



## Licensing and Health and Safety Committee

Notice of a Meeting, to be held in the Council Chamber, Civic Centre, Tannery Lane,  
Ashford, Kent TN23 1PL on Monday 19<sup>th</sup> January 2015 at 10.00 am

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The Members of this Committee are:-

Cllr. Feacey (Chairman)  
Cllr. Galpin (Vice-Chairman)  
Cllrs. Adby, Bennett, Chilton, Davey, Hodgkinson, Mrs Hutchinson, Miss Martin, Mrs Martin,  
Shorter, Smith, Sims.

### Agenda

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| 1. <b>Apologies/Substitutes</b> – To receive Notification of Substitutes in accordance with Procedure Rule 1.2(iii)                             |                      |
| 2. <b>Declarations of Interest:-</b> To declare any interests which fall under the following categories, as explained on the attached document: | i                    |
| a) Disclosable Pecuniary Interests (DPI)  |                      |
| b) Other Significant Interests (OSI)  |                      |
| c) Voluntary Announcements of Other Interests   |                      |
| See Agenda Item 2 for further details   |                      |
| 3. <b>Minutes</b> – To approve the Minutes of the Meeting of this Committee held on the 20 <sup>th</sup> January 2014.                          | 1 – 9                |

### Matters for Decision

- |  |         |
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| 4. Proposed Fee Levels for 2015/16 Applications      | 11 – 22 |
| 5. Review of the Hackney Carriage Fare Scale 2015/16 | 23 – 32 |
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8 January 2015



**Declarations of Interest (see also “Advice to Members” below)**

- (a) **Disclosable Pecuniary Interests (DPI)** under the Localism Act 2011, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares a DPI in relation to any item will need to leave the meeting for that item (unless a relevant Dispensation has been granted).

- (b) **Other Significant Interests (OSI)** under the Kent Code of Conduct as adopted by the Council on 19 July 2012, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares an OSI in relation to any item will need to leave the meeting before the debate and vote on that item (unless a relevant Dispensation has been granted). However, prior to leaving, the Member may address the Committee in the same way that a member of the public may do so.

- (c) **Voluntary Announcements of Other Interests** not required to be disclosed under (a) and (b), i.e. announcements made for transparency reasons alone, such as:

- Membership of outside bodies that have made representations on agenda items, or
- Where a Member knows a person involved, but does not have a close association with that person, or
- Where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position.

[Note: an effect on the financial position of a Member, relative, close associate, employer, etc; OR an application made by a Member, relative, close associate, employer, etc, would both probably constitute either an OSI or in some cases a DPI].

**Advice to Members on Declarations of Interest:**

- (a) Government Guidance on DPI is available in DCLG’s Guide for Councillors, at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/240134/Openness\\_and\\_transparency\\_on\\_personal\\_interests.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/240134/Openness_and_transparency_on_personal_interests.pdf) plus the link sent out to Members at part of the Weekly Update email on the 3<sup>rd</sup> May 2013.
- (b) The Kent Code of Conduct was adopted by the Full Council on 19 July 2012, with revisions adopted on 17.10.13, and a copy can be found in the Constitution at <http://www.ashford.gov.uk/part-5---codes-and-protocols>
- (c) If any Councillor has any doubt about the existence or nature of any DPI or OSI which he/she may have in any item on this agenda, he/she should seek advice from the Head of Legal and Democratic Services and Monitoring Officer or from other Solicitors in Legal and Democratic Services as early as possible, and in advance of the Meeting.

## Licensing and Health and Safety Committee

Minutes of a Meeting of the Licensing and Health and Safety Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **20<sup>th</sup> January 2014**.

### Present:

Cllr. Feacey (Chairman);  
Cllr. Galpin (Vice-Chairman);  
Cllrs. Adby, Apps, Mrs Bell, Davey, Marriott, Miss Martin, Shorter, Sims.

In accordance with Procedure Rule 1.2 (iii) Councillor Miss Martin attended as a Substitute Member for Councillor Mrs Martin.

### Apologies:

Cllrs. Hodgkinson, Mrs Martin.

### Also Present:

Assistant Health, Parking & Community Safety Manager, Legal Advisor, Senior Member Services & Scrutiny Support Officer.

## 292 Declarations of Interest

Councillor	Interest	Minute No.
Adby	Announced an 'Other Interest' as he knew Ms Singer from a previous job.	294
Feacey	Announced an 'Other Interest' as he was the Managing Director of Energyshift who worked with members of the taxi trade.	295, 296
Galpin	Announced an 'Other Interest' as he knew Ms Singer through her involvement in the Portas Pilot consultation.	294

## 293 Minutes

### Resolved:

**That the Minutes of the Meeting of this Committee held on the 7<sup>th</sup> January 2013 be approved and confirmed as a correct record.**

## **294 Xanadu at 32 High Street, Ashford, TN24 8TE – Application for the Variation of a Condition of a Sex Shop Licence**

The Chairman opened the meeting and welcomed all those present. He explained the procedure to be followed at the meeting and confirmed that Members had read the papers relating to the application.

The Assistant Health, Parking & Community Safety Manager then gave a brief summary of the report. He said Members were asked to consider the application to vary a sex shop licence and at the conclusion of the hearing to either allow or refuse the application. A sex establishment licence for Xanadu, 32 High Street, Ashford had first been issued in September 2010 and had been renewed annually. A copy of the current licence and conditions were attached at Appendix A to the report. An application had been received from Ms Singer to vary her licence by seeking to remove Condition 20 which stated; “Windows and openings to the premises other than entrances shall have suspended behind them, in a position and at an altitude approved by the Council, opaque screens or blinds of a type and size approved by the Council, so as to prevent the interior of the premises being seen by passers-by.” Ms Singer wished to remove the screen restricting the view of the interior of the premises from the left hand window. The removal of this screen would allow the passing public an unrestricted view to the front part of the premises. Ms Singer had stated that this area would only contain lingerie and all toys and R18 DVDs would be positioned behind a wall at the rear of the shop which would have restricted access. The Assistant Health, Parking & Community Safety Manager advised that the Committee could either: - allow the variation, refuse the variation or allow the variation with conditions as Members saw fit. The licences were granted for 12 months and reviewed annually. If there were no objections at that stage the Officers had delegated authority to permit. He further clarified that the photographs in the report had been taken by Licensing Officers.

Ms Singer spoke in support of the application. She said that the variation had been sought to help develop her business. She said she had previously been involved in the business known as Pillow Talk in Castle Street, Ashford which had operated under a sex establishment licence for 14 years with no complaints. In September 2010 they had moved to 32 High Street and made a new application for a sex establishment licence. This had been granted and the business name changed to Xanadu with herself as the sole owner. The economy in the High Street was difficult. There was poor footfall and arrangements for traffic and coupled with the impact of internet sales this had made the business very different. The spilt in her sales from 2000 – 2014 had changed greatly and moved much more towards lingerie and away from the R18 DVDs. General attitudes towards sex and adult entertainment had also changed greatly over that time as had her clientele. She wanted to move away from the more ‘seedy and behind closed doors image’ that such shops had and embrace the lingerie aspects as shops such as Ann Summers had been able to do. Xanadu had a look and feel more like an Ann Summers shop, but was also licenced to sell extra items. There was no intention to open up the whole shop to view as she wanted to remain sensitive, but she did want potential customers to be able to see her range of lingerie. The simple change she was asking for would not cause complaints and would show potential customers that they had nothing to fear by entering her shop. She would be careful and mindful about what was displayed in the

windows and she would welcome an annual review from the Council to keep the matter in check.

In response to questions from Members, Ms Singer clarified the following points: - the R18 DVDs would be in a separate partitioned part of the shop and could not be seen from the outside of the shop or from the windows. Customers would have to make a conscious decision to go to this part of the shop and it would be made clear what was there; Under 18s were never allowed in to any part of the shop; she did not currently have TVs or LCD screens in the shop to display moving images; and the accessories mentioned to be displayed in the window included hen night novelties such as tiaras, banners etc. She said that if granted, the variation would make a difference to her custom and living. It was important that more people felt comfortable coming into the shop. It was obviously her livelihood at stake, but she wanted people to see the shop as a lingerie store that they could use without stigma.

The Chairman thanked Ms Singer for her comments. Ms Singer and the Assistant Health, Parking & Community Safety Manager then left the Council Chamber whilst the Committee retired to make its decision.

On return the Legal Advisor read out the decision.

**Resolved:**

- That (i) the Committee reminds the Licence Holder that Condition 15 on the licence applies in full and that the showing of any film or video, even a clip, would be in breach of this condition.**
- (ii) the Committee also reminds the Licence Holder that the Council will use Condition 17 on the licence to ensure that nothing is visible from outside the premises that could be deemed inappropriate.**
- (iii) in order to achieve a fair balance between the Licence Holder's right to trade and the protection of Under 18s, the Committee approve the application to remove Condition 20 from the licence, based in particular on the Licence Holder's assurance that only lingerie and accessories will be visible to passers-by.**

## **295 Proposed Fee Levels for 2014/15 Applications**

The Assistant Health, Parking & Community Safety Manager introduced the report which recommended the proposed fees for licences for the financial year 2014/15. It covered: - Gambling Related Fees; Sex Establishment Fees; Hackney Carriage and Private Hire Fees; Scrap Metal Dealers Fees; as well as summary of licences and permissions issued between 1<sup>st</sup> December 2012 and 30<sup>th</sup> November 2013.

### **Gambling Related Fees**

The report recommended an average increase of 2.5% be made to the fees, which was in line with inflation. There had been no fee increase since 2007 when the fees were first set. The Assistant Health, Parking & Community Safety Manager reiterated that there were no plans for a casino in the Borough.

In response to questions from Members, the Assistant Health, Parking & Community Safety Manager advised that the Gambling Act allowed Licensing Authorities to set their fees upon a cost recovery basis only.

### **Sex Establishment Fees**

A recent High Court case had confirmed that it was unlawful for a Local Authority to charge lawful licensees for the cost of enforcement action against unlicensed operators. In addition the judgment contained an important decision relating to the setting of sex establishment application fees, stating that licensing authorities cannot simply roll over its licensing fees. It was proposed that an average increase of 2.5% be made to the fees, which was in line with inflation.

### **Hackney Carriage and Private Hire Fees**

In 2007/8 and 2008/9 fees were increased by 3%, which was below the relevant rate of inflation. The fees for 2009/10, 2010/11 and 2011/12 were unchanged due to an increase in the number of drivers ensuring that inflationary costs were covered by increased income. In 2013/14 most of the fees remained unchanged, with some minor exceptions that saw a slight fall. Licenced drivers and proprietors now had up to five additional costs to pay in relation to the annual licensing process; Disclosure and Barring Service checks; vehicle compliance checks; medicals; the knowledge test for hackney carriage drivers and the Driver Standards Agency Taxi Test. It was proposed to increase the overall fees by an average of 2.5% (the first increase in since 2008/9). The report also recommended that the hackney carriage drivers test be increased from £30 to £45, the fee for transfer of licence and replacement internal and external plate be increased from £20 to £25; and replacement badge/licence fees be reduced from £15 to £10.50.

In response to questions from Members, the Assistant Health, Parking & Community Safety Manager advised that the proposal to reduce the fee to increase the number of vehicles licenced during the duration of a licence had been taken so as to not disadvantage a company wishing to expand their business and there was no charge for vehicle inspection missed appointments as these were set by contract and the contractor made no charge for this.

### **Scrap Metal Dealers Fees**

As a result of their timing part way through a year, the initial fees for a three year licence under the new Scrap Metal Dealers Act 2013 were set by the Council in October 2013 and these were based on estimated costs as it was a new licensing regime. As a result of the processes involved and time taken, these had been recalculated and set out in the report.

### **Recommended:**

- (i) that the fees used for gambling applications and notices as given below be approved.**

**RECOMMENDED GAMBLING RELATED LICENCE FEES FOR 2014/15**

Premises Type	New Application (£)	Annual Fee (£)
New Small Casino	6442	3664
New Large Casino	7729	7395
Regional Casino	12177	11419
Bingo Club	2214	690
Betting Premises (excluding Tracks)	2250	445
Tracks	1732	687
Family Entertainment Centres	1732	687
Adult Gaming Centre	1732	690
Temporary Use Notices	200	N/A

	Application to Vary £	Application to Transfer £	Application for Re-Instatement £	Application for Provisional Statement £	Licence Application (provisional Statement holders) £	Copy Licence £	Notification of Change £
New Small Casino	2645	1538	1295	6442	296	25	50
New large Casino	3495	1804	2035	7729	3793	25	50
Regional Casino	5709	4156	4156	12177	5930	25	50
Bingo Club	1512	841	841	2214	912	25	50
Betting Premises (excluding Tracks)	1276	841	841	2214	912	25	50
Tracks	1158	841	841	1732	912	25	50
Family Entertainment Centres	779	841	841	1690	735	25	50
Adult Gaming Centre	760	820	820	1732	753	25	50
Temporary Use Notices	N/A	N/A	N/A	N/A	N/A	25	N/A

(ii) that the sex establishment fees as given below be approved.

**RECOMMENDED SEX ESTABLISHMENT LICENCE FEES FOR 2014/15**

Current Fees:

Grant: £3,095

Transfer: £565

Renewal: £565

Taking into account the above, the recommended fee levels for sex establishments for 2014/15 are as follows:

Grant: **£3,172**

Transfer: **£579**

Renewal: **£579**

- (iii) that the hackney carriage, private hire and operator applications licence fees as given below be approved for the purposes of public consultation.

**PROPOSED HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING FEES  
2014/15**

	CURRENT FEES	PROPOSED FEES
	2013/14	2014/15
Private Hire & Hackney Carriage Drivers Licence (for 1 year)	£49.00	<b>£49.00</b>
Private Hire & Hackney Carriage Drivers Licence (for 3 years)	£75.00	<b>£75.00</b>
Additional driver's licence (adding a licence)	£20.00	<b>£20.00</b>
Hackney Carriage Knowledge Test & Re-test	£30.00	<b>£45.00</b>
Replacement badge/Licence	£15.00	<b>£10.50</b>
Vehicle Licence - New or Renewal (including vehicle plate) for 1 year	£290.00 - New £270.00 - Renewal	<b>£300.00 – New</b> <b>£280.00 - Renewal</b>
Vehicle Plate Internal/External	£20.00	<b>£25.00</b>
Transfer of Vehicle Licence (with or without vehicle plate)	£20.00	<b>£25.00</b>
<i>Vehicle Inspection - Test Fee (set by contract)</i>	<i>Max £28.00</i>	<b><i>Max £28.00</i></b>
<i>Vehicle Inspection - Missed Appointment (set by contract)</i>	<i>No charge</i>	<b><i>No charge</i></b>
Private Hire Operators Licence - New or Renewal (for 3 years)	1-3 vehicles : £73 4-10 vehicles : £240 11-20 vehicles : £480	<b>1-3 vehicles : £75</b> <b>4-10 vehicles : £250</b> <b>11-20 vehicles : £500</b>
To increase number of vehicles licensed during duration of Operators Licence	1-3 to 4-10 : £237 4-10 to 10-20: £310	<b>1-3 to 4-10 : £175</b> <b>4-10 to 10-20: £250</b>
Fee for Returned (Bounced) Cheques	£16.00	<b>£16.00</b>

- (iv) that the scrap metal, site and collectors fees as given below be approved.

	CURRENT FEES 2013/14	PROPOSED FEES 2014/15
Grant Site Licence	£240	£300
Grant Collectors Licence	£180	£200
Renewal Site Licence	N/A	£200
Renewal Collectors Licence	N/A	£100
Variation	£75	£75
Minor Variation	£20	£20

## 296 Review of the Hackney Carriage Fare Scale 2014/15

The Assistant Health, Parking & Community Safety Manager introduced the report which set out a number of options for the hackney carriage fare scale for 2014/15. The recommendations had arisen following debate at the September 2013 Taxi Forum, a subsequent questionnaire of hackney carriage drivers and operators and were discussed again at the November 2013 Taxi Forum.

The three options proposed were: - no change to the current tariff; an increase of 10p to the starting fare (drop rate) and an additional 3% overall; and an increase of 10p to the starting fare (drop rate) and an additional 5% overall. The rough implications for the cost of a journey for various distances on the basis of each of these options were outlined in the report. The responses of the trade were set out within the papers and a majority would prefer an increase of 10p to the drop rate and an additional 5% overall.

In terms of other costs, as of October 2013, the average price per litre of unleaded fuel in the South East was 132 pence – a decrease of 7 pence on the previous year. Over the same period diesel prices had decreased by approximately 5 pence, inflation had reduced as had the cost of general car insurance.

League tables of hackney carriage fares, based on a two mile journey placed Ashford 34<sup>th</sup> highest out of 364 Districts nationally, and 34<sup>th</sup> of 103 in the South of England.

It was agreed that the price of LPG would be reflected in future reports.

In accordance with Procedure Rule 9.3, Mrs Whybrow attended and addressed the Committee. She reminded Members that any fare increase would be the maximum that drivers could charge. They could charge less if they wanted and some did. She said it was important to take into account the needs of smaller fleets and individual drivers who had very different working patterns. She also promoted the case for an increase in fares for larger vehicles (6 or more passengers). Such vehicles had much higher overheads and maintenance costs, and often only ran 6-8 people on relatively short journeys. She proposed rate and a half for 6 or more passengers.

The Committee considered there was some merit in the point about larger vehicles and asked Officers to have a further look at this and ask drivers specific questions on whether they had the larger vehicles in their fleet and if the fare for 6+ passengers

should be at 1.5 rate. Some Members said they were surprised that this was not already the case. Another Member said that it was important to encourage people to use these types of taxi rather than taking three or four cars somewhere so there was a need to be pragmatic. It was agreed that the fares should be set as proposed from 1<sup>st</sup> April 2014, but this issue was something that should be looked at during the year and perhaps an extra meeting of this Committee would be needed later in 2014 to consider this issue.

Members generally considered Ashford's fares were quite high relative to other areas and said they felt uncomfortable recommending an increase at a time when other costs for drivers were reducing.

**Recommended:**

- That (i) the hackney carriage licence fees structure as given in the table below be approved.**
- (ii) Officers examine the issue of charging a 1.5 rate for six or more passengers and report back to the Committee during 2014/15.**

In accordance with Procedure Rule 15.5 Councillor Apps requested that it be recorded he had voted against recommendation (i).

**DELIBERATLY LEFT BLANK**

**PROPOSED FARES FOR 2014/15****(a) Fares for distance or time**

	<u>£</u>
<b><u>Rate 1</u></b>	
If the distance does not exceed 700 yards, for the whole distance or for the first 220.5 seconds of waiting time	2.80
For each subsequent 171.8 yards or uncompleted part thereof	0.20
Or for each subsequent period of 54.5 seconds of waiting time or uncompleted part thereof	0.20

**(b) Surcharges for certain times and days:-**

<b><u>Rate 2</u></b>	
a) For each hire commenced between 12 midnight and 7 am	1½ x Rate 1
b) For each hire undertaken on <b>GOOD FRIDAY, EASTER MONDAY, MAY DAY, SPRING BANK HOLIDAY, SUMMER BANK HOLIDAY</b> or any other specifically declared Bank Holiday only.	1½ x Rate 1

**Rate 3**

c) For each hire undertaken on a <b>CHRISTMAS DAY, BOXING DAY</b> or <b>NEW YEARS DAY</b>	2 x Rate 1
Note: When the holiday charge (b) or (c) is payable the Night Charge (a) is <b>NOT</b> payable.	

**Extras** - up to a maximum of £1.20

d) for each person (excluding infants in arms) carried in excess of two persons (two children under 10 years of age count as one person) irrespective of distance.	0.20
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**Note: For the purposes of counting the number of persons that the vehicle is licensed to carry, children under 10 years of age should each be counted as a person. A babe in arms should not be counted as a person.**

e) for each article of luggage conveyed outside the passenger compartment of the carriage	0.05
f) for perambulators	0.05
g) for dogs	0.10

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Queries concerning these minutes? Please contact Danny Sheppard:  
Telephone: 01233 330349 Email: danny.sheppard@ashford.gov.uk  
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**Agenda Item No:** 4  
**Report To:** LICENSING, HEALTH AND SAFETY  
COMMITTEE



**Date:** 19<sup>th</sup> January 2015

**Report Title:** PROPOSED FEE LEVELS FOR 2015/16  
APPLICATIONS

**Report Author:** Licensing Manager

<b>Summary:</b>	<b>The report proposes fees for licences for the financial year 2015/16.</b>
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**Key Decision:** NO

**Affected Wards:** Not applicable

**Recommendations:** That the Licensing, Health and Safety Committee recommends:

1. the fees used for gambling applications and notices as given in Appendix A to Council.
2. the sex establishment fees as given in Appendix B to Council.
3. the hackney carriage, private hire and operator licence fees in Appendix C to Council for public consultation.
4. the scrap metal site and collectors fees as given in Appendix D to Council.

**Policy Overview:** The process of setting the fees for licences is essential to ensure that operational costs are recovered and that Council budgetary objectives are met.

**Financial Implications:** The process of setting the fees is necessary to ensure that fees are set at a level that will enable the authority to recover the costs associated with the service provision.

**Risk Assessment** Yes

**Equality Impact Assessment** The setting of fees in relation to these functions is not considered to cause any discrimination. The fees are set in accordance with Government guidance and each application is processed on its individual merits.

**Other Material Implications:** Members should note generally that licences issued by the Council may be considered possessions and therefore Article 1 to Protocol 1 of the Human Rights Act 1998, the peaceful enjoyment of possessions, is relevant.

**Exemption Clauses:** Not applicable

**Background  
Papers:** None

**Contacts:** jack.godley@ashford.gov.uk – Tel: 01233 330722

**Report Title: PROPOSED FEE LEVELS FOR 2014/15 APPLICATIONS**

**Purpose of the Report**

1. The report recommends the proposed fees for licences for the financial year 2015/16.

**Issue to be Decided**

2. Whether to approve the following fees for recommendation to Council.
  - the fees used for gambling applications and notices as given in Appendix A.
  - the sex establishment fees as given in Appendix B.
  - the hackney carriage, private hire and operator licence fees in Appendix C for public consultation.
  - the scrap metal site and collectors fees as given in Appendix D.

**Background**

3. The fees have been calculated by examining how long is spent processing an application and who in the authority is likely to carry out the various processes.
4. The type of tasks involved in a premises application for example:
  - Assistance to the applicant (pre-application stage, including telephone advice, sending forms, etc) and the checking of an application for completeness when received.
  - Checking all required documents have been submitted, processing the application fee, banking processes and reconciling payments.
  - Entering the information into our computer system including scanning if appropriate.
  - Contacting the applicant to clarify the application or chase missing information if required.
  - Assess representations for relevance and undertake informal mediation.
  - Carry out compliance visits and checking the operating licence once issued.
  - Determining the licence, arranging a hearing, holding a hearing and notification of the decision if required.
  - Prepare and issue the licence and update the records/register.
  - Appeal preparation and holding an appeal hearing, if necessary.

**Risk Assessment**

5. The process of setting the proposed fees for licences fees is essential to ensure that operational costs are recovered and if no decision is taken, the Council budgetary objectives are unlikely to be met.
6. If trade bodies or applicants believe the authority's fees are at a level which is greater than the costs of the statutory functions then it would be open to them to undertake judicial review proceedings. Should this arise, the authority would need

to evidence how it arrived at the fee levels to demonstrate that they have been calculated on a cost recovery basis only.

7. Case law relating to fee levels in various licensing areas has agreed a general principle that licensing fees should not be used as a method of creating revenue. For example:
  - *R v Manchester City Council ex parte King (The Times, 3 April 1991)* – established that local authorities may only charge reasonable fees for licences and not use them to raise revenue; and
  - *R v Westminster City Council ex parte Hutton (1985) LGR* – established the need to only take into account relevant material when setting the fees.
8. Under the recently adopted EU Services Directive licence fees set must be proportionate to the effective cost of the licensing procedure and must not be used as an economic deterrent or to raise funds. Councils must set fees that cover the costs directly associated with the licensing function. It is important therefore that Council's fees are defensible and based on actual costs incurred. It is also important to ensure that our fees do not include potential enforcement costs.
9. A recent High Court case (*Hemming (t/a Simply Pleasure Ltd) & Ors v Westminster City Council [2012] EWHC 1260 (Admin)*) confirmed that it was unlawful for a local authority to charge lawful licensees for the cost of enforcement action against unlicensed operators. In addition the judgement contained an important decision relating to the setting of sex establishment application fees, stating that licensing authorities cannot simply rollover its licensing fees without determining the licence fee.

### **Gambling Related Fees**

10. The Gambling Act 2005 Section 212 gives the Secretary of State power to make regulations prescribing the fees payable to the licensing authority. It also gives them the power to devolve to licensing authorities, in England and Wales, the freedom to set fees for premises licence applications, subject to any constraints they may prescribe. The Government decided that for England and Wales, licensing authorities will determine their own fees for gambling premises licences and temporary use notices but that the Secretary of State will prescribe the maximum fee payable for each category of licence.
11. Local authorities are able to set fees for premises licences from within fee bands prescribed by Department for Culture, Media and Sport (DCMS).
12. There will be an initial fee to cover the cost of application and an annual "maintenance" fee.
13. The DCMS asked licensing authorities to set fees to ensure full cost recovery and that the fee levels represent fairness and value for money for the gambling industry. All licensing authorities must set their fees upon a cost recovery basis only (Gambling Act Section 212 (2)(d)) and are required to review their fee levels on an annual basis to ensure this.

14. While the licensing authority can set fees for the applications in Appendix A, permit fees are prescribed by the Government and therefore licensing authorities have no discretion to set fees on these applications.
15. While the Council is required to set fees for casino licenses, the Secretary of State determines which districts are able to accept an application for a casino.
16. It is proposed that an increase of 1%, the current rate of inflation, be made to the fees this year. These are set out at Appendix A.

### **Sex Establishment Fees**

17. The licensing of sex establishments is governed by the Local Government (Miscellaneous Provisions) Act 1982 Schedule 3. Under these adoptive provisions local authorities can require any sex shops or sex cinemas in their area to obtain a licence. Ashford Borough Council adopted Schedule 3 effective from 1 May 1983.
18. Members will be aware that the Council carried out a consultation about whether to adopt the relevant provisions of the Local Government (Miscellaneous Provisions) Act 1982, for the licensing of Sexual Entertainment Venues, such as lap dancing clubs. The Full Council adopted the relevant provisions on February 17<sup>th</sup> February 2011.
19. These fees have been re-evaluated and as a consequence both renewals and transfers have been reduced by 40% but It is proposed that an increase of 1%, current rate of inflation be made to the remaining fees this year. These are set out at Appendix B

### **Hackney Carriage and Private Hire Fees**

20. Under LG(MP)A 1976, the provisions controlling the levying of fees are:
  - LG(MP)A 1976, s53(2), in respect of drivers licences for both hackney carriages or private hire vehicles; and
  - LG(MP)A 1976, s70 for hackney carriage proprietors' licences, private hire vehicle licences and private hire operators' licences.
21. There were no increases in fees from 2009 to 2012 and in the financial year 2013/14 due to an increase in the number of drivers, ensuring that any inflationary costs were covered by increased income.
22. In 2012/13 most of the fees remained unchanged, with the following exceptions:
  - Application fee to renew vehicle licences was reduced from £290 to £270
  - Application fee to transfer vehicles (due to a proprietor changing their vehicle) was reduced from £25 to £20.
  - Three-year driver licences were introduced at £75 (compared to £49 for an annual licence).

23. In 2014/15 there were minor increases and decreases in the fees, with the following exceptions:

- Vehicle licences increased by £10, both new applications and renewals
- Operators licence for 4-10 vehicles, reduced from £310 to £250
- Drivers replacement badge, reduced from £15 to £10.50
- Transfer and replacement plate increased from £20 to £25
- Hackney drivers knowledge test increased from £30 to £45

24. Licensed drivers and proprietors have up to five additional costs to pay in relation to the annual licensing process; Disclosure and Barring Service checks (every three years and currently £44), vehicle compliance checks (two per year and currently £28), and medicals every three or six years for those under 65. Additional one off costs are; knowledge test for hackney carriage drivers (£45) and Driver Standard Agency Taxi Driving Test (from £79.66)

25. It is proposed that the overall fees be increased by an average of 1% which is inline with inflation, with the following exceptions:

- 3 year driving licence increased from £75 to £100 to cover administration and compliance costs over the 3 year period.
- Hackney carriage drivers test increased from £45 to £50 to cover administration costs.

26. The proposed licence fees are set out at Appendix C.

### **Scrap Metal Dealers Fees**

27. The Scrap Metal Dealers Act 2013 received Royal Assent on the 28 February 2013, delivering much needed reform of the scrap metal sector. The 2013 Act will provide effective and proportionate regulation of the sector, creating a more robust, local authority run, licensing regime that will support legitimate dealers yet provide the powers to effectively tackle unscrupulous operators. It will raise trading standards across the whole sector.

28. Schedule 1(6) of the 2013 Act provides that an application must be accompanied by a fee set by the local authority. In setting a fee, the authority must have regard to any guidance issued from time to time by the Secretary of State with the approval of the Treasury.

29. The power to set fees has been passed to individual local authorities, so that any fees levied in each local area is set by reference to the actual costs to each authority. The EU services directive states that a licence fee can only be used to pay for the cost associated with the licensing process. In effect, each local authority must ensure that the income from fees charged for each service, application, variation and renewal does not exceed the costs of providing the service.

30. It is proposed that an increase of 1%, current rate of inflation be made to the fees this year. These are set out at Appendix D.

## Consultation

31. The fees that require formal consultation will be subject to public notices once the fees have been agreed by the full council.

## Implications Assessment

32. As previously stated the recommendations do not represent key decisions. The consideration assessment indicates low impact in terms of human rights, legal and staffing implications.

## Handling

33. The fees as recommended by the Licensing, Health and Safety Committee will be presented to Council on 11<sup>th</sup> February 2015 and the Full Council on 19<sup>th</sup> February 2015. This will allow the authority time to publish and apply the gambling and sex establishment fees by the 1<sup>st</sup> April 2015.

34. The hackney carriage and private hire licence fees are subject to a public consultation in accordance with Section 70 of the Local Government (Miscellaneous Provisions) Act 1976. A Public Notice will be placed in the local press.

35. If no objections are received in response to the Public Notice the fee structure would be adopted from 1<sup>st</sup> April 2015.

36. If relevant objections are received in response to the Public Notice, these would be reported back to the Licensing, Health and Safety Committee in April 2015.

## Conclusion

37. The impact on income to the Council of these changes must be carefully monitored and annual reviews of fees must be continued to ensure that the service remains self-financing but avoids raising excessive revenue. The fees have generally been increased inline with inflation, which is currently 1%.

38. A licensing summary for the period 1<sup>st</sup> January 2014 to 31<sup>st</sup> December 2014 has been prepared and is set out at Appendix E.

## Portfolio Holder's Views

39. The views of the Portfolio Holder are being sought.

Contact: Email:	Jack Godley <a href="mailto:jack.godley@ashford.gov.uk">jack.godley@ashford.gov.uk</a>
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**APPENDIX A: RECOMMENDED GAMBLING RELATED LICENCE FEES FOR 2015/16**

**APPENDIX B: RECOMMENDED SEX ESTABLISHMENT LICENCE FEES FOR 2015/16**

**APPENDIX C: PROPOSED HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING FEES 2015/16**

**APPENDIX D: RECOMMENDED SCRAP METAL, SITE & COLLECTORS LICENSING FEES 2015/16**

**APPENDIX E: LICENSING SUMMARY 2014**

**APPENDIX A: RECOMMENDED GAMBLING RELATED LICENCE FEES FOR 2015/16**

Premises Type	New Application (£)	Annual Fee (£)
New Small Casino	<b>6506</b> (8000)	<b>3701</b> (5000)
New Large Casino	<b>7806</b> (10000)	<b>7469</b> (10000)
Regional Casino	<b>12299</b> (15000)	<b>11533</b> (15000)
Bingo Club	<b>2236</b> (3500)	<b>697</b> (1000)
Betting Premises (excluding Tracks)	<b>2273</b> (3000)	<b>449</b> (600)
Tracks	<b>1749</b> (2500)	<b>694</b> (1000)
Family Entertainment Centres	<b>1749</b> (2000)	<b>601</b> (750)
Adult Gaming Centre	<b>1749</b> (2000)	<b>697</b> (1000)
Temporary Use Notices	<b>202</b> (500)	<b>N/A</b>

	Application to Vary £	Application to Transfer £	Application for Re-Instatement £	Application for Provisional Statement £	Licence Application (provisional Statement holders) £	Copy Licence £	Notification of Change £
New Small Casino	<b>2671</b> (4000)	<b>1553</b> (1800)	<b>1305</b> (1800)	<b>6506</b> (8000)	<b>2319</b> (3000)	<b>25</b> (25)	<b>50</b> (50)
New large Casino	<b>3530</b> (5000)	<b>1822</b> (2150)	<b>2055</b> (2150)	<b>7806</b> (10000)	<b>3831</b> (5000)	<b>25</b> (25)	<b>50</b> (50)
Regional Casino	<b>5766</b> (7500)	<b>4198</b> (6500)	<b>4198</b> (6500)	<b>12299</b> (15000)	<b>5989</b> (8000)	<b>25</b> (25)	<b>50</b> (50)
Bingo Club	<b>1527</b> (1750)	<b>849</b> (1200)	<b>849</b> (1200)	<b>2236</b> (3500)	<b>921</b> (1200)	<b>25</b> (25)	<b>50</b> (50)
Betting Premises (excluding Tracks)	<b>1289</b> (1500)	<b>849</b> (1200)	<b>849</b> (1200)	<b>2236</b> (3000)	<b>921</b> (1200)	<b>25</b> (25)	<b>50</b> (50)
Tracks	<b>1170</b> (1250)	<b>849</b> (950)	<b>849</b> (950)	<b>1749</b> (2500)	<b>921</b> (950)	<b>25</b> (25)	<b>50</b> (50)
Family Entertainment Centres	<b>787</b> (1000)	<b>849</b> (950)	<b>849</b> (950)	<b>1749</b> (2000)	<b>761</b> (950)	<b>25</b> (25)	<b>50</b> (50)
Adult Gaming Centre	<b>788</b> (1000)	<b>849</b> (1200)	<b>849</b> (1200)	<b>1749</b> (2000)	<b>921</b> (1200)	<b>25</b> (25)	<b>50</b> (50)
Temporary Use Notices	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>25</b> (25)	<b>N/A</b>

Ashford Borough Council's Licensing Authority proposes the following fees as shown in bold type in the table above. For ease of reference the maximum fees identified by DCMS that could be charged are shown in brackets.

**APPENDIX B: RECOMMENDED SEX ESTABLISHMENT LICENCE FEES FOR 2015/16**

	<b>CURRENT FEES 2014/15</b>	<b>PROPOSED FEES 2015/16</b>
Grant	£3172	£3204
Transfer	£579	£350
Renewal	£579	£350

**APPENDIX C: PROPOSED HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING FEES 2015/16**

	<b>CURRENT FEES 2014/15</b>	<b>PROPOSED FEES 2015/16</b>
Private Hire & Hackney Carriage Drivers Licence (for 1 year)	£49	<b>£50</b>
Private Hire & Hackney Carriage Drivers Licence (for 3 years)	£75	<b>£100</b>
Additional driver's licence (adding a licence)	£20	<b>£20</b>
Hackney Carriage Knowledge Test & Re-test	£45.00	<b>£50.00</b>
Replacement badge / Licence	£10.50	<b>£11</b>
Vehicle Licence - New (including vehicle plate) for 1 year	£300	<b>£303</b>
Vehicle Licence - Renewal (including vehicle plate) for 1 year	£280	<b>£283</b>
Vehicle Plate Internal / External	£25	<b>£25</b>
Transfer of Vehicle Licence (with or without vehicle plate)	£25	<b>£25</b>
<i>Vehicle Inspection - Test Fee (set by contract)</i>	<i>Max £28</i>	<b><i>Max £28</i></b>
<i>Vehicle Inspection - Missed Appointment (set by contract)</i>	<i>No charge</i>	<b><i>No charge</i></b>
Private Hire Operators Licence - New or Renewal (for 3 years)	1-3 vehicles : £75 4-10 vehicles : £250 11-20 vehicles : £500	<b>1-3 vehicles : £76 4-10 vehicles : £253 11-20 vehicles : £505</b>
To increase number of vehicles licensed during duration of Operators Licence	1-3 to 4-10 £175 4-10 to 10-20 £250	<b>£177 £253</b>
Fee for Returned (Bounced) Cheques	£16.00	<b>£16.00</b>

**APPENDIX D: RECOMMENDED SCRAP METAL DEALERS FEES FOR 2015/16**

	<b>CURRENT FEES 2014/15</b>	<b>PROPOSED FEES 2015/16</b>
Grant Site Licence	£300	£303
Grant Collectors Licence	£200	£202
Renewal Site Licence	N/A	£202
Renewal Collectors Licence	N/A	£101
Variation	£75	£76
Replacement Licence	N/A	£11

## APPENDIX E: LICENSING SUMMARY 2014

### Licences/Permissions issued 1 Jan 2014 – 31 Dec 2014

Licence/Permission Type	Number Issued
Vehicles – new, renewal, transfers	342
Drivers / Operators – new, renewals	257
TEN's	395
Personal Licences	102
Premises Licences – new, variations, Vary DPS, Transfers	158
Distributing Free Literature	128
Use of Council Land	30
Publicity Displays / Town Centre	72
Skin Piercing etc	30
Animal Licensing	34
House to House	11
Street Collections	57
Street Trading	42
Markets	54
Scrap Metal	6
Lotteries (new & renewal)	107
Gambling	11
Sexual Entertainment Venues	1
<b>Total</b>	<b>1837</b>

### New Premises Licences

Premier Cellar, 34 High Street  
Spearpoint Pavilion, Kennington  
Asiana Cuisine Ltd, Bank Street  
Mace (at Esso), Tenterden  
Cineworld (UK) Ltd  
The Doghouse, Evegat Business Park  
Applegreen Service Station, North Street  
Silcocks Farm Shop, St Michaels  
AJI Restaurant, New Rents  
Shrubcote Stores, Tenterden  
Old Dairy Brewery, Tenterden  
Smarden Post Office & Stores  
P K's Pantry, Biddenden  
Odo's Barn, Bilsington



**Agenda Item No:** 5

**Report To:** LICENSING, HEALTH AND SAFETY  
COMMITTEE

**Date:** 19<sup>th</sup> January 2015

**Report Title:** REVIEW OF THE HACKNEY CARRIAGE  
FARE SCALE

**Report Author:** Licensing Manager

**Summary:**

To recommend to Council one of the following options to the hackney carriage fare scale for 2014/15

- No change to the current tariff
- An increase of 10 pence or 20 pence to the starting fare (drop rate)
- An increase of 3% to the overall tariff
- An increase of 5% to the overall tariff.

**Key Decision:** NO

**Affected Wards:** Anyone who uses a taxi will be affected and therefore there are indirect implications for all wards. There is also an effect on those who visit the Borough.

**Recommendations:** **That the Licensing, Health and Safety Committee recommends to Council approval for the purpose of issuing a public notice any change to the hackney carriage fare.**

**Policy Overview:** In December 1996 it was agreed by the Council that the hackney carriage fare scale would be reviewed annually. In setting this fare scale a balance needs to be struck between the legitimate aims of the hackney carriage trade to maintain profitability in the face of increasing costs, while protecting the public from excessive fares.

**Financial Implications:** Fares relate to the charges levied by the hackney carriage trade and as such have no financial impact on the Council.

**Risk Assessment** Yes

**Equality Impact Assessment** The setting of fares in relation to this statutory function is not considered to cause any discrimination. The fees are set in accordance with Government guidance. The Council's Taxi Policy is subject to a separate Equality Impact Assessment.

**Other Material Implications:** There are no direct legal implications. The procedure for setting fares and public notice requirements are stipulated

within Section 65 of the Local Government (Miscellaneous Provisions) Act 1976. Members should note generally that hackney carriage and private hire licences are considered possessions and therefore Article 1 to Protocol 1 of the Human Rights Act 1998, the peaceful enjoyment of possessions is relevant.

**Exemption Clauses:** Not applicable.

**Background Papers:** None

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**Report Title: REVIEW OF THE HACKNEY CARRIAGE FARE SCALE**

**Purpose of the Report**

1. The report reviews the hackney carriage fare scale and outlines the consultation with the trade on this issue.

**Issue to be Decided**

2. To recommend to Council one of the following options to the hackney carriage fare scale for 2015/16.
  - No change to the current tariff.
  - An increase of 10 pence or 20 pence to the starting fare (drop rate).
  - An increase of 3% to the overall tariff.
  - An increase of 5% to the overall tariff.
  - Whether vehicles carrying 6 or more passengers should be able to charge the 1.5 tariff.

**Background**

3. In December 1996 the Council agreed the Licensing Policy for Hackney Carriages and Private Hire Vehicles which stated the hackney carriage fare scale would be reviewed annually.
4. Members are reminded that the fares relate to the charges levied by the taxi trade as opposed to the fees that are essentially the licence charges levied by the Borough Council. It should also be remembered that the legislation governing taxi and private hire vehicles does not allow Councils to set fares for private hire vehicles. Private hire proprietors may charge what they wish, although legislation dictates that customers must be advised of the fare beforehand unless the vehicle is fitted with a taximeter set at or below the tariff set by this Council.
5. It should also be noted that the tariff is the maximum fare that can be charged and discounts can be given should the proprietor wish.
6. Last year the proposal put to the Licensing, Health and Safety Committee, following a consultation of the hackney carriage drivers and selected operators, was for a 5% increase in the fares and 10p increase in the drop (initial) rate. Members generally considered Ashford's fares were quite high relative to other areas and said they felt uncomfortable recommending an increase at a time when other costs for drivers were reducing. Subsequently there was no increase to fares for 2014/15.

**Comparison with other areas**

7. A league table of hackney carriage fares for the country, based on a 2 mile journey, is produced by the Private Hire Drivers Association ranging from the highest 1 to the lowest 364. Ashford ranks 68<sup>th</sup> as at November 2014.

8. The South of England hackney carriage fares are generally and within the County, Ashford ranks 8<sup>th</sup> out of 12 local authorities.

### Proposed Fares

9. The process of setting a fare increase is complex and a balance needs to be struck between the legitimate aims of the taxi trade to maintain profitability in the face of increasing costs, while protecting the public from excessive fares.
10. Fare increases are implemented by changing the mileage at which the fare increases e.g. the present tariff charges 20p/171.8 yards.
11. A 3% increase plus 10p on the start fare (drop rate) will equate to an initial fee of £2.90 and a two mile journey would cost approximately £6.30. A 5% increase plus 10p on the start fare (drop rate) will equate to an initial fee of £2.90 and a two mile journey would cost approximately £6.50. Full details of the current tariff, a 3% increase and a 5% increase are contained within Appendices A, B and C.
12. The table below indicates the approximate cost of a journey for various distances on the basis of the current and 3% and 5% fare scale as listed in Appendices A, B and C.

<b>Distance</b>	<b>Current rate</b>	<b>Proposed rate 10p increase in the drop rate plus an additional 3% overall</b>	<b>Proposed rate 10p increase in the drop rate plus an additional 5% overall</b>
1 mile	£4.20	£4.30	£4.30
2 mile	£6.20	£6.30	£6.50
5 mile	£12.40	£12.70	£12.90
10 mile	£22.60	£23.30	£23.70

13. As at December 2014, the average price per litre of unleaded petrol for the South East was 114 pence a litre, a decrease of 16 pence on the previous year. Over the same period diesel prices have decreased by approximately 17 pence per litre. LPG is currently 69.4 per litre and usually sits around 40% of the cost of unleaded petrol.
14. The Consumer Prices Index of inflation (CPI) Indices stood at 1% in December 2014, the lowest it has been since 2002. The Retail Prices Index (RPI) has been assessed against the Code of Practice for Official Statistics and found not to meet the required standard for designation as National Statistics.
15. According to the latest benchmark AA British Insurance Premium Index for the three months ending 30 September 2014 (known as the third quarter), car insurance premiums are between 6.9% and 14.4% lower than the previous 12 months. The lower figure is the market trends summary which is an average of all quotes on a UK-representative basket of customers, the higher figure is the

Shoparound prices which are an average of the five cheapest quotes for each "customer".

16. Members may wish to note that these figures are for general car insurance, rather than specialist private hire or hackney carriage insurance.

### **Risk Assessment**

17. The Council's Taxi Licensing Policy states the Council will review fares on an annual basis. This report is the mechanism by which this is achieved.
18. Approval of a fare below the expectations of the hackney carriage trade may result in dissatisfaction. The setting of a fare much above the rate of inflation may result in complaints from members of the public.

### **Consultation**

19. At the Taxi Forum in May 2008 members of the taxi trade discussed the mechanisms for consulting with the trade on the process of setting fares. It was agreed that officers would, as part of the annual review of fares, issue a questionnaire to trade members and seek views on how they would like to see fares changed.
20. At the October 2014 Taxi Forum it was agreed that this year's consultation with the trade on fares would continue to be in the form of an online vote. The options to be consulted on were discussed and the forum subsequently agreed. Those present sought an increase to the starting fare (drop rate) of 10 pence and a 3% increase to the overall tariff.
21. Although an operator's licence is not required to receive bookings for hackney carriages, four of the private hire operators also operate hackney carriage vehicles and were asked to contribute to the survey.
22. The survey consisted of three fare proposals, no increase, an increase of 10 pence or 20 pence to the starting fare (drop rate) and a 3% or 5% increase to the overall tariff.
23. The results of this survey can be seen in Appendix D, but in summary 63% supported a 10 pence increase to the drop rate and 78.3% supported a 3% overall increase. Disappointingly less than 25% of eligible drivers responded to the questionnaire.
24. The responses have been posted on the Taxi Forum web page, to which all drivers have access and trade representatives have been informed.
25. Drivers were also asked to vote on whether vehicles carrying 6 or more passengers should be able to charge the 1.5 tariff.
26. Of the 18 proprietors eligible to vote, 9 did not vote, 7 voted no and 2 voted yes.

### **Implications Assessment**

27. As previously stated the recommendation does not represent a key decision. The consideration assessment indicates low impact in terms of human rights, the environment, legal and staffing implications.

## Handling

28. The fares approved by the Council must be advertised via a Public Notice in the local press in accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976. If relevant objections are received in response to this Notice a further report would be required.
29. The agreed fare scale will take effect on 1st April 2015.

## Conclusion

Members may wish to take the following into account:

- Only a small percentage of drivers and operators responded to the consultation. Of those that did, there was the majority voted for a 10p increase in the drop rate and a 3% increase overall.
- In 2011 there was a 3% increase in maximum fares and a 20p increase in the drop rate. In 2012 there was a 5% increase and a 10p increase in the drop rate. In 2013 there was a 3% increase and a 10p increase in the drop rate and there was no increase in 2014.
- Members are asked to set maximum levels for fares, although drivers may charge less if they wish to.
- The price of fuel has dropped considerably during the last 12 months.
- A 3% increase is 2% above the Consumer Price Index (CPI) method of measuring inflation.
- Insurance costs have reduced over the last 12 months.
- Members are also asked to consider whether vehicles carrying 6 or more passengers should be able to charge the 1.5 tariff as a result of the consultation.

## Portfolio Holder's Views

30. **The views of the Portfolio Holder are being sought.**

Contact:	Jack Godley
Email:	<a href="mailto:jack.godley@ashford.gov.uk">jack.godley@ashford.gov.uk</a>

**APPENDIX A: 3% fare increase for 2015/16**

**APPENDIX B: 3% fare increase for 2015/16**

**APPENDIX C: 5% fare increase for 2015/16**

**APPENDIX D: 2015/16 fare option responses from hackney carriages drivers and operators**

## APPENDIX A: No fare increase for 2015/16

### **FARES FOR DISTANCE OR TIME**

£

#### **Rate 1**

If the distance does not exceed 700 yards, for the whole distance or for the first 220.5 seconds of waiting time

2.80

For each subsequent 171.8 yards or uncompleted part thereof

0.20

Or for each subsequent period of 54.5 seconds of waiting time or uncompleted part thereof

0.20

### **SURCHARGES FOR CERTAIN TIMES AND DAYS:-**

#### **Rate 2**

a) For each hire commenced between 12 midnight and 7 am

1½ x Rate 1

b) For each hire undertaken on **GOOD FRIDAY, EASTER MONDAY, MAY DAY, SPRING BANK HOLIDAY, SUMMER BANK HOLIDAY** or any other specifically declared Bank Holiday only.

1½ x Rate 1

#### **Rate 3**

c) For each hire undertaken on a **CHRISTMAS DAY, BOXING DAY** or **NEW YEARS DAY**

2 x Rate 1

Note: When the holiday charge (b) or (c) is payable the Night Charge (a) is **NOT** payable.

**Extras** - up to a maximum of £1.20

d) for each person (excluding infants in arms) carried in excess of two persons (two children under 10 years of age count as one person) irrespective of distance.

0.20

**Note: For the purposes of counting the number of persons that the vehicle is licensed to carry, children under 10 years of age should each be counted as a person. A babe in arms should not be counted as a person.**

e) for each article of luggage conveyed outside the passenger compartment of the carriage

0.05

f) for perambulators

0.05

g) for dogs

0.10

## APPENDIX B: 3% fare increase for 2015/16

### **FARES FOR DISTANCE OR TIME**

£

#### **Rate 1**

If the distance does not exceed 703.90 yards, for the whole distance or for the first 223 seconds of waiting time

2.90

For each subsequent 166.70 yards or uncompleted part thereof

0.20

Or for each subsequent period of 52.90 seconds of waiting time or uncompleted part thereof

0.20

### **SURCHARGES FOR CERTAIN TIMES AND DAYS:-**

#### **Rate 2**

h) For each hire commenced between 12 midnight and 7 am

1½ x Rate 1

i) For each hire undertaken on **GOOD FRIDAY, EASTER MONDAY, MAY DAY, SPRING BANK HOLIDAY, SUMMER BANK HOLIDAY** or any other specifically declared Bank Holiday only.

1½ x Rate 1

#### **Rate 3**

j) For each hire undertaken on a **CHRISTMAS DAY, BOXING DAY** or **NEW YEARS DAY**

2 x Rate 1

Note: When the holiday charge (b) or (c) is payable the Night Charge (a) is **NOT** payable.

**Extras** - up to a maximum of £1.20

k) for each person (excluding infants in arms) carried in excess of two persons (two children under 10 years of age count as one person) irrespective of distance.

0.20

**Note: For the purposes of counting the number of persons that the vehicle is licensed to carry, children under 10 years of age should each be counted as a person. A babe in arms should not be counted as a person.**

l) for each article of luggage conveyed outside the passenger compartment of the carriage

0.05

m) for perambulators

0.05

n) for dogs

0.10

## APPENDIX C: 5% fare increase for 2015/16

### **FARES FOR DISTANCE OR TIME**

£

#### **Rate 1**

If the distance does not exceed 690.50 yards, for the whole distance or for the first 219 seconds of waiting time

2.90

For each subsequent 163.60 yards or uncompleted part thereof

0.20

Or for each subsequent period of 51.90 seconds of waiting time or uncompleted part thereof

0.20

### **SURCHARGES FOR CERTAIN TIMES AND DAYS:-**

#### **Rate 2**

o) For each hire commenced between 12 midnight and 7 am

1½ x Rate 1

p) For each hire undertaken on **GOOD FRIDAY, EASTER MONDAY, MAY DAY, SPRING BANK HOLIDAY, SUMMER BANK HOLIDAY** or any other specifically declared Bank Holiday only.

1½ x Rate 1

#### **Rate 3**

q) For each hire undertaken on a **CHRISTMAS DAY, BOXING DAY** or **NEW YEARS DAY**

2 x Rate 1

Note: When the holiday charge (b) or (c) is payable the Night Charge (a) is **NOT** payable.

**Extras** - up to a maximum of £1.20

r) for each person (excluding infants in arms) carried in excess of two persons (two children under 10 years of age count as one person) irrespective of distance.

0.20

**Note: For the purposes of counting the number of persons that the vehicle is licensed to carry, children under 10 years of age should each be counted as a person. A babe in arms should not be counted as a person.**

s) for each article of luggage conveyed outside the passenger compartment of the carriage

0.05

t) for perambulators

0.05

u) for dogs

0.10

**APPENDIX D: 2015/16 Fare Option Responses from hackney carriages drivers and operators**

<b>Drop Rate</b>			
	Total		Total
£2.80 (current)	8	£2.80 (current)	17.4%
<b>£2.90</b>	<b>29</b>	<b>£2.90</b>	<b>63.0%</b>
£3.00	9	£3.00	19.6%
	<u>46</u>		<u>100%</u>

<b>Percentage Increase</b>			
	Total		Total
No change	5	No change	10.9%
<b>3% increase</b>	<b>36</b>	<b>3% increase</b>	<b>78.3%</b>
5% increase	5	5% increase	10.9%
	<u>46</u>		<u>100%</u>

<b>Have you altered your meter to the 2013/14 rate?</b>			
	Total		Total
<b>Yes</b>	<b>41</b>		<b>89.1%</b>
No	5		10.9%
	<u>46</u>		<u>100%</u>

<b>Should vehicles carrying six or more passengers be able to charge the 1.5 tariff?</b>			
	Total		Total
Yes	10		21.7%
<b>No</b>	<b>36</b>		<b>78.3%</b>
	<u>46</u>		<u>100%</u>

There were 18 proprietors eligible to vote on the above rate.

9 did not vote

7 voted no

2 voted yes

**Any other matter to be considered:**

None