

### Licensing Committee

#### Meeting held 29 March 2021

(NOTE: This meeting was held as a remote meeting in accordance with the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.)

**PRESENT:** Councillors Andy Bainbridge, Karen McGowan (Chair), Roger Davison, Neale Gibson, Adam Hurst, Douglas Johnson, Ruth Mersereau, Joe Otten, Josie Paszek, Vickie Priestley, Bob Pullin and Cliff Woodcraft

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#### **1. APOLOGIES FOR ABSENCE**

1.1 Apologies for absence were received from Councillors Sioned-Mair Richards and Mick Rooney.

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

2.1 No items were identified where resolutions may be moved to exclude the public and press.

#### **3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

#### **4. MINUTES OF PREVIOUS MEETINGS**

4.1 The minutes of meetings of (a) this Committee held on 5th and 26th October 2020 and (b) the Licensing Sub-Committee held on 21st July, 14<sup>th</sup>, 15<sup>th</sup>, 28<sup>th</sup> and 29<sup>th</sup> September, 12<sup>th</sup>, 13<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup> and 27<sup>th</sup> October, 9<sup>th</sup>, 17<sup>th</sup> and 23<sup>rd</sup> November and 1<sup>st</sup>, 14<sup>th</sup>, 21<sup>st</sup> and 22<sup>nd</sup> December 2020, and 4<sup>th</sup>, 5<sup>th</sup>, 11<sup>th</sup>, 18<sup>th</sup> and 26<sup>th</sup> January and 9<sup>th</sup>, 22<sup>nd</sup> and 23<sup>rd</sup> February 2021, were approved as correct records, with the exception of Item 4 – Hackney Carriage and Private Hire Licensing – of the minutes of the meeting of the Licensing Sub-Committee held on 21<sup>st</sup> December 2020, which was amended by the substitution of the words '(NOTE: Councillor Cliff Woodcraft abstained from making a decision in this case.)' for the words '(NOTE: Councillor Cliff Woodcraft voted against the proposal to revoke the licence.)'.

4.2 Arising therefrom, Councillor Cliff Woodcraft referred to the minutes of the meeting of the Licencing Sub-Committee held on 21<sup>st</sup> December 2020, expressing his concerns regarding the information and evidence presented to the meeting, and on which the Sub-Committee had been asked to make a decision. He stated that the taxi company involved had investigated an issue regarding the actions of one of its drivers, which had resulted in the driver being

dismissed. Councillor Woodcraft was concerned that there was no evidence provided by the driver for consideration by the Sub-Committee which, in his opinion, made the evidence very one-sided, in favour of the taxi company.

- 4.3 Marie-Claire Frankie (Solicitor to the Committee) stated that the Licencing Service always requested that participants provide as much information and evidence as possible, and that Members could only make decisions based on the evidence provided. Ms Frankie added that the Council did not have the power to request private companies to provide information they deemed confidential.
- 4.4 Steve Lonnia (Chief Licensing Officer) confirmed that the Licensing Service made every attempt to include all information and evidence provided by participants in reports submitted to the Sub-Committee, and that it was up to Members to give what weight they chose to do so based on the information and evidence provided.
- 4.5 **RESOLVED:** That the Committee:
- (a) notes the concerns now raised by Councillor Cliff Woodcraft, together with the comments now made; and
  - (b) in the light of the concerns, requests the Chief Licencing Officer to (i) look at what paperwork was submitted to the Sub-Committee in this specific case, and (ii) ensure that every effort is made to include all relevant information and evidence in reports submitted to future meetings of the Sub-Committee.

## **5. DETERMINATION OF LICENCE FEES FOR THE FINANCIAL YEAR 2021/22**

- 5.1 The Chief Licencing Officer submitted a report on the determination of licence fees for the financial year 2021/22.
- 5.2 Steve Lonnia (Chief Licensing Officer) reported that, due to the adverse financial impact of the Covid-19 pandemic, he was recommending that there would be no increase or change in the licence fees at this time.
- 5.3 Further to questions raised by Members of the Committee, the Chief Licencing Officer reported that when the fees were set, every effort was made to try and ensure that recovery of monies was as close as possible to the total expected income. For most of the licensing functions, the Licensing Service had a good idea in terms of how many applications would be received, therefore how much income would be generated. He added that any deficit or surplus was generally very low, and would either be absorbed by the Licensing Service or carried over to the next financial year, respectively. Mr Lonnia stated that due to the proposed course of action, there was no financial information contained in the report now submitted. The Licensing Service's accounts were published on the Council website, with past copies of the accounts being available, on request, from Corporate Finance.

5.4 RESOLVED: That the Committee:-

- (a) notes the contents of the report now submitted, together with the comments now made and the responses to the questions raised; and
- (b) agrees that no increase or change in licence fees is required at this time in the light of the adverse financial impact of the Covid-19 pandemic; and
- (c) requests the Chief Licensing Officer to submit a report to a meeting of the Committee in September 2021, containing proposals regarding an increase or change in the licensing fees at that time.

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