



**Committee:** LICENSING REGULATORY COMMITTEE

**Date:** THURSDAY, 19 FEBRUARY 2009

**Venue:** LANCASTER TOWN HALL

**Time:** 1.00 P.M.

**A G E N D A**

1. **Apologies for Absence**
2. **Minutes of the meeting held on 8th January 2009 (previously circulated)**
3. **Items of Urgent Business authorised by the Chairman**
4. **Declarations of Interest**

**MATTERS FOR DECISION**

5. **Proposed Licensing Fees 2009/10 (Pages 1 - 5)**
6. **Confidential Items**

The following reports are not for publication because they contain confidential information relating to cautions/convictions and will be considered whilst the public are excluded from the meeting. The applicants have been invited to attend and/or be represented at the meeting, but will be asked to leave whilst the Committee makes the decision, as exempt legal advice may be given.

Members are advised that, in accordance with Section 100A(2) of the Local Government Act 1972, the press and public should be excluded for the following items of business on the ground that they could include the possible disclosure of confidential information.

7. **Application for Private Hire Driver's Licence - Jason Scott (Pages 6 - 7)**

Report of Licensing Manager.

8. **Application for Hackney Carriage Driver's Licence - Peter Bernard Garth (Pages 8 - 10)**

Report of Licensing Manager.

9. **Exempt Items**

The Committee is recommended to pass the following recommendation in relation to the following items:

“That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the ground that they could involve the possible disclosure of exempt information, as defined in paragraph 1 of Schedule 12A of that Act.”

Members are reminded that, whilst the following items have been marked as exempt, it is for the Committee itself to decide whether or not to consider them in private or in public. In making the decision, Members should consider the relevant paragraph of Schedule 12A of the Local Government Act 1972, and should balance the interests of individuals, or the Committee itself, in having access to information. In considering their discretion, Members should also be mindful of the advice of Council Officers.

10. **Existing Hackney Carriage Driver's Licence - Christopher Whittaker** (Pages 11 - 13)

Report of Licensing Manager.

11. **Existing Hackney Carriage Driver's Licence - Peter Conway** (Pages 14 - 16)

Report of Licensing Manager.

## **ADMINISTRATIVE ARRANGEMENTS**

**(i) Membership**

Councillors Tony Wade (Chairman), Mike Greenall (Vice-Chairman), Ken Brown, Chris Coates, John Day, Sheila Denwood and Robert Redfern

**(ii) Substitute Membership**

Councillors Eileen Blamire, Roger Dennison, Jane Fletcher, Emily Heath, Janie Kirkman, Bob Roe, Roger Sherlock and Malcolm Thomas

**(iii) Queries regarding this Agenda**

Please contact Sharon Marsh, Democratic Services - telephone (01524) 582096 or email [smarsh@lancaster.gov.uk](mailto:smarsh@lancaster.gov.uk).

**(iv) Changes to Membership, substitutions or apologies**

Please contact Members' Secretary, telephone 582170, or alternatively email [memberservices@lancaster.gov.uk](mailto:memberservices@lancaster.gov.uk).

MARK CULLINAN,  
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**LICENSING REGULATORY COMMITTEE****PROPOSED LICENSING FEES 2009/10**  
**19<sup>th</sup> February, 2009****Report of Licensing Manager****PURPOSE OF REPORT**

The report is to enable Members to consider the level of fees for 2009/10.

**This report is public.**

**RECOMMENDATIONS**

**That for the financial year 2009/10, there be no increase in the fees charged by the Council for fees relating to hackney carriages and private hire vehicles, and miscellaneous licences.**

**1.0 Introduction**

- 1.1 The report is concerned with the setting of the licence fees for Hackney Carriage and Private Hire licences and miscellaneous licences issued by the Council. As Members will be aware, licences issued under the Licensing Act 2003 and the Gambling Act 2005 fall within the remit of the Licensing Act Committee and not this Committee, but in any event these fees are fixed or influenced by central Government. Members are reminded that for the purpose of the 2008/2009 budgetary process the Council was satisfied that there should be no increase in licensing fees for Hackney Carriages and Private Hire licences and for miscellaneous licences. There have therefore been no increases in fees for either of the above categories since April 2005.
- 1.2 As Members are aware, it has for many years been the policy of the Council for the licensing service to be self-financing. However, it has always been acknowledged that there are some licences or permits, for example street collection permits, where no fee may be charged. As a consequence, there will inevitably be a deficit in respect of these miscellaneous licences.
- 1.3 The annual revision of fees seeks to ensure that the costs of the service will, so far as possible, be met from the income. However, it is not lawful for the Council to seek to make a profit from licence fees that are within its discretion. In particular, with regard to Hackney Carriage and Private Hire licensing, Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 provides that a District Council may charge such fees for the grant of vehicles and operators licences as may be sufficient to cover in whole or in part the reasonable costs of carrying out inspections of Hackney Carriages and Private Hire vehicles, the reasonable costs of providing

Hackney Carriage stands, and any reasonable administrative or other costs in connection with the control and supervision of Hackney Carriages and Private Hire vehicles. Fees charged for drivers' licences may also be set at an appropriate level to cover the cost of issue and administration.

- 1.4 Following a financial assessment of time allocations for licensing staff, internal departmental re-charges together with other costs borne by the licensing service, the current fees charged for hackney carriages and private hire vehicle licensing and miscellaneous licensing have been reviewed. As a result of this exercise, it has been calculated that for 2009/10 the budgeted cost of the hackney carriage and private hire licensing function will be £141,800, and for miscellaneous licensing £22,600.
- 1.5 It is of course impossible to estimate with any degree of certainty the amount of income from licence fees, given that some licence holders may decide not to renew their licence, and there may or may not be a number of new applications for licences. However, on the basis of the best possible estimate of numbers of licences that will be issued in 2009/10, it is estimated that, if the fees remain at the same levels as in 2008/09, income from hackney carriage and private hire licensing will be £146,900 and for miscellaneous licensing £13,200.
- 1.6 With regard to hackney carriage and private hire licensing, on basis of the above projections it is clear that the level of income generated through licence fees is sufficient to cover the costs in providing the function. Therefore, officers do not consider that it is necessary to increase the hackney carriage and private hire licensing fees. Miscellaneous licensing shows a deficit of £9,400, but it is felt that this properly reflects the work undertaken in respect of licences where a fee cannot be recovered, (eg street collection and house to collections). For Members' information, the above two categories of fees are attached to this report at Appendices A and B.

## **2.0 Options and Options Analysis**

- 2.1 The options are as follows :-

**Option 1** – to approve that there be no increase in the existing fees for hackney carriage and private hire licensing and for miscellaneous licences as set out in Appendix A.

**Option 2** – to approve an alternative fee structure.

- 2.2 The Officers preferred option is Option 1, as the existing fees reflect the cost of providing the service, in accordance with the statutory provisions on licence fees.

## **3.0 Conclusion**

- 3.1 Members are recommended to approve that there be no increase in the fees for hackney carriage and private hire licensing and for miscellaneous licences for 2009/10.

**CONCLUSION OF IMPACT ASSESSMENT**

**(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

None.

**FINANCIAL IMPLICATIONS**

Financial Services have been consulted and have assisted the Licensing Manager in the preparation of the report. The fees recommended agree with the income included in the proposed 2009/10 budget for hackney carriage and private hire licensing and for miscellaneous licences and these will be monitored as part of the 2009/10 P.R.T. process.

**LEGAL IMPLICATIONS**

Legal Services have been consulted and their comments have been incorporated in the report.

**BACKGROUND PAPERS**

None

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**Ref:** SW

**HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING FEES**

<b>Description</b>	<b>Fees for 2009/10</b>
Hackney Carriage Licence	£215.00
Hackney Carriage Driver's Licence (annual)	£50.00
Hackney Carriage Driver's written re-sit fee	£15.00
Duplicate Driver's Badge	£10.00
Hackney Carriage – Six Month Inspection Fee	£45.00
Hackney Carriage Vehicle – Re-test fee	£30.00
Hackney Carriage Vehicle – Full Re-test fee	£40.00
Taxi Access Course	£22.55
Taxi Access Course – Re-test fee	£8.20
Transfer of Private Hire Ownership	£160.00
Transfer of Hackney Carriage Ownership	£160.00
Private Hire Driver's Licence (annual)	£50.00
Private Hire Driver's Licence written test re-sit fee	£15.00
Private Hire Vehicle Licence	£215.00
Private Hire Vehicle – six month inspection fee	£45.00
Private Hire Vehicle – Re-test fee	£30.00
Private Hire Vehicle – Full Re-test fee	£40.00
Criminal Records Bureau fee (fixed by CRB)	£36.00
Duplicate Certificate of Compliance	£10.00
Licence Plate – Private Hire	£12.00
Licence Plate – Hackney Carriage	£12.00
Trailer Inspection	£20.00
Private Hire Operator's Licence	
0 – 10 vehicles	£110.00
11 – 25 “ “ “	£140.00
26 and over “ “	£170.00

**MISCELLANEOUS LICENSING FEES**

<b>Description</b>	<b>Fees for 2009/10</b>
Animal Boarding Licence	£140.00
Boatman's Licence	£49.00
Dangerous Wild Animals + vet fees	£680.00
Dangerous Wild Animals + vet fees [renewals]	£200.00
Dog Breeder's Licence + vet fees	£135.00
Horse Riding Establishment Licence + vet fees	£135.00
Motor Salvage Operators	£74.00
Pet Shop Licence	£140.00
Pleasure Boat Licence	£89.00
Poultry Slaughter	£53.00
Registration in Skin Piercing/Tattooing (Persons)	£68.00
Registration in Skin Piercing/Tattooing (Premises)	£150.00
Registration of dealer in second-hand goods	£150.00
Registration of dealer in second-hand goods – market stalls	£45.00
Sex Shops	£5125.00
Street Café Licence	£251.00
Zoo Licence + vet fees	£145.00

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