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LICENSING COMMITTEE

12 JANUARY 2015

Present: Councillor J Brown (Chair)
Councillor P Jeffree (Vice-Chair)
Councillors I Brown, J Connal, K Crout, G Derbyshire,
K Hastrick, M Hofman, A Khan, H Lynch, B Mauthoor, M Mills,
D Scudder and S Williams

Officers: Environmental Health and Licensing Section Head
Solicitor
Licensing Manager
Committee and Scrutiny Support Officer (JK)

9 APOLOGIES FOR ABSENCE/ COMMITTEE MEMBERSHIP

Apologies for absence had been received from Councillor Saffery.

10 DISCLOSURE OF INTERESTS (IF ANY)

There were no disclosures of interest.

11 MINUTES

The minutes of the meeting held on 14 July 2014 were submitted and signed.

12 LICENSED DRIVER APPLICATION CRITERIA

The Committee received a report of the Head of Community and Customer Services outlining two proposals for changes to the application criteria for licensed drivers.

The Licensing Manager introduced the report. The first proposal was to extend the period during which the Council would accept a certificate from the Driver and Vehicle Standards Agency (DVSA) from applicants. The idea was to extend the time periods to the time period that the certificate remained valid, currently 12 months. The second proposal was to exempt relevant applicants from having to pass the wheelchair-handling assessment provided they had completed a disability awareness course approved by the Council. This requirement would apply to both private hire drivers and hackney carriage drivers.

Councillor Khan commented that it was important that all drivers undertook such training. He asked how frequently the training was offered by the external providers.

The Licensing Manager responded that the courses tended to last one day. One approved provider offered them monthly and the other offered them every other month. The Council would also accept evidence from elsewhere. The application process also tended to last a couple of months so attending a course in this timescale was achievable.

In response to a further question from Councillor Khan, the Licensing Manager explained that all hackney carriage drivers had been required to undertake the course in the past. However, when a limit on the number of licenses available was imposed the level of demand for the courses fell. There had only been approximately three licences granted since the limit was introduced. The Council could cover the costs for these drivers. The private hire drivers were required to undertake a refresher course every six years which included disability awareness training.

Councillor Mauthoor asked whether drivers were trained in other areas such as First Aid as she was concerned about child passengers suffering from sickness or illness during the journeys. She noted that some companies operated contracts for schools. The Licensing Manager advised that incidents of this type were very rare. There was no formal training in place but there was a BTEC and an NVQ available which a large number of drivers had undertaken. The Environmental Health and Licensing Section Head responded that it was likely that the County Council required taxi companies which operated school contracts to have such training. She underlined that this was not an area that WBC was involved in and the Council did not employ the taxi drivers.

ACTION - the Licensing Manager to confirm the requirements prescribed by HCC and to inform the Committee.

RESOLVED –

1. that applicants for a hackney carriage driver's or private hire vehicle driver's licence

1. be required to submit with the application a valid certificate to show they have passed an appropriate assessment by the Driver and Vehicle Standards Agency (DVSA)
2. be exempt from having to pass the DVSA wheelchair-handling assessment if they have attended a disability awareness course approved by the Council.

2. that from 1 February 2015 applicants for a hackney carriage driver's or private hire vehicle driver's licence have to submit evidence that they have attended a disability awareness course approved by the Council, prior to or within three months from the grant of a licence.

LICENSING FEES AND CHARGES

The Committee received a report of the Head of Community and Customer Services seeking the Committee's approval to charge fees for the 2015/16 financial year for some of the different licensing regimes administered by the Council.

The Licensing Manager introduced the report. He highlighted that there were generally few changes to the fees charged. The change to the cost of magnetic door signs reflected the increase in cost of purchasing the signs for the Council. The report also asked the Committee to delegate authority to alter the cost of certain services and equipment in line with the suppliers' charges.

A further proposal was to give a 50% discount in the cost of a licence to drivers of electric cars. The Committee was informed that this would only apply to cars which were fully electric rather than hybrids.

The Committee was informed that an earlier draft of the fees and charges scheme had been included on the agenda in error. Members were updated on the changes to note and the correct version of the scheme would be appended to these minutes. Officers apologised for this oversight.

ACTION - The Committee and Scrutiny Support Officer to circulate the updated scheme of fees and charges.

Councillor I Brown asked whether officers had any indication of what the outcome to the case of Hemming and Others v Westminster City Council might be and the figures which could potentially be involved. The Licensing Manager said there was no information available about the outcome of the case and he gave details of the issue involved. He did not anticipate that it would lead to a decrease in the level of fees currently set by the Council but certain fees could potentially be increased.

Councillor S Williams referred to the proposal relating to electric cars and asked about potential locations and costs of charging points. He added that he was not happy with the proposed increase to the cost of magnetic door signs. The Licensing Manager responded that the Committee would be kept informed of the take-up of the discount for electric cars. The intention was to install charging points across the Borough for all electric vehicles, not just taxis. It was not possible to provide details of costs as there were many variables including the location and the cost of the type of charging unit that was installed. The Environmental Health and Licensing Section Head added that the Council had locations in mind for charging points and was putting in bids for funding to government offices and the EU as part of the cleaner air strategy.

Regarding door signs, the Licensing Manager noted that the drivers also had the option of purchasing the cheaper permanent signs. The proposal would allow the Council to decrease the cost should a cheaper supplier be found.

Following a question from Councillor Hofman, it was confirmed that drivers would pay the cost of the electricity.

Councillor Scudder referred to recommendation 2.2 which delegated authority to vary the charges. He suggested that the changes be made in consultation with the Chair of the Licensing Committee. The Environmental Health and Licensing Section Head confirmed that this was possible. She underlined that this delegation would only apply to charges for equipment and services procured on behalf of the drivers.

Councillor Khan noted that there was an 85% increase in the charge for magnetic door signs. He noted that drivers had reported these needed to be replaced several times per year. He also asked for confirmation of some of the other proposed increases. The Licensing Manager gave an update on the figures which were as set out in the appendix to this document.

The Chair informed the Committee that it was the drivers who had asked for the option of magnetic door signs. She suggested that the matter be raised with the drivers' working party.

ACTION – Licensing Manager

In response to a further question from Councillor Khan, the Licensing Manager advised that the charge for magnetic signs had not increased for a number of years. The Council had been absorbing this cost. He added that he was not aware of cases where the signs had to be replaced several times per year.

Councillor Khan proposed that should there be an increase in fees of 10% or more, it should be referred to the Licensing Committee. The Licensing Manager commented that in many cases there were no alternative suppliers, for example the DVLA checks. There may, therefore, be little benefit in bringing the matter to Committee.

Councillor Derbyshire advised that he was happy for the delegation to remain in consultation with the Chair. Councillor Scudder concurred as he felt this was a more practical solution particularly as the Committee meetings were often infrequent.

Councillor Khan reiterated his view and advised that he would like to see additional democratic oversight.

The Chair asked that the matter be put to a vote.

Councillor Khan moved that any increases in price of more than 10% be brought to the Licensing Committee.

On being put to the Committee the motion was LOST.

The Chair moved that: authority be delegated to the Environmental Health and Licensing Section Head, in consultation with the Chair of the Licensing

Committee, to increase or decrease charges in respect of provision of:

- compulsory door signage for hackney carriages
- Disclosure and Barring Service, and Driver and Vehicle Licensing Agency checks
- licence badges and plates.

On being put to the Committee the motion was CARRIED.

RESOLVED –

1. that the fees and charges set out in the attached document for the financial year 2015/2016 be approved.
2. that authority be delegated to the Environmental Health and Licensing Section Head, in consultation with the Chair of the Licensing Committee, to increase or decrease charges in respect of provision of:
 - compulsory door signage for hackney carriages
 - Disclosure and Barring Service, and Driver and Vehicle Licensing Agency checks
 - licence badges and plates.

Chair

The Meeting started at 7.45 pm
and finished at 8.30 pm

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LICENSING FEES AND CHARGES FEES APPENDIX 1

**2015/16 FEES & CHARGES PROPOSED FOR :-
ENVIRONMENTAL HEALTH & LICENSING**

Description	2014/15 Charge	PRICING STRATEGY					Proposed 2015/16 Charge	Annual Increase / Decrease (-) %	Affected By 2014/15		Comments
		COMMERCIAL	FULL COST REC	SUBSIDISED	FREE	STATUTORY			SAVINGS PROPOSAL	GROWTH PROPOSAL	
Outside Scope for VAT purposes											
Taxi & Private Hire Vehicle Licences											
Annual Vehicle Licence	£218.00	x	✓	x	x	x	£218.00	NO CHANGE	N	N	
Annual Vehicle Licence for all-electric vehicle	£218.00	x	x	✓	x	x	£109.00	-50.00 %	N	N	Fee incentive to encourage take-up of electric vehicles
Transfer of vehicle ownership (payable by buyer)	£17.50	x	✓	x	x	x	£17.50	NO CHANGE	N	N	
Taximeter tests	£17.50	x	✓	x	x	x	£17.50	NO CHANGE	N	N	
Replacement vehicle plates	£21.00	x	✓	x	x	x	£21.00	NO CHANGE	N	N	
Optional plate fitting brackets	£21.00	x	✓	x	x	x	£21.00	NO CHANGE	N	N	
Compulsory door signs for hackney carriages	£10.50	x	✓	x	x	x	£19.50	85.71 %	N	N	Reflects cost to Council. Such other cost to be authorised in the event of
Optional magnetic door signs for hackney carriages	£10.50						£10.50	NO CHANGE			
Advertising approval on hackney carriages (agency)	£150.00	x	✓	x	x	x	£150.00	NO CHANGE	N	N	
Advertising approval per hackney carriage	£50.00	x	✓	x	x	x	£50.00	NO CHANGE	N	N	
Advertising approval (Licensing Committee referral)	£250.00	x	✓	x	x	x	£250.00	NO CHANGE	N	N	
Private Hire Operators (5 yrs)	£735.00	x	✓	x	x	x	£735.00	NO CHANGE	N	N	
Driver Licences (3 yrs)	£335.00	x	✓	x	x	x	£335.00	NO CHANGE	N	N	
Theory Knowledge Test (each attempt)	£35.00	x	✓	x	x	x	£35.00	NO CHANGE	N	N	Maximum charge, depending on possible changes to the Test. Fee is
Replacement drivers badges	£17.50	x	✓	x	x	x	£17.50	NO CHANGE	N	N	
Duplicate documents	£17.50	x	✓	x	x	x	£17.50	NO CHANGE	N	N	

Description	2014/15 Charge	PRICING STRATEGY					Proposed 2015/16 Charge	Annual Increase / Decrease (%)	Affected By 2014/15		Comments
		COMMERCIAL	FULL COST REC	SUBSIDISED	FREE	STATUTORY			SAVINGS PROPOSAL	GROWTH PROPOSAL	
Street Trading											
Street Trading Consent (per annum)	£462.00	*	✓	*	*	*	£462.00	NO CHANGE	N	N	
Street Trading Consent (per annum) - Vicarage Road	£462.00	*	✓	*	*	*	£462.00	NO CHANGE	N	N	
Street Trading Consent daily rate (if less than one year)	£21.00	*	✓	*	*	*	£21.00	NO CHANGE	N	N	
Street Trading Consent (Town Centre Markets per stall per day, waived for charitable etc stalls)	£21.00	*	✓	*	*	*	£21.00	NO CHANGE	N	N	
Permit for Tables & Chairs on the Highway											
Initial application (1 year permit)	£367.00	*	✓	*	*	*	£367.00	NO CHANGE	N	N	
Renewal of annual permit	£315.00	*	✓	*	*	*	£315.00	NO CHANGE	N	N	
Free Printed Matter Distribution											
First distributor	£50.00	*	✓	*	*	*	£50.00	NO CHANGE	N	N	
Each additional distributor	£30.00	*	✓	*	*	*	£30.00	NO CHANGE	N	N	
Additional fee for each distributor between 1700 and 0900	£20.00	*	✓	*	*	*	£20.00	NO CHANGE	N	N	
Sex Establishment Licence											
Grant of Licence	£615.00	*	✓	*	*	*	£615.00	NO CHANGE	N	N	
Annual licence fee	£315.00	*	✓	*	*	*	£315.00	NO CHANGE	N	N	
Sexual Entertainment Venue Licence											
Application for grant of licence	£900.00	*	✓	*	*	*	£900.00	NO CHANGE	N	N	
Fee on grant of licence	£315.00	*	✓	*	*	*	£315.00	NO CHANGE	N	N	
Renewal of licence	£315.00	*	✓	*	*	*	£315.00	NO CHANGE	N	N	
Major variations (at officer's discretion)	£315.00	*	✓	*	*	*	£315.00	NO CHANGE	N	N	
Minor variations (at officer's discretion)	£89.00	*	✓	*	*	*	£89.00	NO CHANGE	N	N	
Skin Piercing											
Operator (each)	£50.00	*	✓	*	*	*	£50.00	NO CHANGE	N	N	
Premises	£150.00	*	✓	*	*	*	£150.00	NO CHANGE	N	N	
Special Shop & Other Animal Licences (excl Veterinary fees)											
Pet Shops	£185.00	*	✓	*	*	*	£185.00	NO CHANGE	N	N	
Dangerous Wild Animals	£200.00	*	✓	*	*	*	£200.00	NO CHANGE	N	N	
Animal Boarding / Breeding Establishment annual											
Registration (exc. Home boarding)	£290.00	*	✓	*	*	*	£290.00	NO CHANGE	N	N	
Initial home Boarding registration	£150.00	*	✓	*	*	*	£150.00	NO CHANGE	N	N	
Annual re-registration	£115.00	*	✓	*	*	*	£115.00	NO CHANGE	N	N	
Annual re-registration (home boarding)	£75.00	*	✓	*	*	*	£75.00	NO CHANGE	N	N	

Description	2014/15 Charge	PRICING STRATEGY					Proposed 2015/16 Charge	Annual Increase / Decrease (-) %	Affected By 2014/15		Comments
		COMMERCIAL	FULL COST REC	SUBSIDISED	FREE	STATUTORY			SAVINGS PROPOSAL	GROWTH PROPOSAL	
Scrap metal Dealers											
Grant of Licence	£245.48	x	✓	x	x	x	£245.48	NO CHANGE	N	N	
Renewal of Licence	£191.50	x	✓	x	x	x	£191.50	NO CHANGE	N	N	
Variation of Licence	£51.00	x	✓	x	x	x	£51.00	NO CHANGE	N	N	
Change of Name	£51.00	x	✓	x	x	x	£51.00	NO CHANGE	N	N	
Change of Site	£51.00	x	✓	x	x	x	£51.00	NO CHANGE	N	N	
A request for a CRB check would be subject to VAT at the Standard rate.											
A request for a CRB check which forms part of a Licence application would be Outside Scope for VAT purposes.											
CRB checks											
Criminal Records Bureau check for selected licences	£44.00	x	x	x	x	✓	£44.00	NO CHANGE	N	N	
Statutory fee plus admin fee of £10	£51.00	x	✓	x	x	x	£54.00	5.88 %	N	N	

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