



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

Agenda

Environment and Licensing Committee

Date: **Tuesday 11 March 2014**

Time: **4.15 pm**

Place: **Council Chamber**

For any further information please contact:

Lyndsey Parnell

Members' Services Officer

0115 901 3910

Environment and Licensing Committee

Membership

Chair Councillor Marje Paling

Vice-Chair Councillor Meredith Lawrence

Councillor Bruce Andrews
Councillor Sandra Barnes
Councillor Nicki Brooks
Councillor Ged Clarke
Councillor Roxanne Ellis
Councillor Tony Gillam
Councillor Jenny Hollingsworth
Councillor Mike Hope
Councillor Barbara Miller
Councillor John Parr
Councillor Stephen Poole
Councillor Henry Wheeler

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- 8 **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.
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Report of Corporate Director - David Wakelin

MINUTES ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 11 February 2014

Councillor Marje Paling (Chair)

Present: Councillor Meredith Lawrence Councillor Tony Gillam
Councillor Bruce Andrews Councillor Jenny Hollingsworth
Councillor Sandra Barnes Councillor Mike Hope
Councillor Nicki Brooks Councillor Stephen Poole
Councillor Ged Clarke Councillor Henry Wheeler
Councillor Roxanne Ellis

Absent: Councillor Barbara Miller and Councillor John Parr

Officers in Attendance: P Gibbs and D Blasdale

142 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Miller and Parr.

143 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 14 JANUARY 2013.

RESOLVED:

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

1. To mark D. Blasdale as an Officer in Attendance.

144 DECLARATION OF INTERESTS.

None.

145 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

The Chair advised Members that information about the Taxi Driver Knowledge Test would be reported to the next Committee and Members were invited to contact the Licensing team, should they wish to look at or take the test.

146 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.

147 APPEAL REPORT AGAINST REVOCATION OF A HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - JGS

RESOLVED:

To note the report.

148 APPEAL REPORT AGAINST REFUSAL TO GRANT A HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - SY

RESOLVED:

To note the report.

149 CHANGE OF CIRCUMSTANCE OF HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE - MJS

The Committee considered a report from Corporate Director, David Wakelin, regarding a change of circumstance of a Joint Hackney Carriage/Private Hire Driver's Licence from MJS.

MJS 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 this policy.

RESOLVED:

To revoke MJS's Hackney Carriage/Private Hire Driver's License without immediate effect, on the grounds that he is no longer considered a fit and proper person and to give MJS 21 days to surrender his licence.

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

150 CHANGE OF CIRCUMSTANCE OF HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - MSA

MSA did not attend the meeting.

RESOLVED:

To defer consideration of the change of circumstance of MSA's Hackney Carriage/Private Driver's Licence to the next meeting of the committee on the 11th of March. If MSA does not attend the next meeting, his licence will be revoked with immediate effect.

151 APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - MWN

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from MWN.

MWN 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 this policy.

RESOLVED:

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

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

Councillor Poole left the meeting.

Councillor Brookes entered the meeting.

152 APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - AAS

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from AAS.

AAS 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 this policy.

RESOLVED:

To approve AAS's application for a Hackney Carriage/Private Hire Driver's Licence.

Councillor Wheeler left the meeting.

153 APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - MN

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from MN.

MN attended the meeting, with his wife, who addressed the Committee on his behalf.

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 this policy.

RESOLVED:

To approve MN's application for a Hackney Carriage/Private Hire Driver's Licence.

Councillor Hope left the meeting.
Councillor Barnes left the meeting.

154 APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - AS

AS sent his apologies as he was unable to attend the meeting.

RESOLVED:

To defer consideration of the application for a Joint Hackney Carriage/Private Hire Driver's Licence from AS to a future meeting of the Committee. If AS does not attend his next appointment, his application will be treated as withdrawn.

155 APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - NH

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from NH.

NH 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 this policy.

RESOLVED:

To approve NH's application for a Hackney Carriage/Private Hire Driver's Licence with a warning as to the necessary consequences of any further convictions or appearances before Committee.

156

APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - JH

JH did not attend Committee.

RESOLVED:

To treat the application for a Joint Hackney Carriage/Private Hire Driver's Licence from JH as withdrawn as it had previously been deferred due to non-attendance.

The meeting finished at 6.35 pm

Signed by Chair:
Date:

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Report to Environment and Licensing Committee

Subject: Introduction of a Knowledge Test as part of the Private Hire and Hackney Carriage Drivers Licensing process

Date: 11th March 2014

Author: Corporate Director

Purpose of the Report

To seek approval from Members, to introduce a knowledge test for Private Hire and Hackney Carriage Drivers as part of the application and renewal process for Private Hire and Hackney Carriage Driver's licences ("driver's licences").

Background

The Local Government (Miscellaneous Provisions) Act 1976 ("the Act") enables Local Authorities to administer licences for Hackney carriage and Private Hire drivers. The Act provides that a Local Authority shall not grant a licence unless they are satisfied that the applicant is a 'fit and proper' person to hold such a licence. There is no definition of the term 'fit and proper' and the Council can apply any tests and checks it deems appropriate to establish this.

For some time both officers and Members have become aware of an increase in the number of applications for driver's licenses. A proportion of these have been from outside the area and occasionally from different regions. It is unclear why there has been an increase in applicants for driver's licences to Gedling; however, officers speculate it is due to perhaps a more rigorous and expensive application process at other Authorities. The compound effect has been an excessive demand for licences in Gedling. Officers are aware that there are now a disproportionate number of drivers operating in Gedling Borough with limited geographical knowledge of the area. It is also evident from the number of applicants and current licence holders appearing before this Committee that not all licence holders have a clear grasp of the licensing conditions that need to be adhered to when a driver's licence is granted.

It is important that taxi drivers in the Borough provide a safe and professional level of service to the public and as part of that, drivers licensed by Gedling Borough should have a sound knowledge of the Borough, their licence

requirements and highway safety. These factors all go to demonstrate that a person is a fit and proper person to hold a driver's licence. At present, in Gedling Borough, there is no way of establishing whether taxi drivers have this requisite knowledge. A number of other Licensing Authorities have introduced a Knowledge or Topography test in order to resolve this. The issuing of driver's licences was recently a subject of Scrutiny by the Scrutiny Committee who formed a working group to look at taxi licensing in the Borough and the implications of future changes to Taxi Licensing Law coming out of the Law Commission's review.

Members of the Scrutiny Group had expressed some concern over levels of customer care and communication skills amongst drivers, and were also keen to ensure that the Licensing Service contributes to the Environmental Sustainability agenda; a key priority for Gedling Borough Council. It was felt by the Scrutiny Working Group that the introduction of a knowledge test to taxi drivers in the Borough would be a good way to ensure standards in the trade remain high and ensure fit and proper drivers operated in the Borough in line with the statutory test.

Following the meeting of the Scrutiny Group, recommendations were put forward from the Scrutiny Committee to Cabinet. One of the recommendations was that a Knowledge/Topography test should be introduced as part of the Hackney Carriage/Private Hire Drivers licensing process. This recommendation was accepted by the Portfolio Holder for Public Protection and Communications. The Introduction of such a test requires approval from this Committee.

Proposal

It is proposed that a knowledge test be introduced to ensure that all drivers who are currently licensed with Gedling Borough Council and all those who apply to be licensed with Gedling Borough Council have a sound knowledge of the Borough and its surrounding areas as well as a good understanding of the Council's licensing conditions and taxi legislation. The proposed test will also include some aspects of the Highway Code and some basic arithmetic skills. It is felt this will be beneficial to the trade and the public and will ensure a safe, professional standard of service is provided by drivers licensed by this Authority.

If the test is introduced, it will take place at the Civic Centre in Arnold and will consist of a number of multiple choice questions presented to candidates on a computer. An equality impact Assessment has been carried out by officers in anticipation of the introduction of the test and where candidates have special needs the test can be taken in paper version.. In addition, if for any reason the electronic test is unavailable due to lack of access to the IT suite, candidates will be given the opportunity to sit a paper version of the test.

The proposal is that all drivers who are currently licensed with Gedling Borough Council will have to pass the knowledge test upon renewal. The test can be

taken unlimited times and once passed need not be taken again. New applications for licences will not be granted until the applicant has passed the proposed knowledge test.

The proposed knowledge test will consist of 40 questions taken over a 40 minute period and will be multiple choice, presenting the candidate with the right answer plus three incorrect answers, the proposed pass rate for the test is 75%.

If approved, it is envisaged that new applicants will be able to book and sit the knowledge test from 1st May 2014. In terms of drivers who are renewing their licences the Licensing Section send out standard renewal letters three months prior to the expiration of the driver's licence. If the knowledge test is approved, the next renewal reminder letters will be sent to those whose licences expire on or after 1st July 2014. These drivers will be advised that they are required to pass the knowledge test before their licences can be renewed. At present, the Licensing section have a number of new and renewal applications pending. If the knowledge test is introduced, all applicants currently awaiting a decision on their driver's licence or renewal of their licence will not be required to sit and pass the test until their first or next renewal.

The fee for sitting the test, if approved would be £35. Candidates will be advised that if they book a test and then cannot attend they must notify the Council no later than 48 hours before the booked test. If the Council is not so notified, the candidate will lose the test fee.

The Council has a duty under the Equality Act 2010 to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between predicted groups (such as disabled people or ethnic minority groups) when considering proposed new or changing policies, services or functions. An Equalities Impact Assessment has been prepared in relation to the Gedling Borough Council Knowledge Test and is attached at Appendix 1.

Consultation

In order to ensure the views of the trade were considered the Licensing section carried out a consultation exercise with the taxi trade in relation to the introduction of the Knowledge Test.

Consultation letters were sent out to 1235 members of the trade. The letters were sent out in Nottinghamshire, Derbyshire, Sheffield and Birmingham. The letters were sent out on 4th February 2014 and the deadline for consultation responses was the 21st February 2014. The consultation response letter consisted of two boxes one to be ticked if the consultee was in support of the introduction of the knowledge test and one to be ticked if the consultee did not support the introduction of the knowledge test. Consultees were invited to tick one of the boxes and provide comments.

The Council received a total of 436 responses that is a 35% return from those who were consulted.

In 391 of the responses, the consultees had ticked the box to indicate they did not support the introduction of a knowledge test and in 41 responses the box supporting the introduction of the knowledge test had been ticked, four responses was inconclusive. That equates to 90% of consultees who did not support the introduction of the knowledge test. However, when examining the written justifications for the lack of support for the test, of those who objected :

- 51% qualified this by saying they would support the introduction of the knowledge test for new applicants only.
- A further 22% believed it was unfair to introduce the test to those who currently held a licence that is those required to take the test on renewal.
- 10% felt that those licensed drivers who carried out specialist work for Special transport companies driving only specific routes should not be required to demonstrate the same knowledge as those drivers driving normal taxi routes.
- 3% of those who didn't support the test stated that they used Satellite navigation systems and therefore felt the test was not necessary.
- 6% of those not in support of the test felt that the test was a waste of money and an unnecessary extra fee/expense.
- 14 % of those who did not support the test were concerned about the hardship suffered if the test were failed.
- Finally, 14% of those not in support of the test declared they did not work in the Gedling Borough Council area and so the test was not relevant to them.

The Licensing section were encouraged that although the majority were not in support of the test, of those negative responses the majority were not necessarily against the imposition of the test for new applicants.

Of those in favour of the introduction of the test, that is 9% of the responses, the following comments were received:

- Good idea – sound knowledge=sound driving
- This is the best proposal that Gedling Borough Council could introduce, this will bring back a top class standard that customers deserve
- I feel this is long overdue. I am personally fed up of people complaining to me about taxi drivers not knowing where they are going and charging what's on the meter even having gone the wrong route.

The Licensing section has studied the consultation results closely. It is felt that despite representations to the contrary, if the knowledge test is introduced, it should be introduced to all current licence holders wherever and however they work. The driver's licence issued by the Council is a dual licence and can be

utilised by the driver in whichever capacity he/she chooses. Those working for specialist transport companies now are not restricted from driving taxis on normal routes by this licence and could choose to drive normal taxi routes at any time.

The issues outlined in this report that gave rise to consideration of the introduction of the knowledge test are issues which exist in the Borough now and relate to existing licence holders as well as future applicants. In order to ensure the reputation and professionalism of the trade is maintained and that those driving for the trade now and in future have a good knowledge and understanding of the trade and the area, it is felt that the knowledge test should be introduced to all current and future licensed taxi drivers.

Whilst the Licensing section have carefully considered all these responses, taking into account public safety and the service standards in the trade it is felt that the introduction of the knowledge test would be of great benefit to those hiring taxis and would go towards demonstrating that drivers both currently licensed and those applying for driver's licenses are fit and proper people to do so.

It is proposed that if the knowledge test is introduced, the Licensing Section report back to Committee in 12 months as to its progress.

Financial Implications

The net budget impact of the proposal to introduce a Knowledge test is an estimated cost of £57,400 in 2014/15, as detailed in the Gedling Plan approved by Council on 3 March 2014. This is an estimate based on information available currently but will be closely reviewed throughout 2014/15 in order to forecast for future years and to monitor the impact of the introduction of the test over the next financial year.

The estimated financial implications arising from of the introduction of the knowledge test are detailed in the table below:

Description	Amount
	£
Reduction in Licence and Inspection Fees (Reduced Volumes)	109,400
10% Fee Increase	(13,000)
Income from Knowledge Test (2014/15)	(11,200)
Reduction in staffing budget.	(21,400)
Reduction in Staffing Overtime	(6,400)
Net Budget Impact 2014/15	57,400

Recommendation

That Members approve the following:

- That Members approve the introduction of the Gedling Borough Council Knowledge Test.
- That all those submitting an application for a Private Hire/Hackney Carriage Driver's licence on or after 1st May 2014 be required to pass the Gedling Borough Council Knowledge Test as part of the application process.
- That all those who currently hold a Gedling Borough Council Private Hire/Hackney Carriage driver's licence which is due for renewal on or after 1st July 2014 be required to pass the Gedling Borough Council Knowledge Test once, as part of the renewal application process.
- That the pass rate for the Gedling Borough Council Knowledge Test be set at 75%.
- That Officers report back to The Environment and Licensing Committee 12 months after the introduction of the Gedling Borough Council Knowledge Test to update Members as to its progress.

Attachments

Equality impact assessment



EQUALITY IMPACT NEEDS ASSESSMENT

Policy to be assessed	Introduction of the Topography (knowledge) test for Hackney and Private Hire Taxis
Assessment completed by:	Mr Kevin Nealon, Community Protection Manager, Public Protection Service.
Aims/objectives of the Policy/Service/Procedure	
<p>The aim of this policy is to ensure that.</p> <ol style="list-style-type: none">1. All Hackney and Private Hire drivers licensed with Gedling Borough Council have a good geographical knowledge about the Gedling Borough Council area as well as some locations in the surrounding areas.2. That Hackney and Private Hire drivers have a working knowledge of the Councils licence conditions, the Highway Code and are able to make simple monetary based maths calculations.3. The level of knowledge of drivers is tested to ensure they provide a high standard of behaviour and service which is expected in order to safeguard the best interests of the travelling public of Gedling Borough Council and surrounding areas.4. The traveling public.	

<p>Who are the customers and stakeholders of this service?</p> <ol style="list-style-type: none"> 1. Hackney and Private Hire Drivers licensed with the Gedling Borough Council 2. Applicants who are intending to apply for a Private Hire or Hackney Licence. 3. Taxi Operators licensed with Gedling Borough Council 4. Taxi Operators outside the Gedling area that may have drivers licensed with Gedling Borough Council. 	
<p>Detail below what information you already have about the impact this policy/service/procedure has on the following groups including results from consultation, complaints, census:</p>	
<p>Black and minority ethnic people</p>	<p>Whilst the Council does not hold records in relation to this characteristic, anecdotal evidence suggests that English is not the first language for some drivers. Some applicants may not be able to read English and some may not be able to complete the test in either IT or paper format.</p>
<p>Men/women and trans</p>	<p>The Council is not required to hold information in relation to this characteristic however anecdotal evidence suggests female drivers make up fewer than 5% of licence holders. It is anticipated that the introduction of this test will improve the quality of drivers ensuring that journeys are safer and conducted more professionally, it is probable that lone females who use Gedling licensed vehicles will feel more safe.</p>
<p>Disabled people</p>	<p>Licensed private hire and hackney carriage drivers must hold a valid DVLA issued drivers licence. In order to obtain a private hire or hackney licence applicants must also be assessed for their medical fitness by a doctor.</p> <p>In cases where due to an individual's disability a DVLA issued drivers licence could not be obtained or if a hackney carriage or private hire driver's licence can't be issued on the grounds of medical fitness then the individual would not be eligible to obtain a licence.</p> <p>The Council is not required to hold information in relation to this characteristic.</p>
<p>Gay/Lesbian/bisexual People</p>	<p>The Council does not hold any data in relation to this characteristic.</p>
<p>People from different faiths</p>	<p>The Council does not hold any data in relation to this characteristic.</p>

People of different ages	Drivers must have held a full driving licence for at least 12 months and as such the youngest a Private Hire or Hackney driver could be is 18 years of age.	
How will this policy/service/procedure impact on the following groups:		
	Positive impact	Negative impact
Different racial groups	None	Some applicants may not be able to read English and some may not be able to complete the test in either IT or paper format.
Men/women and trans	It is anticipated that the introduction of the this test will improve the quality of drivers ensuring that journeys are safer and conducted more professionally, it is probable that lone females who use Gedling licensed vehicles will feel more safe.	None
Disabled people	None	None
Gay/Lesbian/bi-sexual people	None	None
People from different faiths	None	None

People of different ages	None	Some elderly drivers may not have sat an exam for some time and could feel nervous, anxious or uncomfortable with a test/exam environment which may adversely affect their ability to pass.
<p>What changes could be made to the policy/service/procedure to address any negative impacts?</p> <ol style="list-style-type: none"> 1. All candidates will be advised that if they have specific needs then they should contact the licensing officers prior to their exam. The licensing officer will make (wherever possible) reasonable adjustment to the way the test is presented to the candidate to allow them, as far as is reasonably practicable to have a fair and equal chance of being able to sit the exam. 2. In the case of those who inform the Council that they anticipate they will have difficulty reading the questions in English, arrangements will be made to read the questions to them together with the four multiple choice answers. However candidates will not be able to bring along or ask for interpreters to assist them. 3. In the case of older candidates, the invigilators will receive training to be sympathetic and offer reassurance where they feel it is appropriate to do so. Where applicants raise concerns prior to the test they will be offered a one to one session on their own using either a computer or paper based version of the test. Licensing officers will also be trained in providing some informal coaching as to methods of recollection, where a route must be described encouraging the driver to reverse the route. The drivers could also be encouraged to use association with landmarks 		


What monitoring will be carried out to ensure this policy/service/procedure meets diverse needs


1. In relation to candidates who have difficulty reading English or are elderly and elect to have the questions read out to them by one of the licensing team, monitoring of pass and fail rates will be carried out.
2. Monitoring will be carried out for all candidates to identify those who fail. Some cross referencing will be done to the applicants application form by the Community Protection Manager to ensure that no candidates are excluded from sitting the test under fair and equal conditions.

What actions will be included in your service plan arising from this assessment?

Action	Outcome	Date?	Who?
Monitoring of all pass and fail rates and cross referencing those who fail with their application form.	Changes to the exam questions if pass rates exceptional high	September 2014	Kevin Nealon
Monitoring of the pass and fail rates of candidates who request assistance based on them not understanding written English or their age.	Changes in the way officers are trained, or the test is presented to these candidates, notwithstanding that the use of interpreters will not be allowed.	September 2014	Kevin Nealon

Are you satisfied that all aspects of this policy/service/procedure have been thoroughly assessed for all the strands of diversity and that no further investigation is required? Yes
If no then a fuller impact assessment is required.

Signed (manager)
 Andy Callingham
 Service Manager Public Protection

Signed (Corporate Equality Representative)
 Kevin Nealon
 Community Protection Manager

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Report to: Environment and Licensing Committee
Subject: Proposed General and Taxi Licensing Fees for 2014/15
Date: 11th March 2014
Author: Corporate Director – David Wakelin

Purpose of Report

To approve a proposed increase to taxi licensing fees for 2014/15 as shown in Appendix 1, subject to advertisement requirements being satisfied, and to approve an increase in general fees for 2014/15 as shown in Appendix 2.

Information

The fixing of fees proposed in the attached fee schedules at Appendix 1 and 2 for 2014/15 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 2014/15 are designed to ensure that the service operates on a full cost recovery basis. All fees for 2014/15 show an increase of fees from 2013/14, 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

With specific reference to taxis, The Local Government (Miscellaneous Provisions) Act 1976 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 2014/15 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.

As part of the taxi drivers' application fees for 2014/15 shown in Appendix 1, a fee of £35.00 has been added to applicants sitting the Gedling Borough Council Knowledge Test. This Test, if approved by this Committee will come into effect from 1st May 2014. The £35.00 fee has been calculated to ensure full recovery of the costs required to provide and administer the knowledge test. This £35.00 fee is subject to the Gedling Borough Council Knowledge Test being approved by this Committee.

In relation to the other fees listed in the attached Appendix 2 for 2014/15 there is no requirement to advertise any increases in fees and again, the fees have been calculated on a cost recovery basis.

Proposal

It is proposed that the fees and charges detailed in Appendix 2 for 2014/15 be approved from 1st April 2014.

In respect of taxi operators licence fees and vehicle licence fees, it is proposed that the fees outlined in Appendix 1 for 2014/15 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 2014/15 for advertising but that the final decision to approve new fees for 2014/15 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.

It is proposed that the £35.00 proposed fee payable for the Gedling Borough Council Knowledge Test be approved by Members for advertisement but that the decision to approve the Knowledge Test fee for 2014/15 be delegated to the Corporate Director in consultation with the Chair of Environment and Licensing Committee following advertisement of the proposed fee and a 28 day consultation period and subject to Members approving the introduction of the Gedling Borough Council Knowledge Test.

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 2014/15 with effect from 1st April 2014.
2. That Members approve the fees for taxi operators and vehicle licences as detailed in Appendix 1 for 2014/15 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 2014/15 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.
4. That subject to Members approving the introduction of the Gedling Borough Council Knowledge Test, Members approve the proposed fee of £35 for the Gedling Borough Council Knowledge test for advertisement and the Corporate Director in consultation with the Chair of Environment and Licensing Committee be authorised to agree the final fee after taking into account any comments received during the consultation period.

Appendix 1.

Proposed Taxi License Fees

Driver License Fee	
-New Drivers	£93.00
-Existing Drivers	£74.75
Vehicle Licensing Fee	£99.75
Vehicle Inspection	£58.25
Re-test	£36.25
Meter Test	£28.00
Operators License	£59.00
Knowledge Test Fee	£35.00

Appendix 2.

Proposed General License Fees

Licenses (exempt from VAT)	
Special treatment involving massage	£155.25
Special treatment	£145.00
Laser treatment-first application	£200.75
Laser treatment-renewal	£100.50
Laser treatment-variation	£200.75
Sex establishments	£5,440.50
Animal boarding	£141.25
Riding establishments	£141.25
Breeding of dogs	£128.50
Breeding of dogs where associated with animal boarding	£41.50
Dangerous wild animals	£180.25
Pet animals (pet shops)	£105.75
Registrations (exempt from VAT)	
Ear piercing/tattooing/electrolysis/acupuncture	
-Persons	£55.50
-Premises	£121.50



Report to Environment and Licensing Committee

Subject: Request to be exempt from displaying fixed plates – Mr K J Clarke

Date: 11th March 2014

Author: Corporate Director

1. Purpose of the Report

Mr Clarke has requested the Committee to consider granting exemption to him from displaying fixed plates on vehicles licensed by him as he only undertakes executive private hire and wedding hire.

2. Background

Section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976 gives the Council the authority to waive the requirement to display vehicle licence plates. It follows that the driver can then be exempt from wearing the badge. This is often used in relation to vehicles that provide chauffeur services. Instead the Council can issue a notice which will be permanently displayed at all times inside any licensed vehicles owned or operated by Mr Clarke.

3. Proposal

To grant an exemption to Mr Clarke to allow his vehicles to be licensed without the requirement for the displaying of a licence plate.

4. Resource Implications

None

5. Recommendation

- a) With respect to Mr Clarke – the requirement to display vehicle licence plates is waived; and
- b) The Council issue a notice which will be permanently displayed at all times, in a position to be agreed, inside any licensed vehicles used for executive private hire purposes, owned or operated by Mr K J Clarke.

6. Appendices

None

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

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