

LICENSING AND GENERAL PURPOSES COMMITTEE MINUTES

17 MARCH 2014

Chairman: * Councillor Mano Dharmarajah

Councillors:

* Ramji Chauhan	* John Nickolay
* Mrinal Choudhury	* Phillip O'Dell
* David Gawn	* Varsha Parmar
* Susan Hall	* Anthony Seymour
* Manji Kara	† William Stoodley
* Kairul Kareema Marikar	* Krishna Suresh
* Amir Moshenson	* Sasi Suresh (3)

* Denotes Member present

(3) Denotes category of Reserve Member

† Denotes apologies received

106. Attendance by Reserve Members

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Members:-

Ordinary Member

Reserve Member

Councillor Ajay Maru

Councillor Sasikala Suresh

107. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 7 – Setting of Fees & Charges for Licensing Functions

Councillor Susan Hall declared a Pecuniary interest in that she had been granted a licence for her business. She would leave the room whilst the matter was considered and voted upon.

108. Minutes

RESOLVED: That the minutes of the Special meeting held on 30 July 2013 be taken as read and signed as a correct record.

109. Public Questions, Petitions & Deputations

RESOLVED: To note that no public questions, petitions or deputations were received at this meeting.

RECOMMENDED ITEMS

110. Setting of Fees and Charges for Licensing Functions

The Committee received a report of the Corporate Director for Environment and Enterprise, which set out the proposed fees and charges for licences/applications. An officer advised that the report had been submitted to Council for information, however, it was the remit of the Licensing & General Purposes Committee to set the above fees & charges.

He added that Local Authorities (LAs) were required to demonstrate that fees/charges had been correctly set and complied with relevant legislation. This meant that the setting of fees and charges for these functions should be a cost-neutral process, ie they may be set to recover costs. These included officer time, the cost of administering the process and resources used. However, the LA should not be making a profit from this activity. Recent case law also provided further guidance as to what an authority could charge for and as a result, the proposed fees and charges did not include any enforcement costs.

Following questions and comments from Members of the Committee, the officer advised that:

- most of the fees had remained at 0%, which reflected the policy above;
- there had been a significant increase in business in domestic dwellings, however, the fees applied to these tended to be lower than for commercial properties as on the whole these related to infrequent use;
- there was no statutory fee for immigration inspections, which could be set locally;
- the Government was in the process of consulting regarding statutory fees and this function may be delegated to Licensing Authorities locally, in which case these would fall within the remit of the Licensing

& General Purposes Committee. This would mean that there was potentially an additional income stream for the Council from the setting fees and charges.

Following questions and comments from Members of the Committee, the officer advised that:

- the fee for hypnotism events had been benchmarked against other neighbouring authorities and included the cost of processing the application, and the Council would be required to buy-in expertise to do this;
- on the whole, those with special treatment licences at domestic premises tended to pay Council Tax rather than business rates, as they had not made any permanent change to the living space;
- Licensing and Planning teams worked closely, shared information and carried out joint enforcement visits;
- licences for Houses of Multiple Occupation (HMOs) were generally issued for a period of five years. However, they were only for a period of one year for those properties where licensing officers had undertaken extensive intervention and supervision to ensure compliance with regulations. The level of intervention and administration for a one year licence may be equal to that for a licence granted for 5 years.

RESOLVED: That the fees and charges for 2014/15 be approved.

(Note: The meeting, having commenced at 7.30 pm, closed at 8.05 pm).

(Signed) COUNCILLOR MANO DHARMARAJAH
Chairman