

EXTRACT FROM THE DRAFT MINUTES OF THE LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS) 18 NOVEMBER 2010

Present: Councillors Cobb (Chairman), Lepper (Deputy Chairman), West, Harmer-Strange, Hawkes, Hyde, Kitcat, Marsh, Older, Phillips, Pidgeon, Simson, Smart and Wrighton

Apologies: Councillor Watkins

Officers : Tim Nichols, Head of Environmental Health and Licensing; Jean Cranford, Licensing Manager; Rebecca Sidell, Lawyer and Penny Jennings, Democratic Services Officer

PART ONE

13. PROCEDURAL BUSINESS

13a Declaration of Substitutes

13.1 Councillor Smart declared that he was substituting for Councillor C Theobald.

20 LICENCE FEES

20.1 The Committee considered a report of the Director of Place setting out the proposed licence fees and charges for 2011/12 relating to Street Trading, Sex Establishments and Sex Establishment Licences, Gambling premises, taxi licensing and other licensing functions.

20.2 The Head of Environment and Licensing explained that in order to ensure that council tax payers were not subsidizing work concerning licensing administration and enforcement, income was raised in order to cover the cost of administration and enforcement of each regime. Whilst licence fees should not be used to raise revenue, income was required in order to process applications and to minimise risk from unlicensed activities.

20.3 Councillor Kitcat stated that he was very concerned that the future of the taxi marshal scheme appeared to be doubtful. This was a valuable initiative and measures should be undertaken in order to safeguard its long term future. He enquired whether it would be possible to raise an additional levy to cover these costs.

20.4 The Head of Environmental Health and Licensing explained that the way in which fees were set was heavily prescribed by legislation.

20.5 Councillor Simson considered that alternative funding streams should be actively sought in order to secure the future of the taxi marshal scheme and that the wording of the resolution should be strengthened in order to reflect that. Other Members of the Committee concurred in that view.

- 20.6 Councillor Kitcat stated that he considered that the fees for sex shops and sex cinemas seemed very high. It seemed very difficult to justify such high levies. The Head of Environmental Health and Licensing re-iterated his remarks about the prescribed nature of licensing legislation and advised that all parties had been advised of the proposed levels of increase at an early stage.
- 20.7 Councillor West stated that whilst the points made regarding the manner in which fees were set were accepted, he considered that it would be appropriate for Members to receive a report to a future meeting detailing how licence fees were arrived at in much greater depth.
- 20.8 Councillor Smart referred to the means by which risk to the licensing authority could be minimized. In responding the Head of Environmental Health and Licensing explained that the police had powers available to them which the licensing authority did not.
- 20.9 Councillor Wrighton referred to the fees levied for lap dancing establishments referring to the vulnerability of young girls involved in the trade. She enquired whether only one visit per year was carried out as appeared to be indicated by the report. The Head of Environmental Health and Licensing stated that a risk rating was applied to premises and the number of visits carried out was dependent on that allocated level of risk.
- 20.10 Councillor Hawkes asked whether premises received prior notification of visits and it was explained that whether or not prior notification was given was dependent the circumstances of each visit. However, most visits were unannounced.
- 20.11 **RESOLVED – (1))**That the Committee approves the following variation to licence fees:
- Taxi licence fees: no increase
 - Street trading: increase by the corporate rate of inflation 2%
 - Sex shops and sex cinemas: increase by corporate rate of inflation 2%
 - Other discretionary licence fees: increase by corporate rate of inflation
 - Gambling licensing: no increase
 - Sex Entertainment Venues: New fee 4,600.

(2) That the funding of taxi marshals from its current source will be phased out over a 6 month period, other funding will be sought.

Note: Following discussion the Committee were in agreement that a further report be submitted (for information) to a future meeting of the Committee setting out in precise detail as to how the fees for sex shops, sex cinemas and Sex Entertainment Venues were calculated