

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Committee**
held on Monday, 10th January, 2022 in the Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor D Edwardes (Chair)
Councillor J Wray (Vice-Chair)

Councillors S Davies, H Faddes, R Fletcher, A Harewood, L Smetham,
J Smith and J Weatherill

OFFICERS IN ATTENDANCE

Helen Davies- Democratic Services
Kim Evans- Licensing
Nick Kelly- Licensing

27 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors James Barber, Sally Handley, Iain MacFarlane, Sarah Pochin and Lloyd Roberts.

28 DECLARATIONS OF INTEREST

There were no declarations of interest.

29 PUBLIC SPEAKING TIME/OPEN SESSION

Councillor Rob Moreton could not attend the meeting, but sent a written statement that was read on his behalf by the Democratic Services Officer.

Councillor Moreton raised a point (on behalf of a number of Congleton Hackney Carriage Taxi Drivers) that the increase on standard metre charges had been once within a twelve year period. This had proven problematic for drivers who might struggle to achieve a minimum wage on short journeys from the rank and back again and some had actively avoided sitting on the rank because of this.

Councillor Moreton requested that this Committee review this as a matter of urgency and suggested a policy change to review charges annually or biannually.

Finally Councillor Moreton requested that the Licensing department schedule additional, regular licence spot checks as there was growing concern that out-of-town taxi drivers were coming into Congleton and taking trade from local drivers.

RESOLVED:

That the Licensing Team Leader prepare a written response and circulate to Councillor Moreton and this Committee.

30 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 1 March 2021 be approved as a correct record and signed by the Chairman.

31 MINUTES OF LICENSING SUB-COMMITTEES

The Chair noted that in the Licensing Act Sub-Committee minutes dated 9 Nov 2021 (page 13 of the agenda pack) in respect of an application made for a premises license by Dorford Hall, the declaration of interest read that:

In the interests of openness and transparency, Councillor David Edwardes declared that he had received email correspondence in relation to the application, but he had not opened the emails and this did not predetermine him in any way.

The Chair noted that he had read the email correspondence but the detail related to the advertising of the hearing, of which Licensing had complied fully with the regulations, and none of this predetermined any decision he made that day.

RESOLVED:

That the minutes of the following meetings be received:

(a) Licensing Act Sub-Committee

14 December 2021
22 November 2021
9 November 2021
20 September 2021
10 September 2021
30 July 2021
24 June 2021
17 June 2021
21 May 2021
14 May 2021
4 May 2021
30 April 2021
29 April 2021
23 April 2021
9 April 2021

(b) General Licensing Sub-Committee

21 October 2021

27 April 2021

32 ANNUAL REVIEW OF THE MOBILE HOMES ACT 2013- FEES AND CHARGES POLICY 2022-2023

Nick Kelly, Environmental Protection Team Leader, attended the meeting and presented the item to the Committee on behalf of Sarah Soloman who could not be present.

The purpose of the report was to set the fees and charges for mobile homes for the forthcoming year 2022/23. The Committee were advised that under the Mobile Homes Act 2013, Local Authorities could now charge fees on a cost-recovery basis, in relation to applications for new licences, transfers, amendments and enforcement. On this occasion that cost had not reduced and the fees were contained in a table within the report.

There was some discussion by the Committee about costs involved with issuing, administration and inspecting the use of facilities, any enforcement costs would be recovered through the formal enforcement action process.

RESOLVED:

That the proposed Regulatory Services and Health Mobile Homes Act 2013 Fees and Charges Policy 2022-2023 as set out in Appendix 1 be approved.

33 REVIEW OF LICENSING FEES AND CHARGES

Kim Evans, Licensing Team Leader attended the meeting and presented the item to the Committee.

The Committee were advised that Appendix 1 outlined the Licensing Fees and Charges and these did not increase last year. The report did not propose an increase on ancillary fees but it did on vehicles and operator licenses and knowledge test and vehicle licensing fees.

The Committee had some discussion that related to the drop in the use of taxis driving school children to special needs schools. Kim advised that based on pre-pandemic figures, Cheshire East had reported a 100-150 drop in drivers, by comparison London had reported a 4000 drop. There was correlation between a large source of income in the evening and night time economy trade being lost but some of that could be offset by the large amount of online ordering and deliveries which attracted more social working hours.

There was a wider discussion by the Committee that touched on:

- future proofing vehicles, with more carbon reduction environmental policies and a direction of travel towards electric fleets;
- Clean air policies;
- Flexi link vehicles for school children and potential for cross boundary working with Cheshire West and Chester Council.

RESOLVED: That

- a) the fees payable as set out in appendix 1 be approved;
- b) the Hackney Carriage and Private Hire Licensing fees in accordance with the relevant legislative provisions be published by the Licensing Team Leader; and
- c) delegated authority be given to the Director of Environment and Neighbourhood Services to consider any objections received and determine the final fees payable in consultation with the Chairman of the Licensing Committee.

34 REVIEW OF THE SCRAP METAL DEALERS ACT 2013 FEES AND CHARGES FOR THE PERIOD 2022 TO 2025

Nick Kelly presented this item to the Committee.

The Committee was advised that in 2013, new legislation enabled Local Authorities to license scrap metal dealers for three years. The fees are only reviewed every three years in-line with when licenses are renewed. There are two types of licenses, a mobile collectors license for those dealers who go door to door, and a site license for those who take metal from the collectors.

There are 49 scrap metal dealers across the borough at the moment, 28 are collectors and 21 are sites. Fees must be set on a cost recovery basis.

The Committee asked questions in relation to unlicensed scrap metal collectors and how Cheshire East enforce, Nick noted that legislation advises that Local Authorities try to license unlicensed traders in the first instance to ensure they can be appropriately recorded within the borough. Prosecution happens when anyone unlicensed refuses to accept a license. There is a correlation between the number of collector licenses and the price of metal, when it is high the licenses increase and this drops when the price drops.

The proposed fees for the three-year period from 1 April 2022 were:

- Site Licence Application – £247.00
- Collectors Licence Application - £201.00
- Replacement of a Licence - £18.00 (per licence)
- Additional Collectors Licences - £18.00 (per licence)

RESOLVED:

That the fees in relation to applications for Scrap Metal Dealers licences be approved.

The meeting commenced at 2.00 pm and concluded at 2.50 pm

Councillor D Edwardes (Chair)