



Minutes of a meeting of the Licensing Committee held in the Council Chamber at The Grange, Nutholt Lane, Ely on Wednesday, 10th November 2021 at 9:30am.

PRESENT

Cllr Julia Huffer (Chairman)
Cllr Jo Webber (Vice-Chairman)
Cllr Christine Ambrose-Smith
Cllr David Ambrose-Smith
Cllr Sue Austen
Cllr Lavinia Edwards
Cllr Simon Harries
Cllr Mark Inskip
Cllr Alec Jones
Cllr Alan Sharp
Cllr Gareth Wilson

OFFICERS

Stewart Broome – Senior Licensing Officer
Maggie Camp – Legal Services Manager and Monitoring Officer
Liz Knox – Environmental Services Manager
Tracy Couper – Democratic Services Manager
Angela Tyrrell – Senior Legal Assistant
Russell Wignall – Legal Assistant

IN ATTENDANCE

Becca – Off the Beaten Truck
Councillor Anna Bailey

13. **APOLOGIES**

No apologies were received.

14. **DECLARATIONS OF INTEREST**

No declarations of interests were made.

15. **MINUTES**

It was resolved:

That the Minutes of the Licensing Committee meeting held on 4 October 2021 be confirmed as a correct record and be signed by the Chairman.

16. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made no announcements.

17. **REVIEW OF LICENSING FEES**

The Committee considered a report, W93 previously circulated, detailing statutory fees for specific licences under the licensing Act 2003 and Gambling Act 2005 and reviewing the Licensing fees for activities where the authority has the discretion to determine the level of fees.

The Senior Licensing Officer explained the background to the proposals and updated Members that the 6 month income level was £108,903, which was similar to the pre-Covid position.

A Member queried whether the 80% recovery level for Licensing functions, meant that 20% of officers time was spent on charitable Licensing functions for which the Council could not charge. The Senior Licensing Officer explained that approx 5% of officer time was spent on charitable Licensing functions but there were other non-chargeable aspects of the role such as pre-app enquiries. Consideration still was being given to charging for a pre-app service and may be progressed in the future, having regard to the position in the Covid recovery period. The Environmental Services Manager also highlighted the impact of Statutory fee levels which may not meet the full cost of administration for the Licence.

In response to a question by another Member, the Senior Licensing Officer explained how the Budget for the service was set each year.

Members commended the thorough and comprehensive nature of the report.

It was resolved (unanimously):

1. That the statutory fees that East Cambridgeshire District Council is required to charge in respect of the specified licences under the Licensing Act 2003 and the Gambling Act 2005, as set out in Appendix 1 and Appendix 2, be noted and agree to implement these fees (or if subject to statutory amendment, the relevant amended fees) on 1 April 2022.
2. That Officers be instructed to implement, as appropriate, any other statutory fees that may be brought into force during the 2021/2022 financial year.
3. That Officers include the agreed fees in the 2022/2023 annual fees and charges report that is presented to full Council.
4. That the proposed fees relevant to those licences and licensing related activities where the authority has the discretion to determine the fees, as set out in Appendix 3 and Appendix 4, be implemented on 1 April 2022.
5. That the proposed fees relevant to Animal Welfare licensing, as set out in Appendix 5, be implemented on 1 April 2022.
6. That Officers include these fees in the 2022/2023 annual fees and charges report that is presented to full Council.

7. That the proposed fees relevant to hackney carriage, private hire and operator licensing, as set out in Appendix 6, be implemented on 1 April 2022.
8. That Officers include the proposed fees, as set out in Appendix 6, in the 2022/2023 annual fees and charges report that is presented to full Council.

There was a brief adjournment from 9.54am to 9.55am to allow the Senior Licensing Officer to speak to a Trade representative attending the meeting for the next item.

18. **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 – POST IMPLEMENTATION REVIEW OF STREET TRADING POLICY 2016**

The Committee considered a report, W94 previously circulated, containing a draft revised version of the Council's Street Trading Policy.

The Senior Licensing Officer explained the legislative background and implementation/review of the Council's current Street Trading Policy. The Senior Licensing Officer commented that this was probably the most reviewed Licensing Policy, reflecting the dynamic nature of Street Trading. As part of the current review, proposed amendments to the Policy were detailed to accommodate the growing area of 'Pop-Up' Street Food Trading. The proposals had been developed in consultation with NCASS (The Nationwide Caterers Association), an association representing the independent food & drink industry and "Off the Beaten Truck" (OTBT), an independent business representing a number of high-quality pop-up food businesses, who both wished to work with officers to promote this emerging business model. They would give both flexibility and protection. A fee of £240 was proposed, which was considered reasonable, but would be reviewed in November 2022. In that connection, correction of typographical errors to the level of the fee in Appendix 2 and a minor typographical error to paragraph 1.2 c) (iii) and (iv) of the Policy at Appendix 1 were required.

In response to a question by a Member, the Senior Licensing Officer confirmed that the amendments were intended to facilitate one Trader at a time at the designated location, but that event consents still would be available for a number of traders for such things as fairs and festivals.

The Chairman highlighted that Host sites were likely to charge Traders a 'pitch fee' and the Senior Licensing Officer confirmed that this was the case, partly so that the host could recover their element of Licensing fees. However, the arrangement was likely to be beneficial for the Street Trader, who would have a convenient pitch, the Host site, who may not be in a position to offer food, and local people, who would have more varied and interesting food choices in their locality. This could be particularly beneficial in more rural villages with limited amenities.

The Senior Licensing Officer read out a statement from Mark Lawrie from NCASS. ***(Stewart – please confirm spelling of name and supply statement, if you would like including in Minutes)***

Members welcomed the proposed additions to the Policy to accommodate Pop-Up Traders and commented on their own experiences of the high-quality food offered by such vendors. Members requested that the various options available to both Traders and Host sites be clearly publicised to enable them to make informed choices on the best option for them to encourage uptake.

It was resolved (unanimously):

1. That approval be given to the revised policy at Appendix 1, to come into effect immediately.
2. That the amended fee table in Appendix 2 (as revised at the meeting) be approved, to come into effect immediately, and instruct Officers to include the agreed fees in the 2022/2023 annual fees and charges report that is presented to full Council.

19. **SENIOR LICENSING OFFICER UPDATE**

The Committee considered a verbal report that updated Members on the work of officers within the Licensing Department.

The Committee commended the excellent work of the Licensing Team.

20. **FORWARD AGENDA PLAN**

The Committee considered its Forward Agenda Plan.

The Committee noted the cancellation of the December and January meetings and were advised that CCTV in Taxis now would be submitted to the February meeting.

The meeting concluded at 10:35am.

Chairman:.....

Date: