

## Licensing and Health and Safety Committee

Minutes of a Meeting of the Licensing and Health and Safety Committee held in Committee Room 2, Civic Centre, Tannery Lane, Ashford on the **15<sup>th</sup> January 2020**

### Present:

Cllr. Feacey (Chairman);  
Cllrs. Burgess, Ledger, Pickering, Rogers, Shorter and Wright.

### Apologies:

Cllrs. Buchanan, Mulholland.

### Also Present:

Environmental Protection and Licensing Team Leader, Chartered Environmental Health Practitioner, Principal Litigator, Member Services Officer.

## 264 Declaration of Interest

Councillor	Interest	Minute No.
Feacey	Made a 'Voluntary Announcement' as he was the Managing Director of Energyshift who worked with members of the taxi trade, he was on the Management Committee of UK LPG and was Chairman of the Ashford Volunteer Bureau who ran its own cars.	266, 267

## 265 Minutes

### Resolved:

**That the Minutes of the Meeting of this Committee held on the 15<sup>th</sup> January 2019 be approved and confirmed as a correct record.**

## 266 Proposed Fee Levels for Licence Applications 2020/2021

The Environmental Protection and Licensing Team Leader introduced the report and advised that the setting of licensing fees generally allowed the Licensing Authority to recover the costs of processing licence applications, regulation and back office costs associated with the running of the licensing regime. Although there was no legal duty for licensing fees to be cost neutral, the council had a responsibility with reference to managing public funds and setting appropriate fees. The fees also could not be set so as to be profit making. He drew attention to the proposed fees contained within the report.

## **Gambling Related Fees**

The report recommended that the fees increase in line with inflation, except where fees were at the statutory maximum.

## **Sex Establishment Fees**

The report proposed that the fees increased broadly in line with inflation (RPI), except for applications for the grant of a licence for which it was proposed the fee should remain at £3,397.

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

It was proposed to adjust the hackney and private hire fees to better reflect the cost of regulation, and to ensure that the fees against each application type and work was better reflected. It was therefore proposed that for 2020/21;

- Drivers' licences increase £14 for a 1-year licence and £33, for a 3-year licence, to better reflect the cost between driver and vehicle licences. This increase took the application fee for a three-year licence to £145.
- Vehicle licence grant and renewals remain at current rates to better balance the cost of regulation between drivers and vehicles.
- The application to become a joint private and hackney carriage driver licence holder increase 20% (£5) along with an increase in the cost of the hackney knowledge test of 3.6% (£2) to better reflect the cost of driver applications.
- Private hire operators licences increase between 3.3%-3.8% depending on the number of vehicles held on the licence.
- Transfer of vehicle licences increases 6.7% (£2) to better reflect the cost of processing such applications. These costs had been artificially kept low over recent years to promote the transfer of vehicles to newer vehicles, however a separate incentive scheme was operational to promote the uptake of ultra-low emission vehicles. That incentive scheme was worth approximately £1,000 to vehicle proprietors over a three-year period.
- Replacement plate fee increases 2.5% (50p).

The Environmental and Licensing Team Leader advised that the adjustment in figures related to a recent Court judgement, which reiterated the need to ensure that the fees for vehicles and drivers covered their respective costs. This adjustment had been made based on the inflationary increase of 3% for vehicles being transferred to driver licence fees to better reflect the cost of administration and regulation. Due to vehicle license fees being much higher and more commonly paid every three years, the respective increase this year was much greater. The increase would not present an increase to income, but was an adjustment to the source of income to better

reflect the costs associated with licensing and regulating drivers. This would ensure that the fees remained fit for purpose.

By way of comparison, the driver licence fee was the currently the lowest in Kent, and with the proposed increase would remain the second lowest. The vehicle licence fee was the sixth highest out of the 13 district councils.

### Scrap Metal Dealers Fees

The report recommended an increase in line with inflation.

#### Recommended:

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

#### RECOMMENDED GAMBLING RELATED LICENCE FEES FOR 2020/21

Premises Type	New Application (£)	Annual Fee (£)
New Small Casino	<b>7103</b> (8000)	<b>4032</b> (5000)
New Large Casino	<b>8450</b> (10000)	<b>8130</b> (10000)
Regional Casino	<b>13385</b> (15000)	<b>12552</b> (15000)
Bingo Club	<b>2432</b> (3500)	<b>757</b> (1000)
Betting Premises (excluding Tracks)	<b>2475</b> (3000)	<b>491</b> (600)
Tracks	<b>1902</b> (2500)	<b>757</b> (1000)
Family Entertainment Centres	<b>1902</b> (2000)	<b>654</b> (750)
Adult Gaming Centre	<b>1902</b> (2000)	<b>762</b> (1000)
Temporary Use Notices	<b>210</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>2908</b> (4000)	<b>1690</b> (1800)	<b>1420</b> (1800)	<b>7103</b> (8000)	<b>2523</b> (3000)	<b>25</b> (25)	<b>50</b> (50)
New large Casino	<b>3843</b> (5000)	<b>1984</b> (2150)	<b>2150</b> (2150)	<b>8498</b> (10000)	<b>4174</b> (5000)	<b>25</b> (25)	<b>50</b> (50)
Regional Casino	<b>6270</b> (7500)	<b>4573</b> (6500)	<b>4573</b> (6500)	<b>13385</b> (15000)	<b>6517</b> (8000)	<b>25</b> (25)	<b>50</b> (50)
Bingo Club	<b>1665</b> (1750)	<b>924</b> (1200)	<b>924</b> (1200)	<b>2432</b> (3500)	<b>1005</b> (1200)	<b>25</b> (25)	<b>50</b> (50)

Betting Premises (excluding Tracks)	<b>1406</b> (1500)	<b>924</b> (1200)	<b>924</b> (1200)	<b>2432</b> (3000)	<b>1005</b> (1200)	<b>25</b> (25)	<b>50</b> (50)
Tracks	<b>1250</b> (1250)	<b>924</b> (950)	<b>924</b> (950)	<b>1902</b> (2500)	<b>950</b> (950)	<b>25</b> (25)	<b>50</b> (50)
Family Entertainment Centres	<b>860</b> (1000)	<b>924</b> (950)	<b>924</b> (950)	<b>1902</b> (2000)	<b>832</b> (950)	<b>25</b> (25)	<b>50</b> (50)
Adult Gaming Centre	<b>860</b> (1000)	<b>924</b> (1200)	<b>924</b> (1200)	<b>1902</b> (2000)	<b>1002</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>

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

**RECOMMENDED SEX ESTABLISHMENT LICENCE FEES FOR 2020/21**

	<b>CURRENT FEES 2019/20</b>	<b>PROPOSED FEES 2020/21</b>
Grant	£3397	£3397
Transfer	£315	£324
Renewal	£315	£324

(iii) that the Hackney Carriage, Private Hire and Operator applications licence fees as given below be approved for the purposes of public consultation.

**RECOMMENDED HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING FEES  
2020/21**

	<b>CURRENT FEES 2019/20</b>	<b>PROPOSED FEES 2020/21</b>
Private Hire & Hackney Carriage Drivers Licence (for 1 year)	<b>£56.00</b>	<b>£70.00</b>
Private Hire & Hackney Carriage Drivers Licence (for 3 years)	<b>£112.00</b>	<b>£145.00</b>
Additional driver's licence (adding a licence)	<b>£25.00</b>	<b>£30.00</b>
Hackney Carriage Knowledge Test & Re-test	<b>£55.00</b>	<b>£57.00</b>
Replacement badge / Licence	<b>£11.50</b>	<b>£12</b>
Vehicle Licence - New or Renewal (including vehicle plate) for 1 year	<b>£320 - New</b> <b>£300 - Renewal</b>	<b>£320 - New</b> <b>£300 - Renewal</b>

Vehicle Plate Internal / External	<b>£20.00</b>	<b>£20.50</b>
Transfer of Vehicle Licence (with or without vehicle plate)	<b>£30.00</b>	<b>£32.00</b>
<i>Vehicle Inspection - Test Fee (set by contract)</i>	<b>£32.00</b>	<b>£32.00</b>
<i>Vehicle Inspection - Missed Appointment (set by contract)</i>	<b>No Charge</b>	<b>No Charge</b>
Private Hire Operators Licence - New or Renewal (for 5 years)	<b>1-3 vehicles : £134 4-10 vehicles : £445 11-20 vehicles : £890</b>	<b>1-3 vehicles : £139 4-10 vehicles : £460 11-20 vehicles : £919</b>
To increase number of vehicles licensed during duration of Operators Licence	<b>1-3 : £132.00 4-10 : £307.00 11-20 : £445.00</b>	<b>1-3 : £137.00 4-10 : £318.00 11-20 : £461.00</b>
Fee for Returned (Bounced) Cheques	<b>£16.50</b>	<b>£17.00</b>

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

#### **RECOMMENDED SCRAP METAL, SITE AND COLLECTORS LICENSING FEES 2020/21**

	<b>CURRENT FEES 2019/20</b>	<b>PROPOSED FEES 2020/21</b>
Grant Site Licence	£324	£334
Grant Collectors Licence	£217	£224
Renewal Site Licence	£217	£224
Renewal Collectors Licence	£109	£112
Variation	£82	£84
Replacement Licence	£11.50	£12

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

## **267 Review of the Hackney Carriage Fare Scale 2020/21**

The Chartered Environmental Health Practitioner introduced the report and advised that the Committee were asked to consider and set a Hackney Carriage Fee based on the information contained within the report. The fare scale was designed to protect the public from excessive fares and act as a maximum fare that could be charged. Drivers/proprietors were free to charge less or offer discounts, and this was actively encouraged. She drew attention to a number of points, namely:

- A total of 10 complete responses were received from the trade to the online survey detailed in the report, this had been open for one calendar month and was emailed to members of the trade, taxi forum reps and advertised on the ashford.gov.uk website. This figure represented an extremely small percentage of the trade, with there being a total of 634 taxi-based licences (although it should be noted that some individuals may hold more than once licence meaning an exact percentage could not be provided).
- 2017 saw an increase on the yardage rate of 3%, with 2019 seeing a 3% increase on the yardage rate and a 10pence increase on the drop rate.
- Fuel prices had remained consistent over the year.
- Insurance premiums for general vehicles had increased on average 3% over the past 12 months.

In recommending a fare scale, Officers asked the Committee to consider both a percentage change in the drop rate and yardage rates. The drop rate being the minimum charge and the latter being the ongoing fare per so many yards or seconds.

A Member felt that the low level of responses to the survey was disheartening. Low consultation response figures occurred year on year despite efforts to encourage a greater level of response from the trade. He felt that greater engagement from the trade should be encouraged, and he requested that Officers reported this back to trade representatives at the next Taxi Forum meeting.

A Member felt that the Committee had a social responsibility to the trade and he supported an increase in line with RPI.

The Chairman drew attention to the National Fare Charges table and Ashford's position within the top quarter of that table. There was a need to balance the needs of the taxi trade and that of the residents of the Borough and those that visited the Borough and used the taxi trade.

There was a motion put forward, and seconded, that there should be no increase to either the drop or yardage rate. This was voted upon and there was unanimous agreement.

**Recommended:**

**That the Hackney Carriage fare scale for 2020/21 as given in the table below be approved for the purpose of issuing a public notice.**

**PROPOSED FARES FOR 2019/20**

<b>(a) Fares for distance or time: Rate 1</b>	<b>£</b>
If the distance does not exceed 680 yards, for the whole distance or for the first 216 seconds of waiting time	2.90
For each subsequent 161.8 yards or uncompleted part thereof	0.20
Or for each subsequent period of 51.4 seconds of waiting time or uncompleted part thereof	0.20
<b>(b) Fares for certain times and days: Rate 2</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>(i) Fares for certain times and days: Rate 3</b>	
c) For each hire undertaken on a <b>CHRISTMAS DAY, BOXING DAY</b> or <b>NEW YEAR'S DAY</b>	2 x Rate 1
When the holiday charge (b) or (c) is payable the Night Charge (a) is <b>NOT</b> payable.	

<b>2 Miles</b>	-	<b>£6.50</b>
<b>5 Miles</b>	-	<b>£13.10</b>
<b>10 Miles</b>	-	<b>£23.90</b>

	<b>£</b>
<b>Extras</b> - up to a maximum of £1.20	
(a) 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
<b>Note: For the purposes of counting the number of persons <u>that the vehicle is licensed to carry</u>, children under 10 years of age should <u>each be counted as a person</u>. A babe in arms should not be counted as a person.</b>	
(b) for each article of luggage conveyed outside the passenger compartment of the carriage	0.05
(c) for perambulators	0.05
(d) for dogs	0.10

