

**LICENSING REGULATORY  
COMMITTEE**

**1.00 P.M.**

**1ST JUNE 2017**

**PRESENT:** Councillors Colin Hartley (Chairman), Alan Biddulph, Tim Hamilton-Cox, Joan Jackson, Janice Hanson, Roger Mace (substitute for Susie Charles), Terrie Metcalfe and Sylvia Rogerson (substitute for Mel Guilding)

Apologies for Absence:

Councillors Susie Charles, Mel Guilding and Robert Redfern

Officers in Attendance:

Stephen Sylvester	Food, Safety and Licensing Manager
Richard Walsh	Public Health and Protection Manager (for Minute Nos. 1 to 5 only)
Luke Gorst	Solicitor
Marie Sharkey	Licensing Enforcement Officer
Jane Glenton	Democratic Support Officer

**1 APPOINTMENT OF VICE-CHAIRMAN**

The Chairman requested nominations for the position of Vice-Chairman of the Licensing Regulatory Committee for the Municipal Year 2017/18.

It was proposed by Councillor Hanson and seconded by Councillor Biddulph that Councillor Metcalfe be appointed Vice-Chairman of the Licensing Regulatory Committee for the Municipal Year 2017/18. There being no further nominations, the Chairman declared the proposal to be carried.

***Resolved:***

That Councillor Metcalfe be appointed Vice-Chairman of the Licensing Regulatory Committee for the Municipal Year 2017/18.

**2 MINUTES**

The Minutes of the meeting held on 23<sup>rd</sup> March 2017 were signed by the Chairman as a correct record.

**3 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN**

There were no items of urgent business authorised by the Chairman.

**4 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**MATTERS FOR DECISION**

***The Chairman advised that the Agenda would be re-ordered at this point to allow the Public Health and Protection Manager to leave the meeting.***

**5 SETTING OF LICENSING FEES FOR ANIMAL-RELATED LICENSING FOR THE FINANCIAL YEAR 2017/18 (PAGE 7)**

The Committee received the report of the Chief Officer (Health & Housing) to seek a decision regarding the levels of fees to be set for animal licensing for 2017/18.

Members were advised that it was a requirement of the Council's Fees and Charges Policy that fees be reviewed annually. The planned monitoring of the direct and indirect costs of animal licensing had been carried out. This had, however, been affected by staffing changes in the last twelve months, and proposed developments in home boarding licensing could reduce officer time spent on the licensing process in future.

It was therefore intended that, in order to give a full and balanced view of future financial implications, monitoring should continue into 2017/18, and a review report brought to the Committee in February 2018 (or earlier, if appropriate).

Members were advised that, meanwhile, it was appropriate to increase the fees to be charged during 2017/18 by 2% in order to cover inflationary rises, in line with other fees and charges applied during the 2017/18 Budget process. The final amounts resulting from this increase would be appropriately rounded in line with the Fees and Charges Policy.

The Options and Options Analysis were set out in the report as follows:

*Option 1:* Approve a 2% increase (appropriately rounded in line with the Fees & Charges Policy) with regard to animal welfare licences, as set out in Appendix A.

*Option 2:* Approve a different level of percentage increase as decided by Committee.

Alternatively, it would be open to the Committee to consider alternative fee structures.

The officer preferred option was Option 1.

It was proposed by Councillor Joan Jackson and seconded by Councillor Metcalfe:

- (1) That the licensing fees for animal-related licences for 2017/18 be as set out in Appendix A to the report.
- (2) That a full cost recovery review be undertaken in a timely way during 2017/18 in order to fully inform licence fees and budget setting from 2018/19 onwards, in line with appropriate regulatory advice and the Council's Fees and Charges Policy."

Upon being put to the vote, Members voted unanimously in favour of the proposition, whereupon the Chairman declared the proposal to be carried.

**Resolved:**

- (1) That the licensing fees for animal-related licences for 2017/18 be as set out in Appendix A to the report.
- (2) That a full cost recovery review be undertaken in a timely way during 2017/18 in order to fully inform licence fees and budget setting from 2018/19 onwards, in line with appropriate regulatory advice and the Council's Fees and Charges Policy.

***The Public Health and Protection Manager left the meeting at this point.***

**6 HACKNEY CARRIAGE UNMET DEMAND SURVEY**

The Committee received the report of the Food, Safety and Licensing Manager to enable Members to consider the findings of the unmet demand survey conducted by CTS Traffic and Transportation Ltd on the demand for the services of hackney carriages in the district. A copy of the survey was attached to the report.

Members were advised that the survey had been carried out in late 2016 on the basis that there were currently 108 hackney carriage vehicles in Lancaster. CTS had concluded that there did appear to be some unmet demand for hackney carriages at this time, which may be because of the way hackney carriages were operating, and this would not best be dealt with by issuing further hackney carriage licences. The Council would be able to defend this in court, if necessary.

The Committee was informed of the findings from the survey relating to the quantity and availability of suitable wheelchair accessible vehicles in the taxi fleet, but felt that there was insufficient detailed information to support a decision. The Committee felt there was a need for further detailed information to be made available, which may include further analysis of the demands for wheelchair accessible vehicles, whether there are sufficient suitable vehicles within the taxi fleet and whether their availability meets the needs of disabled customers.

Mr. Ian Millership of CTS was in attendance to present the findings of the survey in detail, to outline suggested ways forward and to answer questions from Members.

On completion of his presentation, and when all questions had been asked and answered, the Chairman thanked Mr. Millership for his comprehensive report.

The Committee then considered the main options, which were set out in the Committee report as follows:

- a) To maintain the existing policy unchanged, restricting the number of hackney carriage licences to 108; or
- b) To consider reviewing the existing policy on the issue of hackney carriage licences and allow for an increase beyond the current number.

Members noted that, should they be minded to consider a proposal to review the existing policy on the issue of hackney carriage licences, it would be necessary to consult all current stakeholders in that process.

It was proposed by Councillor Metcalfe and seconded by Councillor Mace:

- “(1) That the existing policy, restricting the number of hackney carriage licences to 108, be maintained.
- (2) That reports be presented to the Committee at the earliest opportunity on the following:
  - (a) the problems identified in the unmet demand survey in relation to wheelchair accessible vehicles and the potential options;
  - (b) the action taken in relation to the matters identified in the unmet demand survey as the way forward in relation to rank provision.”

Upon being put to the vote, Members voted unanimously in favour of the proposition, whereupon the Chairman declared the proposal to be carried.

***Resolved:***

- (1) That the existing policy, restricting the number of hackney carriage licences to 108, be maintained.
- (2) That reports be presented to the Committee at the earliest opportunity on the following:
  - (a) the problems identified in the unmet demand survey in relation to wheelchair accessible vehicles and the potential options;
  - (b) action taken in relation to the matters identified in the unmet demand survey as the way forward in relation to rank provision.

***The Chairman advised that the Agenda would be re-ordered at this point in consideration of Mr. Harpley being in attendance.***

**7 EXEMPT ITEMS**

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

**8 EXISTING DUAL DRIVER'S LICENCE - LEON HARPLEY (PAGES 8 - 10)**

The Committee received the report of the Food, Safety and Licensing Manager to enable Members to consider what action, if any, to take in respect of Mr. Leon Harpley's dual driver's licence.

Details of the individual case and the Chairman's summary of the decision are set out in Exempt Minute No. 8, in accordance with Section 100A(4) of the Local Government Act 1972.

***Decision of the Committee:***

That Mr. Harpley's dual private hire and hackney carriage driver's licence be suspended until he has passed the Driving Standards Agency test.

**9 NOTIFICATION OF DECISION TAKEN UNDER THE URGENT BUSINESS PROCEDURE - EXISTING PRIVATE HIRE DRIVER - STEPHEN JOHN KNIGHT**

The Committee received the report of the Democratic Services Manager to inform Members of a decision taken by the Chief Officer (Health and Housing), in consultation with the Chairman of Licensing Regulatory Committee.

***Decision of the Committee:***

That the decision taken by the Chief Officer (Health and Housing), in consultation with the Chairman of Licensing Regulatory Committee, in relation to the following matter, be noted:

*That Mr. Knight's private hire driver's licence be revoked, and that the revocation of the driver's licence be with immediate effect in the interests of public safety.*

**10 PUBLIC ITEM**

The press and public were readmitted to the meeting at this point.

**11 PROPOSED VARIATION OF HACKNEY CARRIAGE FARES (PAGE 11)**

The Committee received the report of the Food, Safety and Licensing Manager to enable Members to consider the results of the consultation with hackney carriage proprietors in relation to the proposed variation of the current level of hackney carriage fares in line with the Retail Price Index (RPI) and to determine whether to approve the new table of fares, as set out in the Appendix 1 to the report.

It was reported that Members had agreed that they would recommend, in March each year, a proposal taking account of the current annual retail price index (RPI) rate, and that hackney carriage proprietors would then be asked to vote on whether an increase should be applied. Financial Services had confirmed the relevant RPI rate for March 2017 was 3.1%.

Ballot papers had been sent out to 108 hackney carriage proprietors during the last week of March 2017, with a request for a vote YES or NO to a proposed increase, in line with the RPI in April 2017. Ballot boxes had been placed at Lancaster and Morecambe Town Halls and the Council depot (VMU). The ballot boxes had been collected on 28<sup>th</sup> April 2017. Of the 15 papers received, 12 had voted YES to an increase and 3 NO.

Although not requested as part of the consultation, 24 copies of an alternative tariff had been put forward by some of the consultees, details of which were outlined to Members.

It was proposed by Councillor Mace and seconded by Councillor Rogerson:

- “(1) That the new table of fares, applying the RPI increase, be approved, to have effect from 1<sup>st</sup> July 2017, and that the Food, Safety and Licensing Manager be authorised to advertise the new table of fares, as required by the legislation.
- (2) That a review be undertaken of the mechanism for applying annual fare increases, comparing the approaches taken elsewhere at similar authorities, and the outcome be reported to the Committee.”

Upon being put to the vote, 7 Members voted in favour of the amended proposition and one against, whereupon the Chairman declared the proposal to be carried.

***Resolved:***

- (1) That the new table of fares, applying the RPI increase, be approved, to have effect from 1<sup>st</sup> July 2017, and that the Food, Safety and Licensing Manager be authorised to advertise the new table of fares, as required by the legislation.
- (2) That a review be undertaken of the mechanism for applying annual fare increases, comparing the approaches taken elsewhere at similar authorities, and the outcome be reported to the Committee.

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Chairman

(The meeting ended at 3.20 p.m.)

**Any queries regarding these Minutes, please contact  
Jane Glenton, Democratic Services - telephone (01524) 582068, or email  
jglenton@lancaster.gov.uk**

## APPENDIX A

## MISCELLANEOUS LICENCES

### PROPOSED FEES 2017/18

Type of Licence	Current Licence Fee £	Proposed Licence Fee (2% increase, rounded appropriately) £
Horse-riding Establishment + vet fees	144.70	147.60
Dangerous Wild Animals + vet fees	728.90	743.50
Dangerous Wild Animal + vet fees renewal	214.40	218.70
Animal Boarding (Home)	98.90	100.90
Animal Boarding (Commercial)	150.10	153.10
Pet Shop Licence	150.10	153.10
Zoo Licence + vet fees	155.50	158.60
Dog Breeding Licence + vet fees	144.70	147.60

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## CURRENT: HACKNEY CARRIAGE TABLE OF FARES

**LANCASTER**  
**CITY COUNCIL**

Promoting City, Coast & Countryside

## Tariff 1

For hiring's commenced between 07.01 and 23.59	
If the distance does not exceed <b>880</b> yards for the whole distance:	<b>£2.50</b>
For each of the subsequent <b>176</b> yards or uncompleted part thereof:	<b>30p</b>
<b>Waiting Time:</b> For each period of <b>60</b> seconds or uncompleted part thereof	<b>10p</b>

## Tariff 2

For hiring's commenced between midnight and 07.00 For hiring's commenced between 19.00 and midnight on the 24 <sup>th</sup> December For hiring's commenced between 19.00 and midnight on the 31 <sup>st</sup> December For hiring's commencing on any Bank Holiday or Public Holiday	
If the distance does not exceed <b>880</b> yards for the whole distance:	<b>£3.70</b>
For each subsequent 176 yards or uncompleted part thereof:	<b>30p</b>
<b>Waiting time:</b> For each period of 60 seconds or uncompleted part thereof	<b>20p</b>

## Tariff 3

For hiring's commenced between 00.01 25 <sup>th</sup> December and 07.00 27 <sup>th</sup> December For hiring's commenced between 00.01 1 <sup>st</sup> January and 07.00 2 <sup>nd</sup> January	
If the distance does not exceed 880 yards for the whole distance:	<b>£4.90</b>
For each subsequent 220 yards or uncompleted part thereof:	<b>40p</b>
<b>Waiting time:</b> For each period of 40 seconds or uncompleted part thereof	<b>10p</b>
For each passenger in excess of one [for the purpose two children aged 11 or under to count as one passenger for the whole distance]	<b>20p</b>
For each perambulator or article of luggage carried outside the passenger compartment of the vehicle	<b>20p</b>
<b>Soiling Charge:</b> A charge may be requested if the passenger[s] soils the vehicle. This will not exceed <b>£75.00</b>	

The driver may at his/her discretion require the payment of an agreed amount in advance of the journey. A receipt will be given. The amount will be set against the metered fare.

A booking fee up to a maximum of £4.00 may be charged where:

- (a) The Hackney carriage is booked in advance; and
- (b) (i) The Customer shall be told the cost of the booking fee at the time that the booking is taken and the amount recorded in the booking log; and  
(ii) The customer shall be told that the booking fee is in addition to the fare for the journey; and
- (c) The hiring involves a separate journey of at least one mile, starting from the taxi rank or the operator's premises, to the pick up point.

Any complaints regarding the vehicle and/or driver should be addressed to the Licensing Section, Lancaster Town Hall, Dalton Square, Lancaster, LA1 1PJ.

Telephone [01524] 582033. Email [licensing@lancaster.gov.uk](mailto:licensing@lancaster.gov.uk)