

Minute

Licensing Committee

Thursday, 9 March 2023, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Duncan A Tullock, Kristopher D Leask, David Dawson, Steven B Heddle, Rachael A King, W Leslie Manson, Gwenda M Shearer and Owen Tierney.

Clerk

- Angela Kingston, Committees Officer.

In Attendance

- Gavin Mitchell, Head of Legal and Governance.
- Sheila Tulloch, Service Manager (Legal Services).
- Pat Robinson, Service Manager (Accounting).
- Elaine Sinclair, Legal Clerk.

Observing

- Nick Long, Service Manager (Environmental Health).
- Lillian Rendall, Legal Clerk.

Apology

- Temporary Sergeant Gavin McDevitt, Police Scotland.

Declaration of Interest

- Councillor Steven B Heddle – Item 2.

Chair

- Councillor Duncan A Tullock.

1. Review of Fares and Charges in respect of Taxi Services on Mainland Area of Orkney

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, and after hearing a report from the Service Manager (Legal Services), the Committee:

Noted:

1.1. That, on 1 December 2022, the Committee resolved that new scales proposed by taxi operators for maximum fares and charges from 1 May 2023 for all taxi services within the Mainland area of Orkney, including the linked south isles, be approved for public consultation.

1.2. That the statutory consultation process was undertaken during the period 5 January to 6 February 2023, when the public were requested to submit representations in respect of the proposed scales, referred to at paragraph 1.1 above.

1.3. That no representations were received from the public.

The Committee resolved, in terms of delegated powers:

1.4. That the new scales for maximum fares and charges for all taxi services within the Mainland area of Orkney, including the linked south isles, attached as Appendix 1 to this Minute, be approved, to take effect from 1 May 2023.

2. Review of Licensing Fees

Councillor Steven B Heddle declared an interest in this item, his connection being that he was a registered landlord in respect of a property for which he could potentially seek a House in Multiple Occupation licence in the future, and left the meeting at this point.

After consideration of a joint report by the Corporate Director for Strategy, Performance and Business Solutions and the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, and after hearing a report from the Service Manager (Legal Services), the Committee:

Noted:

2.1. That, on 23 February 2023, when considering the revenue budget for 2023/24, the Policy and Resources Committee recommended that Corporate Directors should increase existing charges by a minimum of 10%, from 1 April 2023, if possible to do so, or as early as possible thereafter, with exceptions, where alternative arrangements were required.

2.2. That the exceptions to increasing existing charges by a minimum of 10%, from 1 April 2023, included licensing fees.

2.3. That a comparison of fees charged by the Council with fees charged for similar types of licences or approvals by other local authorities in the north of Scotland had been undertaken, with the outcome detailed in Appendix 1 to the joint report by the Corporate Director for Strategy, Performance and Business Solutions and the Corporate Director for Neighbourhood Services and Infrastructure.

2.4. The proposal that, where the Council had discretion, licensing fees be increased by a minimum of 10% with effect from 1 April 2023, in accordance with the guidance outlined in section 4 of the joint report by the Corporate Director for Strategy, Performance and Business Solutions and the Corporate Director for Neighbourhood Services and Infrastructure.

Councillor Duncan A Tullock, seconded by Councillor David Dawson, moved that, where the Council had discretion, with effect from 1 April 2023, licensing fees be increased by a minimum of 10%.

Councillor Kristopher D Leask, seconded by Councillor W Leslie Manson, moved an amendment that:

- Where the Council had discretion, with effect from 1 April 2023, licensing fees be increased by a minimum of 10%, with the exception of fees for licences in respect of Houses in Multiple Occupation, which should be set as follows:
 - Up to nine occupants – £285.
 - Ten or more occupants – £382.50.
- Any budget deficit caused by the reduction in Houses in Multiple Occupation licence fee income be met from the General Fund.

On a vote being taken 5 members voted for the amendment and 2 for the motion, and the Committee:

Resolved, in terms of delegated powers:

2.5. That, where the Council had discretion, with effect from 1 April 2023, licensing fees be increased by a minimum of 10%, with the exception of fees for licences in respect of Houses in Multiple Occupation, which should be set as follows:

- Up to nine occupants – £285.
- Ten or more occupants – £382.50.

2.6. That any budget deficit caused by the reduction in Houses in Multiple Occupation licence fee income be met from the General Fund.

2.7. That licensing fees effective from 1 April 2023, as detailed in Appendix 2 to this Minute, incorporating the amendment above, be approved.

3. Conclusion of Meeting

At 10:40 the Chair declared the meeting concluded.

Signed: Duncan A Tullock.