

## 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 **25<sup>th</sup> January 2016**.

### Present:

Cllr. Feacey (Chairman);  
Cllr. Bradford (Vice-Chairman);  
Cllrs. Adby, Apps, Bennett, Burgess, Miss Martin, Shorter, Sims, Smith, Mrs Webb.

In accordance with Procedure Rule 1.2 (iii) Councillor Burgess attended as Substitute Member for Councillor Mrs Heyes.

### Apology:

Cllr. Mrs Heyes.

### Also Present:

Health, Parking & Community Safety Manager, Interim Licensing Manager, Senior Member Services & Scrutiny Support Officer.

## 280 Declarations of Interest

Councillor	Interest	Minute No.
Burgess	Made a Voluntary Announcement as he had previously had an input at Wittersham Village Store as the local Ward Member.	282
Feacey	Made a 'Voluntary Announcement' as he was the Managing Director of Energyshift who worked with members of the taxi trade and he was on the Management Committee of UK LPG.	282, 283
Shorter	Made Voluntary Announcements as a Director of Kent Play Clubs and the 'A Better Choice for Building Consultancy' Company	282

## 281 Minutes

As the full Committee only met on an annual basis the Chairman said he would like to update on a couple of issues raised at the last meeting. With regard to the disappointing response rate from drivers to the survey on Hackney Carriage fares last year and the need to make a case for any changes backed up with detail and evidence, he confirmed that these points had been relayed to the drivers through the Taxi Forum. A Member said that unfortunately it appeared that this had had little or no effect on this year's process.

**Resolved:**

**That the Minutes of the Meeting of this Committee held on the 19<sup>th</sup> January 2015 be approved and confirmed as a correct record.**

## **282 Proposed Fee Levels for 2016/17 Applications**

The Health, Parking & Community Safety Manager introduced the report which recommended the proposed fees for licences for the financial year 2016/17. 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> January and 31<sup>st</sup> December 2015.

Following comments made by a Member, the Committee wished to place on record its thanks for the work of the out of hours enforcement team which was considered to be professional and above and beyond what was expected.

### **Gambling Related Fees**

The report recommended that various small increases of between 0.43% and 0.98% be made to the fees this year. In response to a question from a Member the Health, Parking & Community Safety Manager proposed a minor amendment to the proposed fee for an Application for a Provisional Statement for a Betting Premises (excluding Tracks), to bring it in line with the other application fees. It was confirmed that the all Licensing Fees were purely there in order to cover costs as licensing was a function that had to be non-profit making.

### **Sex Establishment Fees**

The report proposed that the fees remained the same as the costs of processing these licences had not increased.

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

The report recommended that due to the decrease in the number of new applications coming through, it was proposed that there were no changes to the fees with the exception of: - vehicle licences being increased by £2 for both a new licence and a renewal; and a proportionate increase in Operators licences to reflect the fact that they had increased from three years to five years in length.

The following responses were given to questions/comments: -

- The Health, Parking & Community Safety Manager agreed to do some benchmarking to determine how Ashford Borough Council compared to other Authorities in terms of complaints received about Hackney Carriage and Private Hire drivers.
- At present drivers could not apply on-line due to software compatibility issues. This was something the Council wanted to address but it would be a longer term piece of work as the software stretched across all Licensing, Environmental Health and Housing functions.

- There was no charge for a vehicle inspection missed appointment simply because the contractor who undertook this work had decided not to make a charge so there was no charge to pass on.
- Drivers were subject to checks under the Disclosure and Barring Service as part of the application process so relevant convictions were reviewed at least once every three years. Perhaps when the policy was reviewed in 2017 this was an area that could be examined to see if the arrangements were sufficient. There was also an annual check on driving licences so any driving convictions were flagged up and if a driver was disqualified the Authority would be made aware straight away.

### Scrap Metal Dealers Fees

The report recommended increases of 1% to 1.5% be made to the fees. In response to a question from a Member it was explained that the legislation did not require vehicles used for scrap metal collections to display a badge to show they were licenced but badges were given to the collectors themselves. Officers would look at the possibility of providing some sort of badge for the vehicles for those who wanted to make the situation clearer for customers.

### Licensing Annual Summary

The Health, Parking & Community Safety Manager drew the Committee's attention to a 'Licensing Summary' for 2015 summarising the licences/permissions issued from 1<sup>st</sup> January – 31<sup>st</sup> December 2015 and a list of the new Premises Licences issued.

#### Recommended:

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

#### RECOMMENDED GAMBLING RELATED LICENCE FEES FOR 2016/17

Premises Type	New Application (£)	Annual Fee (£)
New Small Casino	6570	3730
New Large Casino	7860	7520
Regional Casino	12380	11610
Bingo Club	2250	700
Betting Premises (excluding Tracks)	2290	455
Tracks	1760	700
Family Entertainment Centres	1760	605
Adult Gaming Centre	1760	705
Temporary Use Notices	204	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	2690	1564	1314	6570	2335	25	50
New large Casino	3555	1835	2070	7860	3860	25	50
Regional Casino	5800	4230	4230	12380	6030	25	50
Bingo Club	1540	855	855	2250	930	25	50
Betting Premises (excluding Tracks)	1300	855	855	2290	930	25	50
Tracks	1180	855	855	1760	930	25	50
Family Entertainment Centres	795	855	855	1760	770	25	50
Adult Gaming Centre	795	855	855	1760	930	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 2015/16

Current Fees:

Grant: £3,204

Transfer: £350

Renewal: £350

Taking into account the above, the recommended fee levels for sex establishments for 2016/17 are as follows:

Grant: **£3,204**

Transfer: **£350**

Renewal: **£350**

(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  
2016/17**

	<b>CURRENT FEES</b>	<b>PROPOSED FEES</b>
	<b>2015/16</b>	<b>2016/17</b>
Private Hire & Hackney Carriage Drivers Licence (for 1 year)	£50.00	<b>£50.00</b>
Private Hire & Hackney Carriage Drivers Licence (for 3 years)	£100.00	<b>£100.00</b>
Additional driver's licence (adding a licence)	£20.00	<b>£20.00</b>
Hackney Carriage Knowledge Test & Re-test	£50.00	<b>£50.00</b>
Replacement badge/Licence	£11.00	<b>£11.00</b>
Vehicle Licence - New (including vehicle plate) for 1 year	£303.00	<b>£305.00</b>
Vehicle Licence - Renewal (including vehicle plate) for 1 year	£283.00	<b>£285.00</b>
Vehicle Plate Internal/External	£25.00	<b>£25.00</b>
Transfer of Vehicle Licence (with or without vehicle plate)	£25.00	<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 : £76 (3 years) 4-10 vehicles : £253 (3 years) 11-20 vehicles : £505 (3 years)	<b>1-3 vehicles : £125 (5 years) 4-10 vehicles : £420 (5 years) 11-20 vehicles : £840 (5 years)</b>
To increase number of vehicles licensed during duration of Operators Licence	1-3 to 4-10 : £177 4-10 to 10-20: £253	<b>1-3 to 4-10 : £290 4-10 to 10-20: £420</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.

	<b>CURRENT FEES 2015/16</b>	<b>PROPOSED FEES 2016/17</b>
Grant Site Licence	<b>£303</b>	<b>£305</b>
Grant Collectors Licence	<b>£202</b>	<b>£205</b>
Renewal Site Licence	<b>£202</b>	<b>£205</b>
Renewal Collectors Licence	<b>£101</b>	<b>£102</b>
Variation	<b>£76</b>	<b>£77</b>
Replacement Licence	<b>£11</b>	<b>£11</b>

- (v) that the annual licensing summary be received and noted.

## **283 Review of the Hackney Carriage Fare Scale 2016/17**

The Health, Parking & Community Safety Manager introduced the report which set out two different options for the Hackney Carriage fare scale for 2016/17. In December 1996 the Council had agreed that the Hackney Carriage fare scale would be reviewed annually. This year's process had started during the summer of 2015 with consultation and discussion with the trade via the Taxi Forum and a subsequent internet based survey of drivers and operators. This survey had generated a disappointing response rate with only 15 responses received, which was just 8% of those eligible to respond.

The two options proposed were either no change to the current tariff or an increase of 3% to the overall tariff. 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 73.3% of those who had responded would prefer a 3% increase with the remainder preferring no change.

In terms of other costs, as of November 2015, the average price per litre of unleaded fuel in the South East was 108.31 pence – a decrease of 21 pence on the previous year. Diesel had been 110.6 pence per litre and LPG 57.6 pence and usually sat around 40% of the cost of unleaded petrol. These figures had continued to fall since the compilation of the report and locally prices for both unleaded and diesel had been as low as 99.9 pence per litre since the middle of December 2015.

The Portfolio Holder's views were also included within the report and these were that taxi fares should not rise for 2016/17 due to extremely low inflation and a substantial drop in fuel prices.

The Committee considered that given where Ashford already sat nationally in terms of its fares and in a market where fuel costs were dropping markedly it was difficult to support an increase to the fares. Members wished to re-iterate comments made last year that the response rate to the survey and participation of drivers in the process had been extremely disappointing, even more so in fact than last year. The Committee again wanted to make the point that any case for changes to the fares would be looked at far more credibly if it was evidence based, properly thought through and supported by higher numbers. It was clarified that if there was an unexpected and significant rise in fuel prices during the year, the Committee would consider a case from the trade at that time.

**Recommended:**

**That the Hackney Carriage fare scale for 2016/17 as given in the table below be approved for the purpose of issuing a public notice.**

**PROPOSED FARES FOR 2016/17**

**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

**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

<b><u>Rate 3</u></b>	
c) For each hire undertaken on a <b>CHRISTMAS DAY, BOXING DAY</b> or <b>NEW YEARS DAY</b> Note: When the holiday charge (b) or (c) is payable the Night Charge (a) is <b>NOT</b> payable.	2 x Rate 1

**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
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f) for perambulators	0.05
g) for dogs	0.10

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Queries concerning these minutes? Please contact Danny Sheppard:  
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