



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

Agenda

Environment and Licensing Committee

Date: **Tuesday 4 February 2020**

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 Pat Bosworth
Councillor Boyd Elliott
Councillor Roxanne Ellis
Councillor Des Gibbons
Councillor Julie Najuk
Councillor Sam Smith
Councillor Clive Towsey-Hinton
Councillor John Truscott
Councillor Paul Wilkinson

AGENDA

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- 1 Apologies for Absence and Substitutions.**
- 2 To approve, as a correct record, the minutes of the meeting held on 14 January 2020.** 5 - 8
- 3 Declaration of Interests.**
- 4 Any other item which the Chair considers urgent.**
- 5 Proposed General and Taxi Licensing Fees for 2020/21** 9 - 15

Report of the Director of Health and Community Wellbeing.
- 6 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.
- 7 Application for a one year Hackney Carriage/Private Hire Drivers Licence - RCU** 17 - 18

Report of the Director of Health and Community Wellbeing
- 8 Application for a one year Hackney Carriage/Private Hire Drivers Licence - AQ** 19 - 21

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- 9 Application for a one year Hackney Carriage/Private Hire Drivers** 23 - 26

Licence - AI

Report of the Director of Health and Community Wellbeing

10 Application for a one year Hackney Carriage/Private Hire Driver Licence - TIG 27 - 29

Report of the Director of Health and Community Wellbeing

MINUTES ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 14 January 2020

Councillor Marje Paling (Chair)

Present: Councillor Nicki Brooks Councillor Sam Smith
 Councillor Pat Bosworth Councillor Clive Towsey-Hinton
 Councillor Boyd Elliott Councillor John Truscott
 Councillor Des Gibbons Councillor Paul Wilkinson
 Councillor Julie Najuk

Absent: Councillor Roxanne Ellis

Officers in Attendance: P Gibbs, L Mellors and C Allcock

59 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Ellis.

60 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 3 DECEMBER 2019.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

61 DECLARATION OF INTERESTS.

None.

62 AIR QUALITY (TAXI AND PRIVATE HIRE VEHICLES DATABASE) (ENGLAND AND WALES) REGULATIONS 2019 – MEMORANDUM OF UNDERSTANDING

Consideration was given to the report of the Community Protection Manager, circulated prior to the meeting, to inform Members of a new statutory requirement being placed on all Local Authorities to submit information to the Department of Environment, Food and Rural Affairs (DEFRA) for the purpose of maintaining a database in relation to all Hackney Carriage and Private Hire Vehicles licensed by them.

RESOLVED:

- 1) To note the new statutory provisions of the Air Quality (Taxi and

Private Hire Vehicles Database) (England and Wales) Regulations 2019, and associated statutory guidance.

- 2) To note the obligations placed on the Council under the Regulations as outlined in the Memorandum of Understanding, signed by the Community Protection and Pollution Control Manager.

63 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

64 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.

65 CHANGE OF CIRCUMSTANCE OF JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVES LICENCE (MR)

Consideration was given to a report of the Director of Health and Community Wellbeing, which had been circulated prior to the meeting, regarding a change of circumstance of a Joint Hackney Carriage/Private Hire Driver's License for MR.

MR attended the meeting along with a friend who 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 MR, giving MR 21 days to surrender the licence.

MR was advised of the right of appeal against the decision of the Committee.

66 APPLICATION FOR A ONE YEAR JOINT HACKNEY CARRIAGE /

PRIVATE HIRE DRIVERS LICENCE (JGJC)

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 JGJC.

JGJC attended the meeting and 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 refuse JGJC's application for a Joint Hackney Carriage/Private Hire Driver's Licence on the grounds that he is not a fit and proper person.

JGJC was advised of his right to appeal against the decision of the Committee. JGJC refused to take the Decision Notice from the Legal Advisor and left the meeting.

67

APPLICATION FOR A ONE YEAR JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE (SZ)

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

SZ attended the meeting Along with his daughter and both 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 SZ's application for a Joint Hackney Carriage/Private Hire Driver's Licence for one year.

The meeting finished at 5.50 pm

Signed by Chair:
Date:



Report to: Environment and Licensing Committee

Subject: Proposed General and Taxi Licensing Fees for 2020/21

Date: 4 February 2020

Author: Director of Health and Community Wellbeing

Purpose of Report

To approve a proposed increase to the general fees for 2020/21 shown in Appendix 1. To approve the proposed fees for taxi driver, operator and vehicle for 2020/21 as shown in Appendix 2, subject to advertisement requirements being satisfied.

Recommendations

1. That Members approve the fees and charges detailed in Appendix 1 for 2020/21 with effect from 1 April 2020.
2. That Members approve the fees for taxi operators and vehicle licences as detailed in Appendix 2 for 2020/21 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. If any objections are received within the statutory period that these be referred back to Committee for consideration in accordance with the legislation.
3. That Members approve the proposed fees for taxi driver's licences detailed in Appendix 2 for 2020/21 for advertisement and the 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.

Information

The fixing of fees proposed in the attached fee schedules at Appendix 1 and 2 for 2020/21 is a function of the Environment and Licensing Committee as laid out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

The proposed fees and charges for 2020/21 are designed to ensure that the service operates towards a full cost recovery basis. All fees for 2020/21 show an increase of fees from 2019/20, this increase reflects increased costs and a fuller assessment of the total costs of providing the service. The service has historically been delivered at a cost to the Council and requires a subsidy to break even. The increases in fees over the past few years have been made to progress towards a full cost recovery model, this year's increase brings the service a step closer to a full cost recovery model however, it is anticipated that the service will still be a cost to the Council and still require a subsidy to breakeven.

Furthermore, during 2019/20 there has been an increase in licensing enforcement investigations involving complex cases as well as high visibility compliance checks across the region which has placed a further burden on existing resources.

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 on the date specified in the notice. 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 2020/21 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 fees listed in the attached Appendix 1 for 2020/21 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 1 for 2020/21 be approved to come into force from 1 April 2020.

In respect of taxi operators licence fees and vehicle licence fees, it is proposed that the fees outlined in Appendix 2 for 2020/21 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 2 for 2020/21 for advertising but that the final decision to approve new fees for 2020/21 for taxi driver applications be delegated to the 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

Appendices

Appendix 1 - Proposed Public Protection fees 2020/21

Appendix 2 – Taxi driver, vehicles and operator proposed fees 2020/21

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Proposed Public Protection fees 2020/21

Type of Fee	2019/20 - £	Approx.% increase	2020/21 - £
Taxi Licence			
Knowledge Test Fee	65	8	70
Vehicle Inspection	85	3	88
Vehicle Re-test (including after accident damage/enforcement action)	53	3	55
Meter Test	39	3	40
Transfer of vehicle licence	14	8	15
Change of name and/or address on a licence	14	8	15
Replacement badge fee	18	8	19.50
Replacement paper licence	14	8	15
Replacement plate fee plus plate deposit	18		
Vehicle registration change	14	8	15
Replacement badge holder	6	8	6.50
Massage and Special Treatment			
Special treatment involving massage	207	8	223.50
Special treatment (no massage – eg. only sunbed/laser)	193	8	208.50
Laser treatment - first application plus MST/ST fee	268	8	289.50
Laser treatment-renewal plus MST/ST	135	8	146
Laser treatment-variation	268	8	289.50
Registrations – Ear piercing/tattooing/electrolysis/acupuncture			
Person	75	8	81
Premises	162	8	175
Sex Establishments			
Part A	3772	8	4074
Part B	3450	8	3726
Mobile Home			
New site licence	600	8	648
Transfer/amendment	201	8	217
Annual pitch	6.65	8	7

Animal Activity			
Initial application			
Application fee	171	8	184.50
Grant of licence fee	128	8	138
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.			
Renewal application			
Application fee	138	8	149
Grant of licence fee	106	8	114.50
For horse riding establishments there will be an additional fee to cover the costs of the vet's fees for inspection.			
Rescore fee	194	8	209.50
Licence variation fee	43	8	46.50



Proposed Public Protection fees 2020/21

Type of Fee	2019/20 - £	Approx.% increase	2020/21 - £
Taxi Licence			
Driver Licence Fee 1 year	150	8	162
Driver Licence Fee 3 year – (If a 3 year licence is refused or not granted for any reason £100 of the application fee will be refunded to the applicant)	388	8	419
Vehicle Licence Fee	146	8	158
Operator's Licence 1 year	111 plus 111 per additional vehicle	8	120 plus 120 per additional vehicle
Operator's Licence 3 year	588 plus 166 per additional vehicle	8	635 plus 179 per additional vehicle

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