



TAXI AND GENERAL COMMITTEE

**MINUTES OF THE MEETING HELD IN THE RHYMNEY ROOM, PENALLTA HOUSE ON
THURSDAY, 2ND MARCH 2017 AT 10.20 A.M.**

PRESENT:

Councillor D.W.R. Preece - Chair

Councillors:

J. Bevan, Mrs P. Cook, W. David, Ms J. Gale, C. Hawker, A. Lewis

Together with:

J. Morgan (Trading Standards, Licensing and Registrars Manager), M. McSherry (Licensing Manager), B. Davies (Solicitor) and R. Barrett (Committee Services Officer)

1. BEN DAVIES - SOLICITOR

The Chair advised those present that Mr Ben Davies would shortly be leaving the Authority to take up a position within Monmouthshire County Council, and therefore this would be his last Licensing Committee meeting. Members thanked Ben for the valuable support and advice that he had given to the Committee over the years and wished him well in his future endeavours.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs K.R. Baker, P.J. Bevan, D. Bolter, C.J. Gordon, Mrs P. A. Griffiths, K. Lloyd, Mrs G.D. Oliver and Mrs D. Price.

3. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

4. GENERAL LICENSING/REGISTRATION/PERMIT FEES – 2017/18

The Trading Standards, Licensing and Registrars Manager presented the report, which recommended licensing/registration/permit fees for the next financial year, in order to recover reasonable costs of providing the service, and sought the views of the Committee prior to its presentation to Council.

It was explained that the Authority has a statutory duty to administer certain licenses, registrations and permits. The review of fees charged involves consideration of the cost to the Authority in providing the service. Some fees are set centrally by government, some permits for matters such as street collections are free of charge, and the remaining fees can be determined locally in order to recover the cost of providing that particular service.

Following a number of High Court cases regarding the setting of licensing fees, the Local Government Association has issued guidance to local authorities (updated November 2015). The underlying principle in setting fees is that the Council must not use fees to make a profit or which act as an economic deterrent to deter certain business types from operating in an area. Charges must be reasonable and proportionate to the cost of the processes associated with the licensing regime.

A fee calculator toolkit has been devised by the All-Wales Licensing Expert Panel and approved by the Directors of Public Protection in Wales, which is used by Caerphilly Council to determine such fees. The calculation process has indicated that some current fee levels (such as animal boarding licences and taxi drivers licences) are not meeting the cost of providing the service. It was therefore proposed that these be increased accordingly for 2017/18 in an effort to cover costs, with details of the existing fees and the proposed fees set out at Appendix 1 of the report.

Members were also asked to consider recommended changes to the fee structure in respect of street trading. The toolkit has indicated the need for a reduction in the application fee for a new street trading consent, due to streamlined processes within the Licensing Department. Conversely an increase has been recommended for street trading consent renewal fees as all processing and consultation steps are now standardised for grant and renewal. The Committee were asked whether they wished to support the full cost of recovery, which would result in an increase from £503 to £674 for 2017/18 (**Option 1**) or whether they wished to adopt a phased approach and increase the fee incrementally over three years (**Option 2**).

Additionally, Members noted the recent guidance received from the Registrar General in respect of Marriages and Civil Partnerships premises, who has formally encouraged Councils to grant approvals for a period of five years. Following assessment of the impact of such a change on the licence fee, it was recommended by Officers that these fees remain at their current rate (as any reduction in administration costs would be offset by an increase in inspection costs over this new period) and that any new applications or renewals be granted for a five-year period.

A Member queried whether street trading and taxi-related matters result in similar costs across local authorities. Officers explained that each local authority has different cost considerations in terms of the volume of applications/staffing and service costs, and the standards applied by each authority. Officers also responded to queries relating to the administration and transferability of licences for Marriages and Civil Partnerships premises. Members supported the retention of the existing fee and the increase of the premises approval period from three to five years.

Discussion took place regarding street trading consent fees and Members acknowledged the impact that a significant increase in renewal fees could have on traders over a short-term period. It was therefore moved and seconded that **Option 2** in respect of street trading consent renewal fees (full recovery over a three-year period) be supported.

Following discussion on the content of the report, it was moved and seconded that the following recommendations be forwarded to Council for approval. By a show of hands, this was unanimously agreed.

RECOMMENDED to Council that:-

- (i) the level of fees proposed for 2017/18 (as outlined in Appendix 1 of the report) be implemented with effect from 1st April 2017;
- (ii) the street trading renewal fee be increased over a three-year period (Option 2), to £560 in 2017/18, £617 in 2018/19 and £674 in 2019/20;
- (iii) Marriage Act fees remain at the existing level (as outlined in Appendix 1 of the report) and the premises approval period be increased from three years to five years.

The meeting closed at 10.32 a.m.