fee table at Appendix A of the report with immediate effect.

The Chair invited the Committee to debate the recommendation.

The Chair started the debate, noting there would be winners and losers in the proposed fee table, there were 680 drivers in East Suffolk, 28 of those being owner drivers with one vehicle. The Chair drew the Committee's attention to the fact that there was a significant increase in the 5 year licence fee for 1 vehicle and moderate increases thereafter as the number of vehicles increased.

Councillor Hedgley, having read the objections, understood all the arguments presented and the costing model proposed and the need to be cost neutral, adding the decision seemed fair and noting the earlier comments regarding the change in fees for the new driver applicant. Following this, the Chair referred back to the request from Scrutiny Committee to look at the fees for starter drivers, adding the proposed fee was nearly £900, which was significant, however the majority of the cost elements were externally provided and therefore unable to be changed and as such it had not been possible to find a financial relief for new drivers.

Councillor Jepson appreciated the challenges of both the industry and the Council, noting that although there were 51 applications the start-up costs to be incurred had to be recognised. Councillor Jepson noted the incentives added for hybrid/electric vehicles but was aware that these vehicles were hugely expensive. Councillor Jepson recognised the difficulties the industry faced and the work that the licensing department was doing to support them.

The Chair welcomed the comments from Stacy Locke and thanked them for their scrutiny of the proposal, noting that the Committee strived for the healthiest trade they could have but it was not in their gift to amend the costings any further. The Chair told the Committee there were 74 operators and approximately 680 drivers, with 400 of those being with operators of 5 vehicles or over, therefore with the vast majority of drivers being in operator control it was vital that relationships were maintained and dialog kept open.

Councillor Hedgley requested a review of the fees to be scheduled for a year's time, this was agreed and added to the Committee's work plan.

Councillor Plummer queried the differences with private hire operator costs to the previous costs. The Licensing Manager confirmed that these were all calculated using a cost-recovery model, however this could be reviewed in the future and banding applied. The Chair concurred that the current model provided the most cost neutral amount that could be applied to each item.

Following no further debate, on the proposition of Councillor Candy, seconded by Councillor Robinson, it was unanimously

RESOLVED

that the Licensing Committee approve and impose the modified fee table at Appendix A of the report with immediate effect.

5 Issued Licences in East Suffolk and an overview of the work of the Licensing Sub-Committees January to March 2024

The Committee received report ES/1925 of the Cabinet Member with responsibility for Community Health, which provided an overview of the issued Licences and work of the Licensing Sub-Committee during the period January to March 2024. The report was introduced by Councillor Candy and was taken as read.

There being no questions to Councillor Candy, it was by general assent

RESOLVED

That the Committee:

Notes the overview of some of the work of the Licensing Team and the Licensing Sub-Committees during the first quarter of 2024.

6 There are no Exempt or Confidential items for this Agenda.

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The meeting concluded at TBC

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Chair