

GENERAL LICENSING COMMITTEE

TUESDAY, 12TH MARCH, 2019, 6.00 PM

CROSS ROOM, CIVIC CENTRE, WEST PADDOCK, LEYLAND PR25
1DH

AGENDA

1 Apologies for Absence

Minutes of the General Licensing Committee

2 Minutes of the General Licensing Committee

(Pages 3 - 6)

Minutes of the last meeting held on Tuesday 20 November 2018 attached to be signed as a correct record.

Minutes of the General Licensing Sub Committee Panels

3 Minutes of meeting Tuesday, 11 September 2018 of General Licensing Sub-Committee Panel

(Pages 7 - 8)

4 Minutes of meeting Tuesday, 16 October 2018 of General Licensing Sub-Committee Panel

(Pages 9 - 10)

5 Minutes of meeting Tuesday, 20 November 2018 of General Licensing Committee

(Pages 11 - 14)

6 Minutes of meeting Tuesday, 12 February 2019 of General Licensing Sub-Committee Panel

(Pages 15 - 16)

7 Declarations of Any Interests

Members are requested to indicate at this stage in the proceedings any items on the agenda in which they intend to declare an interest. Members are reminded that if the interest is a Disclosable Pecuniary Interest (as defined in the Members' Code of Conduct) they must leave the room for the whole of that item. If the interest is not a Disclosable Pecuniary Interest, but is such that a member of the public could reasonably regard it as being so significant that it is likely that it would prejudice their judgment of the public interest (as explained in the Code of Conduct) then they may make representations, but then must leave the meeting for the remainder of the item.

8 Taxi Licensing Activity

(Pages 17 - 24)

Report of the Interim Monitoring Officer and Assistant Director of Legal Services attached.

9 Fees and Charges

(Pages 25 - 32)

Report of the Interim Monitoring Officer and Assistant Director of Legal Services attached.

10 Exclusion of the Press and Public

To consider the exclusion of the press and public for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

By Virtue of Paragraph 1: Information relating to any individual.

11 Use of Standing Order 35

(Pages 33 - 40)

Report of the Interim Monitoring Officer and Assistant Director of Legal Services attached.

Heather McManus
CHIEF EXECUTIVE

Electronic agendas sent to Members of the General Licensing Committee Councillors Barbara Nathan (Chair), Jacqui Mort (Vice-Chair), Jane Bell, Malcolm Donoghue, Mary Green, Harry Hancock, Jon Hesketh, Ken Jones, Mike Nathan and Paul Wharton

The minutes of this meeting will be available on the internet at www.southribble.gov.uk

Forthcoming Meetings

6.00 pm Tuesday, 11 June 2019 - Cross Room, Civic Centre, West Paddock, Leyland PR25 1DH

MINUTES OF GENERAL LICENSING COMMITTEE

MEETING DATE Tuesday, 20 November 2018

MEMBERS PRESENT: Councillors Jacqui Mort (Vice-Chair), Jane Bell, Malcolm Donoghue, Mary Green, Harry Hancock, Jon Hesketh, Ken Jones and Paul Wharton

OFFICERS: Mark Marshall (Head of Licensing), Tasneem Safdar (Senior Solicitor), Dianne Scambler (Governance and Member Services Team Leader) and Louise Hawkins (PA to the CEO)

OTHER MEMBERS AND OFFICERS: Justin Abbotts (Licensing Officer) (Licensing Officer) and Councillor Margaret Smith (Leader of the Council and Leader of the Conservative Group)

PUBLIC: 1

21 Minutes Silence

A minutes silence was held in memory of Councillor David Watts.

22 Apologies for Absence

Councillors Barbara Nathan (Chair) and Mike Nathan submitted apologies.

In the Chairs absence Councillor Jacqui Mort (Vice-Chair) chaired the meeting.

23 Minutes of the General Licensing Committee

RESOLVED: (Unanimously)

The minutes of the General Licensing Committee meeting held on 11 September 2018 were confirmed as a correct record for signing by the Chair.

24 Declarations of Any Interests

There were no declarations of any interests.

25 Licensing Service Update Report

The Head of Licensing presented a report that provided information to Members on the Licensing Activity that had taken place in September and October 2018. The activity included applications received, enforcement checks and referrals to partner agencies.

Members were updated on an Alcohol test purchasing exercise that was conducted with the Police on the 25 October 2018. Only one premises failed out of the 111

premises tested. Information was provided regarding an underage test purchasing exercise relating to Gaming Machines, the Council was the first authority in Lancashire to conduct this type of testing which has led to Gambling Commissioning work with other Lancashire Authorities and the initiation of a National Campaign.

The Head of Licensing updated Members on the launch of the Award for Personal License holder's course, the initial uptake had been slow with some concerns over the Firmstep system being difficult to use. Councillor Ken Jones commented that he had attended the Personal License course and had found the session very valuable to his role and recommended other Members to attend.

Members were also updated on the new Pubwatch scheme and following a meeting on the 15 November 2018, a Chair and new Vice Chair had now been appointed.

The Head of Licensing updated Members on the Licensing Teams Action Log and how this was progressing. The annual review of the Hackney Carriage and Private Hire Vehicle Licensing Policy had not yet started however, the target date is March 2019 and could roll into the next Financial Year.

Members discussed the introduction of a Sex Establishment Policy and the vetting of call handlers and calls.

RESOLVED (Unanimously):

1. That the report was noted.
2. That a Sex Establishment Policy be developed.

26 Taxi Qualification Course

The Head of Licensing presented a report that sought approval from Members to bring the Taxi Qualification Training in house. The report also sought confirmation of an agreed fee.

It was explained that the course would encompass as many aspects as possible as the BTEC Level 2 Qualification with both theory based work sessions and a trainer will conduct a one hour classroom based work session and a number of practical training and assessment elements included.

A qualified assessor would assist with the training and a vehicle has been sourced for the practical element of the course by two local taxi firms. For the course to be financially viable a minimum of six delegates would be needed at a cost of £150 per delegate.

Members discussed the possibility of increasing the fee if the number of applicants reduced and it was agreed that some thought needed to be given to differential rates.

A member of the Taxi Trade asked the Head of Licensing if it was possible for the course to be tailored to the individual needs of drivers as the recruitment of new drivers to his company was taking a significant amount of time. He also expressed some concern about information that had been provided to him over the telephone by the Gateway Department regarding how to obtain a Taxi License.

It was explained by the Head of Licensing that tailoring the course to the individual drivers needs would not be possible however, the dates as to when the courses would be run could be looked at in consultation with the Trade so that they could manage the timing of recruitment more effectively.

A copy of the BTEC Level 2 syllabus and proposed content for the Council run course was appended to the report for Members information.

RESOLVED: (Unanimously)

1. That delegated authority be granted to the Head of Licensing to determine the fee to be charged.
2. The report was noted.

27 Post-Consultation Gambling Policy

The Committee considered a report of the Head of Licensing that sought approval of the revised statement of Gambling Policy following consultation that would be referred to Full Council on 5 December 2018 for adoption.

The Head of Licensing updated the Committee reporting on a formal response received by Lancashire County Councils Public Health Team that had provided recommendations in relation to areas where there is high levels of deprivation. South Ribble is reported as being one of the lower risk areas in Lancashire. There was just one area 'Broadfield' that was high and considered at risk.

RESOLVED: (Unanimously)

1. That the report be noted.
2. That delegated authority be granted to the Head of Licensing to amend the Policy in light of any Members suggestions before submitting to Council of 5 December 2018 for approval.

Chair

Date

This page is intentionally left blank

MINUTES OF GENERAL LICENSING SUB-COMMITTEE PANEL

MEETING DATE Tuesday, 11 September 2018

MEMBERS PRESENT: Councillors David Suthers (Chair), Jacqui Mort, Jane Bell and Harry Hancock

OFFICERS: Mark Marshall (Head of Licensing), Tasneem Safdar (Senior Solicitor), Justin Abbotts (Licensing Officer), Chris Ward (Licensing Officer), Dianne Scambler (Governance and Member Services Team Leader) and Charlotte Lynch (Trainee Governance and Member Services Officer)

**OTHER MEMBERS
AND OFFICERS:**

PUBLIC: 0

6 Apologies for absence

Apologies for absence were received from Councillor David Watts.

7 Declarations of Any Interest

There were no declarations of interests.

8 Exclusion of the Press and Public

RESOLVED (Unanimously):

That the press and public be excluded from the meeting during consideration of the following item of business as it involved the discussion of information defined as exempt from publication under paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972, 'information relating to any individual' and in which the public interest in maintaining the exemption outweighed the public interest in disclosing it.

9 Report of Plying for Hire

The Panel received a report on a complaint of Plying for Hire against a private hire driver.

The Chair referred those present to the circulated established procedure for hearings and the process that would be followed.

The driver was present with his legal representative and they both addressed the Panel.

The Panel also received representations from the Council's Head of Licensing.

RESOLVED: (Unanimously)

That the driver would receive no further action against him, besides the formal caution previously issued.

10 Application for a Private Hire Drivers Licence

The Panel received a report on an application for a Private Hire Driver's Licence.

The Chair referred those present to the circulated established procedure for hearings and the process that would be followed.

The applicant was present and addressed the Panel.

The Panel also received representations from the Council's Head of Licensing.

RESOLVED (Unanimously):

That on the balance of probabilities, the Applicant is a fit and proper person to hold a Private Hire Driver's Licence and granted the application.

11 Request for an exemption from the Council's Age Policy in respect of a Private Hire Vehicle

The Panel received a report on an application for exemption from the Council's Age Policy in respect of a Private Hire Vehicle.

The Chair referred those present to the circulated established procedure for hearings and the process that would be followed.

The applicant was present and addressed the Panel.

The vehicle was inspected by all members of the Panel.

The Panel also received representations from the Council's Head of Licensing.

RESOLVED: (Unanimously)

That the application be granted, subject to conditions.

Chair

Date

MINUTES OF GENERAL LICENSING SUB-COMMITTEE PANEL

MEETING DATE Tuesday, 16 October 2018

MEMBERS PRESENT: Councillors David Suthers (Chair), Jane Bell, Harry Hancock, Barbara Nathan and Alan Ogilvie

OFFICERS: Tasneem Safdar (Senior Solicitor), Mark Marshall (Head of Licensing) and Dianne Scambler (Governance and Member Services Team Leader)

OTHER MEMBERS AND OFFICERS: None

PUBLIC: 0

12 Apologies for absence

There were none.

13 Declarations of Any Interest

There were none.

14 Request for a Hackney Carriage Licence

The Panel received a report on an application for a Hackney Carriage License.

The Chair referred those present to the circulated established procedure for hearings and the process that would be followed.

The applicant was present with his legal representative but only the legal representative addressed the panel.

The Panel also received representations from the Council's Head of Licensing.

RESOLVED: (Unanimously)

That the application be refused, on the grounds that the application did not meet accessibility requirements as outlined in Section 6.10 of the Taxi Licensing Policy.

15 Exclusion of the Press and Public

RESOLVED: (Unanimously)

That the press and public be excluded from the meeting during consideration of the following item of business as it involved the discussion of information defined as exempt from publication under paragraph 1 of Part 1 of Schedule 12A of the Local

Government Act 1972, 'information relating to any individual' and in which the public interest in maintaining the exemption outweighed the public interest in disclosing it.

16 Application for a Hackney Carriage Drivers Licence

The Panel received a report on an application for a Hackney Carriage License.

The Chair referred those present to the circulated established procedure for hearings and the process that would be followed.

The applicant was present with his spouse and his legal representative. They all addressed the Panel.

The Panel also received representations from the Council's Head of Licensing.

RESOLVED: (Unanimously)

That the Panel could not guarantee on the balance of probabilities that the applicant is a fit and proper person to hold a Hackney Carriage Driver's License, and refused the application.

Chair

Date

MINUTES OF GENERAL LICENSING COMMITTEE

MEETING DATE Tuesday, 20 November 2018

MEMBERS PRESENT: Councillors Jacqui Mort (Vice-Chair), Jane Bell, Malcolm Donoghue, Mary Green, Harry Hancock, Jon Hesketh, Ken Jones and Paul Wharton

OFFICERS: Mark Marshall (Head of Licensing), Tasneem Safdar (Senior Solicitor), Dianne Scambler (Governance and Member Services Team Leader) and Louise Hawkins (PA to the CEO)

OTHER MEMBERS AND OFFICERS: Justin Abbotts (Licensing Officer) (Licensing Officer) and Councillor Margaret Smith (Leader of the Council and Leader of the Conservative Group)

PUBLIC: 1

21 Minutes Silence

A minutes silence was held in memory of Councillor David Watts.

22 Apologies for Absence

Councillors Barbara Nathan (Chair) and Mike Nathan submitted apologies.

In the Chairs absence Councillor Jacqui Mort (Vice-Chair) chaired the meeting.

23 Minutes of the General Licensing Committee

RESOLVED: (Unanimously)

The minutes of the General Licensing Committee meeting held on 11 September 2018 were confirmed as a correct record for signing by the Chair.

24 Declarations of Any Interests

There were no declarations of any interests.

25 Licensing Service Update Report

The Head of Licensing presented a report that provided information to Members on the Licensing Activity that had taken place in September and October 2018. The activity included applications received, enforcement checks and referrals to partner agencies.

Members were updated on an Alcohol test purchasing exercise that was conducted with the Police on the 25 October 2018. Only one premises failed out of the 111

premises tested. Information was provided regarding an underage test purchasing exercise relating to Gaming Machines, the Council was the first authority in Lancashire to conduct this type of testing which has led to Gambling Commissioning work with other Lancashire Authorities and the initiation of a National Campaign.

The Head of Licensing updated Members on the launch of the Award for Personal License holder's course, the initial uptake had been slow with some concerns over the Firmstep system being difficult to use. Councillor Ken Jones commented that he had attended the Personal License course and had found the session very valuable to his role and recommended other Members to attend.

Members were also updated on the new Pubwatch scheme and following a meeting on the 15 November 2018, a Chair and new Vice Chair had now been appointed.

The Head of Licensing updated Members on the Licensing Teams Action Log and how this was progressing. The annual review of the Hackney Carriage and Private Hire Vehicle Licensing Policy had not yet started however, the target date is March 2019 and could roll into the next Financial Year.

Members discussed the introduction of a Sex Establishment Policy and the vetting of call handlers and calls.

RESOLVED (Unanimously):

1. That the report was noted.
2. That a Sex Establishment Policy be developed.

26 Taxi Qualification Course

The Head of Licensing presented a report that sought approval from Members to bring the Taxi Qualification Training in house. The report also sought confirmation of an agreed fee.

It was explained that the course would encompass as many aspects as possible as the BTEC Level 2 Qualification with both theory based work sessions and a trainer will conduct a one hour classroom based work session and a number of practical training and assessment elements included.

A qualified assessor would assist with the training and a vehicle has been sourced for the practical element of the course by two local taxi firms. For the course to be financially viable a minimum of six delegates would be needed at a cost of £150 per delegate.

Members discussed the possibility of increasing the fee if the number of applicants reduced and it was agreed that some thought needed to be given to differential rates.

A member of the Taxi Trade asked the Head of Licensing if it was possible for the course to be tailored to the individual needs of drivers as the recruitment of new drivers to his company was taking a significant amount of time. He also expressed some concern about information that had been provided to him over the telephone by the Gateway Department regarding how to obtain a Taxi License.

It was explained by the Head of Licensing that tailoring the course to the individual drivers needs would not be possible however, the dates as to when the courses would be run could be looked at in consultation with the Trade so that they could manage the timing of recruitment more effectively.

A copy of the BTEC Level 2 syllabus and proposed content for the Council run course was appended to the report for Members information.

RESOLVED: (Unanimously)

1. That delegated authority be granted to the Head of Licensing to determine the fee to be charged.
2. The report was noted.

27 Post-Consultation Gambling Policy

The Committee considered a report of the Head of Licensing that sought approval of the revised statement of Gambling Policy following consultation that would be referred to Full Council on 5 December 2018 for adoption.

The Head of Licensing updated the Committee reporting on a formal response received by Lancashire County Councils Public Health Team that had provided recommendations in relation to areas where there is high levels of deprivation. South Ribble is reported as being one of the lower risk areas in Lancashire. There was just one area 'Broadfield' that was high and considered at risk.

RESOLVED: (Unanimously)

1. That the report be noted.
2. That delegated authority be granted to the Head of Licensing to amend the Policy in light of any Members suggestions before submitting to Council of 5 December 2018 for approval.

Chair

Date

This page is intentionally left blank

MINUTES OF	GENERAL LICENSING SUB-COMMITTEE PANEL
MEETING DATE	Tuesday, 12 February 2019
MEMBERS PRESENT:	Councillors Barbara Nathan (Chair), Jane Bell, Harry Hancock, Jon Hesketh and Mike Nathan
OFFICERS:	Dianne Scambler (Governance and Member Services Team Leader), Tasneem Safdar (Senior Solicitor) and Mark Marshall (Head of Licensing)
OTHER MEMBERS AND OFFICERS:	Justin Abbotts (Licensing Officer) and Emma Cardie (Trainee Legal Executive)
PUBLIC:	0

17 Apologies for absence

None.

18 Declarations of Any Interest

None.

19 Exclusion of the Press and Public

RESOLVED: (Unanimously)

That the press and public be excluded from the meeting during consideration of the following item of business as it involved the discussion of information defined as exempt from publication under paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972, 'information relating to any individual' and in which the public interest in maintaining the exemption outweighed the public interest in disclosing it.

20 Complaint received about a Hackney Carriage Driver

The Panel received a report on a complaint that had been received against a Hackney Carriage Driver.

The Chair referred those present to the circulated established procedure for hearings and the process that would be followed.

The Driver was present and addressed the Panel.

The Panel also received representations from the Council's Head of Licensing.

RESOLVED: (Unanimously)

That the Panel could not guarantee on the balance of probabilities that the applicant is a fit and proper person to hold a Hackney Carriage Driver's License, and therefore by virtue of Section 61 (2B) of the Local Government Miscellaneous Provisions Act 1976, in the interest of public safety, the Hackney Carriage drivers licence was revoked with immediate effect.

Chair

Date

REPORT TO	ON
General Licensing Committee	12 March 2018



TITLE	REPORT OF
Taxi Licensing Activity	Interim Monitoring Officer / Assistant Director of Legal Services

Is this report confidential?	No
------------------------------	----

1. PURPOSE OF THE REPORT

This report provides information to members on Licensing Activity, including applications received, enforcement checks and referrals to partner agencies

2. CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Excellence and Financial Sustainability	x
Health and Wellbeing	
Place	

Projects relating to People in the Corporate Plan:

People	
--------	--

3. RECOMMENDATIONS

- 3.1 That Members note the progress made by the Licensing Service for the months of November 2018, December 2018, January 2019 and February 2019

4. BACKGROUND TO THE REPORT

- 4.1 Monthly updates on service delivery have been a regular item on the General Licensing Committee Agenda and include in table format the activity carried out by the Licensing Service.

4.3 Hackney Carriage Driver 1 refused a licence due to previous convictions. The driver is currently appealing the decision which is due to be heard on the 15th March 2019.

Hackney Carriage Driver 2 was suspended from driving due to the accumulation of 9 penalty points accrued in 6 months, the policy states at paragraph 5.1;

When determining an application or reviewing an existing licence the Council have the following options;

1. *Approve the application or take no further action*
2. *Refuse the application/revoke the licence/suspend the licence*
3. *Issue a warning*
4. *For existing drivers who have accumulated 9 or more points on their, their drivers licence will normally be suspended until the driver has successfully undertaken a driving test to DVSA standards. Such test will be at the licence holder's expense.*

4.4 Hackney Carriage Driver 3 appeared before a Panel to account a serious complaint of an inappropriate nature. The matter was referred in by a taxi company who dismissed the driver then went onto to provide excellent assistance to the Authority which proved to be valuable when challenging the drivers account. A decision was made to revoke the licence with immediate effect.

4.5 Private Hire Driver 4 was granted a licence at a Panel hearing in September 2018. Recent offending history came to light in February 2018, and an immediate revocation of the licence occurred utilising Standing Order 38.

4.6 Plying for Operation carried out on the 19th January 2019, 3 South Ribble vehicles passed, 1 failed. Preston vehicles were also approached in the Penwortham area, all of which were attending advance bookings. 1 South Ribble vehicle accepted a hiring in contravention of its licence. The driver later admitted the offence on interview and a file has been submitted for the consideration of prosecution for insurance offence and plying for hire without a licence.

4.7 1 prohibition notice issued in the last period for an illegal front tyre with exposed cords.

5. CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

N/A

6. FINANCIAL IMPLICATIONS

6.1 There are no direct financial implications arising from this report.

7. LEGAL IMPLICATIONS

7.1 There are no direct legal implications arising from this report.

8. COMMENTS OF THE STATUTORY FINANCE OFFICER

8.1 This report relates to Licensing activity carried out within existing resources and therefore there are no direct financial implications.

9. COMMENTS OF THE MONITORING OFFICER

All drivers were notified of their right to appeal the Authority's decision to the Magistrates Court.

10. OTHER IMPLICATIONS:

▶ HR & Organisational Development	None
▶ ICT / Technology	None
▶ Property & Asset Management	None
▶ Risk	We must continue to improve further the quality of the service. We must do everything possible to protect the general public. A failure to continue to achieve high standards in our Licensing service could result in reputational damage.
▶ Equality & Diversity	None

11. APPENDICES

Appendix A - Improvement Plan 2018/19

Report Author:	Telephone:	Date:
Mark Marshall – Head of Licensing	01772 625401	26 th February 2019

This page is intentionally left blank

Appendix A

Licensing Forward Plan 2018/2019 March update

No	Action	Responsibility	Target Date	Progress	In Progress/ Completed
Decision Making					
D1	Forward Plan to be a standing agenda item for each Licensing Committee, to include: <ul style="list-style-type: none"> • Member training • Taxi Forums • New/Revised/Reviewed Policies • Quarterly performance reports 	Mark Marshall	Monthly	Taxi Forum conducted on the 12 th December 2018 Matters arising were parking issues with private cars and private hire vehicles on taxi ranks. Numerous e mails sent to Lancashire County Council but to date no response. Gambling Policy became effective on the 31 st January 2019 final edition now published.	On Going (Amber)
D2	Implement a policy for the testing of modified vehicles	Mark Marshall		Cureden Depot now in position to begin testing vehicles will be incrementally filtered through for testing on the renewal of their licences	In Progress (Green)
D3	Annual review of the Hackney Carriage and Private Hire Vehicle Licensing Policy and associated appendices	Mark Marshall	March 2019	Report commissioned which includes public survey information	In Progress (Amber)

D4	To revisit and update the current vehicle testing regime which currently gives operators a choice of 10 commercial garages. The information passed to the Authority from these garages does not reflect an accurate picture of the standard of vehicles with no detail on defects detected the amount of re tests undertaken to achieve a pass and we believes there is a significant difference between garages in consistency.	Mark Marshall Justin Abbotts	February 2019	New certificates now being received which include; Items/defects which may have led to failure of the test. An indication as whether the vehicle has been adapted for wheel chair use since first registration. One garage has been formally warned for failing to notify of first time failures since that conversation a dramatic improvement has been noticed.	On Going (Amber)
S1	Re-establish a working relationship with ; Police Lancashire Fire and Rescue Home Office Immigration	Mark Marshall	March 2019	Partnership relationships established.	On Going (Green)
S2	Hold Taxi Forums on a quarterly basis with members invited to attend	Mark Marshall	Quarterly	Meeting took place on the 12 th December 2018,	On Going (Amber)
S3	Re engage with the local pub watch scheme and aim to increase membership and attendance	Mark Marshall	March 2019	First Pubwatch led meeting held on the 27 th February 2019	Green
Building Confidence					
B1	Formally record details of pro-active enforcement action for reporting to the Licensing Committee	Mark Marshall	Monthly	Details recorded on LALPAC database and manual records	Normal Business (Green)
B2	Develop a Licensing Tracking sheet to be sent to all Responsible Authorities and Elected Members weekly	Chris Ward	August 2018	In place, being circulated weekly to all elected member's	Complete (Green)
B3	An annual report will be provided to the Licensing Committee detailing the performance and activity of the licensing function over the previous 12 months	Mark Marshall	April 2019	Will appear on the April GLC Agenda	On Going (Amber)

B4	Council to receive reports from the Chair of the GLC on the Licensing Service and Committee activity (other than quasi-judicial matters)	Licensing Chair	March 2019	Covered on update report	On Going(Amber)
B5	Implement an operator accreditation scheme	Justin Abbotts	December 2018	Letters sent in December 2018 to all operator poor take up no expressions of interest.	Threat (red)
B8	Member training plan, including safeguarding training and job shadowing, to be agreed	Licensing Manager	March 2019	Ben Williams (barrister) confirmed to attend on the 8 th November 2018. APLH Course open to all Members,	On Going(Amber)
Service delivery and transformation					
T1	Review Licensing Process Procedures in order to streamline the systems focussing on risk rather than routine the overall aim is to avoid duplication and provide a better use of officer time	Chris ward	September 2018	Electronic files for drivers and premises now in place.	Complete (Green)
T2	Training and development programme to be created for Licensing Officers	Mark Marshall	March 2019	Ongoing updates for Officers through IOL meetings and on the job training relating to PACE interviews and file preparation	On going (Amber)
T3	Obtain BII (British Institute of Innkeepers) Status and begin to deliver Personal Licence Course with a view to increasing income generation	Mark Marshall	August 2018	Received Accreditation on the 28 th June 2018, Course schedule to be drawn up for the next 12 months commencing in September 2018.	Complete (Green)
T4	To implement a taxi driver customer care course in line with paragraph 5.7 of the taxi and private hire policy. This will provide more flexible access to the pre requisite qualification at a reduced cost to the BTEC and again increase revenue for the department.	Mark Marshall	August 2018	Course design complete, awaiting ratification from GLC . 4 dates scheduled for 2019, 1 st one scheduled for the 6 th March 2019, only one expression of interest as such it is not viable to run the March date with only one candidate. Next date scheduled for the 19 th June	Officer work complete, (Green)
T5	Register to the Dot Gov web site so that electronic applications for LA 2003 matters can be accepted.	Justin Abbotts	April 2019	IT rejected the financial demand to make the Dot Gov System compatible with the current	On going(Amber)

				payment system due to costings. Internal electronic application process being developed	
T6	Assessment of fees and charges to be effective from July 2018	Licensing Manager	March 2019	Fees and charges reviewed, progressive plan needed to reduce the deficit. Modest increases to be effective from 31 st April 2019	In Progress(Amber)
T7	Review of the Gambling Policy	Mark Marshall	Jan 2019	Draft Policy and consultation completed new policy was published on the 31 st January 2019	Complete (Green)

REPORT TO	ON
General Licensing Committee	12 March 2019



TITLE	REPORT OF
Fees and Charges	Interim Monitoring Officer / Assistant Director of Legal Services

Is this report confidential?	No
------------------------------	----

1. PURPOSE OF THE REPORT

To provide an update on the proposal to increase fees and charges

2. RECOMMENDATIONS

2.1 For Committee to consider the proposal and agree the proposed fees (under S70 of the Local Government [Miscellaneous Provisions] Act 1976) as set out in Appendix 1 to the report to be published in a newspaper

2.2 To confirm that if no objections are received, then the proposed fees (under S70 the said legislation) come into effect on the 1st May 2019.

2.3 For Committee to consider and agree the proposed fees (under S53 of the Local Government Miscellaneous Provisions Act 1976) to be consulted on as set out in Appendix 2 of the report.

2.4 That the Committee authorise the Head of Licensing (in consultation with the Monitoring Officer) to consider any responses to the Consultation set out in 2.3 above and to decide if the proposed fees should come into effect on the 1st May 2019.

3. CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Excellence and Financial Sustainability	x
Health and Wellbeing	
Place	

4. BACKGROUND TO THE REPORT

4.1 The Local Government (Miscellaneous Provisions) Act 1976 contains provisions for a Licensing Authority to determine the fees it charges for Hackney Carriage and Private Hire services.

Section 53(2) provides the mechanism for charging for Hackney and Private Hire Driver's badges, with section 70 providing for Hackney Carriage, Private Hire Vehicles and Private Hire Operators fees.

5. PROPOSALS (e.g. RATIONALE, DETAIL, FINANCIAL, PROCUREMENT)

- 5.1 Licensing Authorities are expected to ensure that they keep fees and charges under regular review. In particular, the Council's fees in respect of Hackney Carriage and Private Hire licensing should be set with a view to recovering the costs of issue and administration, as well as the costs of enforcement against licensed vehicles and drivers. They should not be used to recoup the costs of enforcement action against un-licensed drivers or vehicles.

A detailed review of the current level of fees charged by the Licensing Authority has been undertaken by officers in recent months. Appendix 1 sets out a list of the proposed fees for 2018/19 in respect of Hackney Carriage and Private Hire Vehicle fees (S70 of the Local Government Miscellaneous Provisions act 1976).

If the Committee wishes to proceed with the new fee structure, a public notice must be placed in a local newspaper specifying a date (not less than 28 days from the date on which the notice is first published). If there are no outstanding objections to the fee changes by this date, the proposed fees will come into effect on that date as specified. Alternatively, if any objections to the proposed new fee structure are received, the matter will have to be re-considered by the General Licensing Committee at a subsequent meeting. After due deliberation by members, any level of fees adopted at that meeting must then be re-advertised (even if the fees have not been amended from the earlier proposal) so as to take effect on a date set no more than 2 months after the first date advertised.

- 5.2 In respect Hackney Carriage and Private Hire Drivers' licence fees, S53 of the Local Government Miscellaneous Provisions Act allows Local authorities to charge fees. The Council must set the fees for these licences on the basis that it only recovers costs which it is statutorily entitled to recover. Appendix 2 sets out a list of the proposed fees for 2018/19 in respect of Hackney Carriage and Private Hire Vehicle fees. There is no requirement to publish these fees in a newspaper. However, by way of good practice, these fees are being consulted on.
- 5.3 The ability to cover expenditure will be determined by numbers of licence holders, in essence the more you have the less the fees can be, South Ribble have a relatively small number of licensed vehicles and drivers so the fees comparably speaking may not be as low as neighbouring Authorities who have a larger stock of drivers and vehicles.
- 5.4 The recent appointment of a service manager and the proposal to increase the proactive capability of the department by the creation of a full time post has led to an increase in expenditure, for this reason a fee increase is necessary to begin to cover costs.
- 5.5 Reaching cost neutrality in one year may not be achievable as the lift in fees and charges may be unachievable for some driver and owners so a modest increase is proposed to get us on the right trajectory. The proposed fees are set out in Paragraph 6 below
- 5.6 Currently the Authority only charge for a resit of the knowledge test, so the first test is free, there is a certain amount of time and resource spent administering and marking the test not to mention keeping the quality of the test of questions under review. Many Neighbouring Authorities rightly apply a charge for the knowledge test which range from £18.50 to £70. The proposal in this report is to apply a fee of £25 per test. As this is not a fee defined under the Local Government (Miscellaneous Provisions) Act 1976 it will not need to be advertised in the same way as, it is in effect a Policy requirement that an applicant sits a local knowledge test or a prerequisite to the

being able to submit an application similar to the requirements for a qualification such as the NVQ so any charge applied should be reasonable and proportionate.

5.7 The CSE training is provided by the Authority utilising the Authorities IT equipment and facilities, currently no charge is applied, and a fee of £5.00 per training session undertaken is fair and reasonable in the circumstances. There is one matter of inequity which is that drivers are required to sit this course on every renewal. The current policy does not distinguish between 1 year renewals and 3 year renewals, so a driver who has a 1 year licence would have to sit the course every 12 months where as those on 3 yearly licences would only sit the test every 3 years. A policy change will be required but it would appear equitable to apply this requirement to be tri annual regardless of licence tenure.

6. PROPOSED FEES

The fee increases are centred on vehicles and drivers:-

DETAILS	UNIT OF CHARGE	CURRENT FEE	PROPOSED FEE
Driver- New Application	1 year	£120	£125
Driver- New Application	3 year	£180	£190
Driver- Renewal Application	1 year	£65	£70
Driver- Renewal Application	3 Year	£165	£175
Vehicle New- Hackney Carriage	6 months	£140	£145
Vehicle Renewal- Hackney Carriage	6 months	£110	£115
Vehicle New- Private Hire	6 months	£130	£135
Vehicle Renewal- Private Hire	6 months	£105	£110

Projected income increase:

Drivers 280 @ £10 per 3 year licence = £2,800 ÷ 3= £933.33 pa

Vehicles 231 @ £5 per 6 month licence = £1,155 x 2 = £2,310 pa

7. FINANCIAL IMPLICATIONS

The increase in fees will generate extra income, estimated at £3,200 per year. This will offset the increased costs of providing the service, mainly due to increase staffing costs of 2%.

8. LEGAL IMPLICATIONS

If objections are received the matter must be reconsidered by the Committee in light of the objections. The process of consultation must be adhered to otherwise there may be grounds for a legal challenge

9. COMMENTS OF THE STATUTORY FINANCE OFFICER

Licensing fees and charges are set on a cost recovery basis and therefore increases can be applied to recover increases in the cost of providing the service. In the 19/20 budget and MTFs approved by Council on 27th February 2019, increases in general fees and charges have not been assumed unless required for statutory purposes for cost recovery or set by other bodies (para. 6.3 of Budget report refers).

10. COMMENTS OF THE MONITORING OFFICER

The Council is obliged to reconsider its fees on a regular basis in order to ensure that it covers its administrative costs and does not make any excess income. The revised charges reflect the additional resource that will be placed in Licensing over the coming year.

11. OTHER IMPLICATIONS:

<ul style="list-style-type: none">▶ HR & Organisational Development▶ ICT / Technology▶ Property & Asset Management▶ Risk▶ Equality & Diversity	
--	--

12. BACKGROUND DOCUMENTS (or There are no background papers to this report)

13. APPENDICES

Appendix 1 – Fee Advert Vehicle Only (Newspaper)

Appendix 2 – Drivers Fees Final

Report Author:	Telephone:	Date:
Mark Marshall – Head of Licensing	01772 625401	4 March 2019

SOUTH RIBBLE BOROUGH COUNCIL(LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - SECTION 70)HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENCE FEES

Notice is hereby given that South Ribble Borough Council proposes to increase its hackney carriage and private hire licence fees as follows, with effect from 1st May 2019:-

LICENSING UNIT – VEHICLE LICENCE FEE VARIATIONS 1 MAY 2019				
DETAILS	UNIT OF CHARGE	Current Fee (incl VAT)		Proposed Fee from 1 May 2017 (incl VAT)
<u>Taxis</u>				
Vehicle – Hackney Carriage New	6 months	£140	6 months	£145
Vehicle – Hackney Carriage Renew	6 months	£110	6 months	£115
Vehicle – Private Hire New	6 months	£130	6 months	£135
Vehicle – Private Hire Renew	6 months	£105	6 months	£110

A copy of this notice may be inspected free of charge at the Civic Centre, West Paddock, Leyland.

Any objections to the proposals must be sent in writing and addressed to the Head of Licensing by Tuesday 15th April 2019.

Mark Marshall
Head of Licensing
12th March 2019

This page is intentionally left blank

SOUTH RIBBLE BOROUGH COUNCIL(LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - SECTION 53)DRIVER LICENCE FEES

Notice is hereby given that South Ribble Borough Council proposes to increase its hackney carriage and private hire drivers' licence fees as follows, with effect from 1st May 2019:-

LICENSING UNIT - FEES AND CHARGES EFFECTIVE FROM 1 MAY 2019				
DETAILS	UNIT OF CHARGE	Current Fee (incl VAT)		Proposed Fee from 1 May 2017 (incl VAT)
<u>Taxis</u>				
Driver – New Application	3 year 1 year	£180 £120	3 year 1 year	£190 £125
Driver – Renewal Application	3 year 1 year	£165 £65	3 years 1 year	£175 £70
Knowledge test		£10 (Resist only)		£25
CSE Training		£00.00		£5.00

A copy of this notice may be inspected free of charge at the Civic Centre, West Paddock, Leyland.

Any responses to the proposals must be sent in writing and addressed to the Head of Licensing by Tuesday 15th April 2019.

Mark Marshall
Head of Licensing
12th March 2019

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank