



Civic Centre,
Arnot Hill Park,
Arnold,
Nottinghamshire,
NG5 6LU

Agenda

Environment and Licensing Committee

Date: **Tuesday 5 February 2019**

Time: **4.15 pm**

Place: **Council Chamber**

For any further information please contact:

Lorna Mellors

Democratic Services Officer

0115 901 3673

Environment and Licensing Committee

Membership

Chair Councillor Marje Paling

Vice-Chair Councillor Nicki Brooks

Councillor Bruce Andrews
Councillor Sandra Barnes
Councillor Tammy Bisset
Councillor Roxanne Ellis
Councillor Carol Pepper
Councillor Alex Scroggie
Councillor Paul Stirland
Councillor John Truscott
Councillor Paul Wilkinson

AGENDA

Page

- 1 Apologies for Absence and Substitutions.**
- 2 To approve, as a correct record, the minutes of the meeting held on 15 January 2019.** 5 - 8
- 3 Declaration of Interests.**
- 4 Proposed General and Taxi Licensing Fees for 2019/20** 9 - 13

Report of the Service Manager Public Protection.
- 5 Exclusion of the Press and Public.**

To move that under Section 100(A)(4) of the Local Government Act 1972 the public and press be excluded from the meeting during consideration of the ensuing report on the grounds that the report involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972.
- 6 Change of Circumstance of Hackney Carriage / Private Hire Drivers Licence (MAK)** 15 - 17

Report of the Director of Health and Community Wellbeing.
- 7 Application for a One Year Hackney Carriage / Private Hire Drivers Licence (MZ)** 19 - 21

Report of the Director of Health and Community Wellbeing
- 8 Application for a One Year Hackney Carriage / Private Hire Drivers Licence (SMUZ)** 23 - 25

Report of the Director of Health and Community Wellbeing

**9 Application for a One Year Hackney Carriage / Private Hire Drivers 27 - 30
Licence (HH)**

Report of the Director of Health and Community Wellbeing.

10 Any other item which the Chair considers urgent.

MINUTES ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 15 January 2019

Councillor Marje Paling (Chair)

Present: Councillor Nicki Brooks Councillor Carol Pepper
Councillor Bruce Andrews Councillor Alex Scroggie
Councillor Sandra Barnes Councillor John Truscott
Councillor Tammy Bisset Councillor Paul Wilkinson
Councillor Roxanne Ellis

Absent: Councillor Paul Stirland

Officers in Attendance: R Pentlow, L Mellors, L Chaplin and K Nealon

69 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apology for absence was received from Councillor Stirland.

70 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 4 DECEMBER 2018.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record subject to the following amendment:

Item 60 to read: 'Apologies for absence were received from Councillors Bisset, Scroggie, Pepper and Ellis. Councillors Gregory and Poole attended as substitutes.

71 DECLARATION OF INTERESTS.

None.

72 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

73 EXCLUSION OF THE PRESS AND PUBLIC.

RESOLVED:

That, the Members being satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information

that under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during the consideration of the ensuing reports on the grounds that the report involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

74

CHANGE OF CIRCUMSTANCE FOLLOWING COMPLAINTS ABOUT THE HOLDER OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MG

Consideration was given to a report by Director of Health and Community Wellbeing, which had been circulated prior to the meeting, regarding a change of circumstance following complaints about the holder of a Joint Hackney Carriage/Private Hire Driver's Licence for MG.

MG attended the meeting along with his solicitor and both addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines.

RESOLVED:

That MG to keep his licence with a warning about his behaviour and that should he appear before the Committee for similar conduct in the future the Committee are likely to revoke his licence. A letter of apology to be written to the members of staff involved.

75

CHANGE OF CIRCUMSTANCE OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - GSQ

Consideration was given to a report by Director of Health and Community Wellbeing, which had been circulated prior to the meeting, regarding an application for a change of circumstances of a Joint Hackney Carriage/Private Hire Driver's Licence for GSQ.

GSQ attended the meeting along with a friend and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines. On the basis of what it heard, the Committee was satisfied on balance that no exceptional circumstances existed which warranted departure from policy.

RESOLVED:

To revoke the Hackney Carriage/Private Hire Driver's Licence held by GSQ giving GSQ 21 days to surrender the licence.

GSQ was advised of his right to appeal against the decision of the Committee.

**76 APPLICATION FOR A THREE YEAR HACKNEY
CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MS**

Consideration was given to a report by Director of Health and Community Wellbeing, which had been circulated prior to the meeting, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence for MS.

MS attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines. On the basis of what it heard, the Committee was satisfied on balance that no exceptional circumstances existed which warranted departure from policy.

RESOLVED:

To approve MS's application for a Joint Hackney Carriage/Private Hire Driver's Licence for 1 year. And issue with a warning to declare all convictions on future application forms.

**77 REQUEST FOR AN EXPEMPTION FROM DISPLAYING A LICENCE
PLATE ON A PRIVATE HIRE VEHICLE UNDER SECTION 75(3) OF
THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)
ACT 1976**

Consideration was given to a report by Director of Health and Community Wellbeing, which had been circulated prior to the meeting, regarding a request for an exemption from displaying a licence plate on a private hire vehicle under Section 75 (3) of the Local Government (Miscellaneous Provisions) Act.

In making its decision, the Committee applied the Council's approved Policy and Guidelines. On the basis of what it heard, the Committee was satisfied on balance that no exceptional circumstances existed which warranted departure from policy.

RESOLVED:

- 1) To grant an exemption to Mr Jason Gorey of J G Travel Ltd under Section 75 (3) of the Local Government (Miscellaneous Provisions) Act 1976 to be exempt from displaying licensing plates on any vehicle operated by him whilst carrying out executive/corporate business as long as he is the holder of a current private hire operator's licence. The exemption also provides that the driver of the vehicle is not required to wear a badge.

- 2) That Mr Gorey carry a notice in the vehicle at all times stating the terms of the exemption.

The meeting finished at 5.30 pm

Signed by Chair:
Date:



Report to: Environment and Licensing Committee

Subject: Proposed General and Taxi Licensing Fees for 2019/20

Date: 5th February 2019

Author: Service Manager, Public Protection

Purpose of Report

To approve a proposed increase to taxi licensing fees for 2019/20 as shown in Appendix 1, subject to advertisement requirements being satisfied, and to approve an increase in general fees for 2019/20 as shown in Appendix 2.

Information

The fixing of fees proposed in the attached fee schedules at Appendix 1 and 2 for 2019/20 is a function of the Licensing Committee as laid out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

The proposed fees and charges for 2019/20 are designed to ensure that the service operates on a full cost recovery basis. All fees for 2019/20 show an increase of fees from 2018/19, this increase reflects increased costs and a fuller assessment of the total costs of providing the service particularly with reference to the increased workload for customer services and also associated with the need for additional administration associated with the introduction of The Immigration Act 2016.

With specific reference to taxis, The Local Government (Miscellaneous Provisions) Act 1976 ('the Act') permits the Council to set vehicle and operator licence fees, but where this fee exceeds £25, as is the case at Gedling, a public notice of the proposed fees must be advertised in a local newspaper circulating in the district. The advertisement must advise where any objections to the fee changes can be lodged and must allow a period of at least 28 days from publication of the notice for objections to be lodged. If no objections are made or if all objections are withdrawn the fees come into effect at the end of the 28 day period. Where objections are not withdrawn, the Council must then consider the objections before determining the fee level and setting a further date, not later

than two months after the first specified date, on which the new fees shall come into force.

In relation to taxi drivers' licence application fees, there is no statutory requirement to publicise any changes in the level of fees. However, as with the vehicle and operator licence fees, Gedling will publish details of the proposed fees for 2019/20 and provide for a period of 28 days from publication for any objections to the fees to be lodged with the Council. Any such objections will be considered by the Council before the proposed fees are finally approved. This 28 day period will be a period of consultation, the results of this will be considered before final determination of these fees.

In relation to the other fees listed in the attached Appendix 2 for 2019/20 there is no requirement to advertise any increases in fees and again, the fees have been calculated on a cost recovery basis. All fees with the exception of the application for a sex establishment license are solely to cover the costs of administering the application, whether the application is approved or not. For sex establishment applications, the fee is broken down into part A, paid by all for an application and part B, paid additionally by successful applicants to cover the extra costs of administering and enforcing the licence. This approach is in line with the Provision of Services Regulations 2009.

Proposal

It is proposed that the fees and charges detailed in Appendix 2 for 2019/20 be approved from 1st April 2019.

In respect of taxi operators licence fees and vehicle licence fees, it is proposed that the fees outlined in Appendix 1 for 2019/20 be approved for advertisement in accordance with the Act and subject to no objections being received by the specified date (28 days after publication) those fees will come into effect. If objections are received, in line with the Act the Council will have to consider the objections and set a further date no later than 2 months after the first specified date on which the new fees would come into force.

In respect of Taxi drivers' licence application fees it is proposed that Members approve the proposed fees outlined in Appendix 1 for 2019/20 for advertising but that the final decision to approve new fees for 2019/20 for taxi driver applications be delegated to the Corporate Director in consultation with the Chair of Environment and Licensing Committee following advertisement of the proposed fees and a 28 day period for consultation.

Financial implications

The proposed fees and charges are designed to ensure that the service operates on a full cost recovery basis

Recommendations

1. That Members approve the fees and charges detailed in Appendix 2 for 2019/20 with effect from 1st April 2019.
2. That Members approve the fees for taxi operators and vehicle licences as detailed in Appendix 1 for 2019/20 for advertisement in accordance with the Local Government (Miscellaneous Provisions) Act 1976, such fees to automatically come into force if no objections are received within the statutory period.
3. That Members approve the proposed fees for taxi driver's licences detailed in Appendix 1 for 2019/20 for advertisement and the Corporate Director in consultation with the Chair of Environment and Licensing Committee be authorised to agree the final fees after taking into account any comments received during the consultation period.

Appendix 1.

Proposed Taxi Licence Fees

Driver Licence Fee 1 year	£150.00
Driver Licence Fee 3 year	£388.00
Knowledge Test Fee	£65.00
Vehicle Licence Fee	£146.00
Vehicle Inspection	£85.00
Re-test	£53.00
Meter Test	£366.00
Operator's Licence 1 year	£111.00 plus £111.00 per additional vehicle
Operator's Licence 3 year	£588.00 plus £166.00 per additional vehicle
Transfer of vehicle licence	£14.00
Change of name and/or address on a licence	£14.00
Replacement badge and plate fee	£18.00
Vehicle registration change	£14.00
Replacement badge holder	£6.00
Vehicle retest (including after accident damage/enforcement action)	£53.00

NB. If after applying for a 3 year driver licence, the applicant is only granted a 1 year licence, then there will be a refund of £96.00 payable from the 3 year application fee of £359.00

Appendix 2.

Proposed General Licence Fees

Licences (exempt from VAT)	
Special treatment involving massage	£207.00
Special treatment	£193.00
Laser treatment-first application	£268.00
Laser treatment-renewal	£135.00
Laser treatment-variation	£268.00
Sex establishments	Part A £3,772. Part B £3,450
Mobile home, new site licence fee	£600.00
Mobile home, transfer or amendment of licence	£201.00

Mobile home, annual pitch fee	£6.65
Registrations (exempt from VAT)	
Ear piercing/tattooing/electrolysis/acupuncture	
-Persons	£75.00
-Premises	£162.00

All animal activity licences	Application fee	Grant of licence fee	Total fee
Initial application	£171	£128	£309*
Renewal application (must be received before expiry of current licence)	£138	£106	£244**
Rescore fee	N/A	N/A	£194
Licence variation fee	N/A	N/A	£43

*For dog breeding and horse riding establishments there will be an additional fee to cover the costs of the vet's fees for the inspection.

**For horse riding establishments there will be an additional fee to cover the costs of the vet's fees for inspection.

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