

MINUTES OF A MEETING OF THE REGULATORY COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON FRIDAY, 4 APRIL 2014

PRESENT: Mr A J Ward – Chairman

Mr D G Grutchfield	Mr B Riley
Mr R E Kemp	Mr R C Smith
Mr J M Owen	Mr L H Young
Mr N A Ridley	

Mr M J Deacon and Mr J R A Sayers were unable to be present.

1 DECLARATION OF INTERESTS

None declared.

2 MINUTES

RESOLVED

That the Minutes of the following meetings be confirmed and signed as correct records:-

Regulatory Committee

[13 September 2013](#)

Licensing and Appeals Committee

[13 September 2013](#)

[28 November 2013](#)

[3 December 2013](#)

[20 December 2013](#)

[31 January 2014](#)

3 PETITIONS

None received.

4 QUESTIONS FROM MEMBERS

None received.

5 LICENSING ACT 2003 – LOCALLY SET LICENCE FEE CONSULTATION

The Corporate Manager – Licensing presented [Paper N126](#) informing Members of a consultation on proposals to transfer fee setting from national to local level. Members were asked to consider the issues and the seven options within the consultation and to authorise the Corporate Manager in consultation with the Chairman to finalise the Council's response to the Home Office.

The Committee also considered a further suggested Option – 7a – provided by the Corporate Manager, which was amended after discussion to remove reference to the ‘primary use’ element and, following a brief adjournment, was circulated at the meeting as Option 8.

Members welcomed the proposed introduction of locally set licence fees and the opportunity to state a preferred option. They reiterated their previously expressed view that fees should be cost neutral as far as possible and considered that some element of Rateable Value should be retained in determining the bands to be applied. They were also aware of the need to secure a balance between charging to cover the ‘real’ costs of licensing with an awareness of the effects of higher fees on the viability of the local economy.

RESOLVED

- (1) That the Corporate Manager – Licensing be authorised to draft the Council’s response to the consultation based around Option 8 and the further views as set out above, together with broad costs and activity analysis in consultation with the Finance Team.**

- (2) That the Corporate Manager – Licensing be authorised, in consultation with the Chairman of the Regulatory Committee, to finalise the response and covering letter to the Home Office. Further, that the submission be forwarded in due course to the Local Government Association as part of the wider lobbying for locally set licensing fees.**

The business of the meeting was concluded at 10.35 a.m.

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Chairman

Option 8

SUGGESTED: THREE FEE ELEMENTS

- A. Class of premises (nationally prescribed, locally set level)
- B. Two bands of NDRV (nationally set – mid Band B?) so a 'higher' and 'lower' base fee
- C. Timing (graduated) – locally set
(Annual fee levels base rate lower than for new/variation etc.)

RATIONALE

Retaining an element of NDRV reflects the capacity, location and type consistently. A simpler smaller and larger two bands, if split at the right NDRV, gives some recognition to the need to create equality and reduce cross-subsidy.

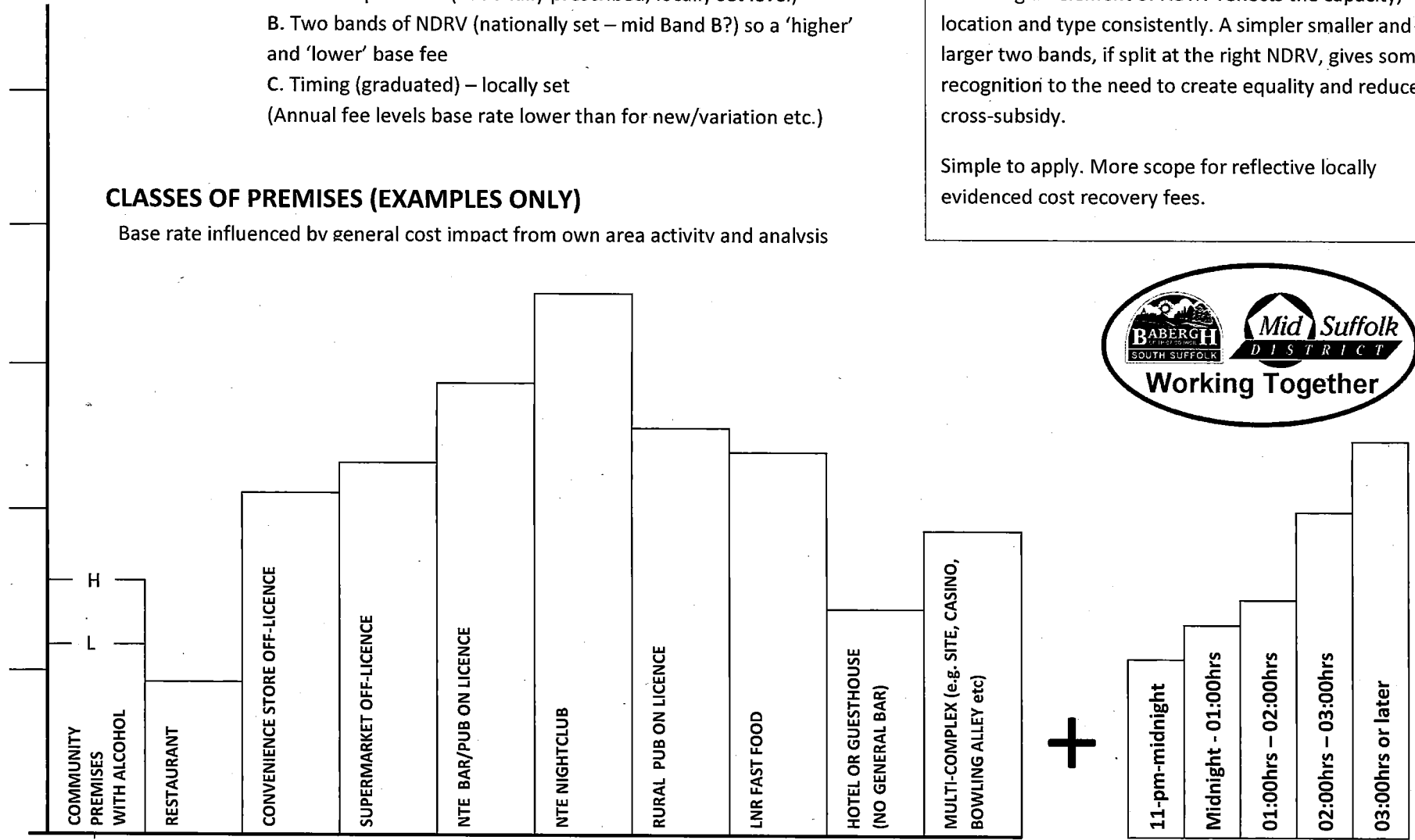
Simple to apply. More scope for reflective locally evidenced cost recovery fees.

CLASSES OF PREMISES (EXAMPLES ONLY)

Base rate influenced by general cost impact from own area activity and analysis



F



NDRV (2 BANDS ONLY – HIGHER OR LOWER)?

H L

SPLIT AT MIDPOINT BAND B TO ALLOW RURAL LA EQUALITY?



FOR 'H' ADD A % OVER 'L'?

+

SLIDING SCALE TIMING ADDITIONAL DISCRETIONARY ELEMENT

NOTE: LATE NIGHT OPENING VENUES THAT ARE GENERALLY LOWER RISK (e.g. B&Bs) CAN BE GIVEN ALLOWANCE AT THE CLASS ELEMENT VIA A LOWER BASE RATE FEE TO REDUCE CROSS-SUBSIDY