

# NORTHAMPTON BOROUGH COUNCIL

## LICENSING COMMITTEE

Wednesday, 6 January 2016

**PRESENT:** Councillor Sargeant (Chair); Councillor Hill (Deputy Chair); Councillors Ansell, Beardsworth, Caswell, Duffy, Eales, Walker and Stone

**OFFICERS:** Mehboob Kassam(solicitor), Bill Edwards ( Senior Licensing Officer), Louise Faulkner (Senior Licensing Officer), Michael Flynn (Democratic Services Officer)

### 1. APOLOGIES

Apologies were received from Councillor Malpas and Councillor Choudary.

### 2. MINUTES

The minutes of the meeting held on the 1<sup>st</sup> December were agreed and signed by the chair with the addition that Councillor Choudary left the meeting at 18:25.

### 3. DEPUTATIONS / PUBLIC ADDRESSES

Councillor Stone addressed the committee on item 6.

### 4. DECLARATIONS OF INTEREST

None.

### 5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

None.

### 6. LICENSING ACT 2003 STATEMENT OF LICENSING POLICY

Councillor Stone arrived at the meeting at 18:15.

Senior Licensing Officer Mr Bill Edwards presented the report and elaborated thereon. It was recommended that the Committee approve that the draft Statement of Licensing Policy be approved for adoption of it by the Full Council on 25<sup>th</sup> January 2016. In accordance with Section 5 Licensing Act 2003 it was reported that the Council, as Licensing Authority, is required to adopt a Statement of Licensing Policy every five years. The Council's current Statement of Licensing Policy was adopted in January 2011 and requires fresh adoption prior to February 2016.

The report confirmed that a consultation exercise had been conducted and where such consultation responses were deemed to be relevant and not addressed by other legislation, were included within the policy statement.

The Senior Licensing Officer advised that at the last committee hearing of the 15<sup>th</sup> September the Committee approved the 12 week consultation process which ended on the 28<sup>th</sup> December 2015 and responses to the consultation which were received have been attached at Appendix A of the report. Also attached in the report was a

table of changes at Appendix B and the amended Statement of Licensing Policy at Appendix C.

The Senior Licensing Officer advised the committee that SEV have alternative legislative oversight

In response to questions from the Committee the Senior Licensing Officer advised that temporary events notices are being enforced.

## **RESOLVED**

The Committee **APPROVED** that the draft Statement of Licensing Policy be approved for adoption of it by the Full Council on 25<sup>th</sup> January 2016.

The Senior Licensing Officer Bill Edwards left the committee at 18:18.

## **7. REVIEW OF PRIVATE HIRE OPERATOR FEES**

The Senior Licensing Officer Louise Faulkner presented the report and elaborated thereon. This report is concerned with amending the fee structure for Private Hire Operators, in order to take into consideration that licences must now be issued for the statutory five years, unless in circumstances of an individual case. The proposed fee structure and existing fees are detailed in Appendix A & B of the report.

It was advised that a cost exercise has been undertaken in order to ascertain the level of fee that should be set for a New/Renewal Operators Licence and this exercise has been carried out using a toolkit recommended by the Institute of Licensing for the calculation of licensing fees.

It was proposed that all Operators pay a standard fee for the application and grant of a licence, including associated fees for inspection visits by an officer to carry out ad-hoc audit checks. A separate element is applied based upon the number of vehicles operated by each company. This will allow for the administration/compliance and monitoring costs associated with ensuring that accurate records are maintained of all vehicles/drivers working for the company

In response to questions from the committee the Senior Licensing Officer advised that Appendix D of the report reflects the reduction in staff cost and the baseline fee includes compliance audit check, disciplinary hearings, project work, and administration.

The Environmental Health and Licensing Manager advised that enforcement is being carried out and that there are plans to utilise Wardens to support the Licensing Enforcement Officers.

The Senior Licensing Officer advised the toolkit gives guidance on how fees are set and that it was a costing exercise to deliver the service. It was also advised that this item cannot be deferred as a 5 year plan must be put in place otherwise the Borough Council will lose money.

Councillor Beardsworth requested that representation be made at cabinet.

The Licensing solicitor advised this was a costing exercise to decipher how much it would cost to operate licensing function.

## **Resolved**

That with immediate effect the fees be revised in line with the recommendations at Appendix A of the report with a modification to the one vehicle operator fee.

That with effect immediate effect the policy for dealing with non-payment of Operators Fees is agreed in accordance with Appendix G of the report.

That the fees have been advertised in the local press and NBC website and the statutory 28 day consultation has taken place with those who are subject to the new fee structure, and that any objections should be considered before the revised fees are implemented.

Taking into consideration the comments received during the consultation and in the interest of equity , it was agreed to a modification of the fees for Private Hire Operators with one vehicle to remain the same at £1100.

## **8. EXCLUSION OF PUBLIC AND PRESS**

The Chair moved that the Public and Press be excluded from the remainder of the meeting on the grounds that there was likely to be disclosure to them of such categories of exempt information as defined by Section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12A to such Act.

The Motion was Carried.

<TRAILER\_SECTION>

The meeting concluded at 18:52

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