



Committee: LICENSING REGULATORY COMMITTEE

Date: THURSDAY, 13 FEBRUARY 2014

Venue: LANCASTER TOWN HALL

Time: 1.00 P.M.

A G E N D A

1. **Apologies for Absence**

2. **Minutes**

Minutes of the meeting held on 9 January 2014 (previously circulated).

3. **Items of Urgent Business authorised by the Chairman**

4. **Declarations of Interest**

To receive declarations by Members of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting.)

Whilst not a legal requirement, in accordance with Council Procedure Rule 10, and in the interests of clarity and transparency, Members should declare any disclosable pecuniary interests, which they have already declared in the Register, at this point in the meeting.

In accordance with Part B, Section 2, of the Code of Conduct, Members are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

Exclusion of the Press and Public

5. **Exempt Item**

The Committee is recommended to pass the following recommendations in relation to the following item:

"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 item of business, on the ground that it 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 item has been marked as exempt, it is for

Committee itself to decide whether or not to consider it in private or in public. In making its decision, Members should consider the relevant paragraph of Schedule 12A of the Local Government Act 1972, and also whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information. In considering that discretion, Members should also be mindful of the advice of Council Officers.

6. **Existing Hackney Carriage and Private Hire Drivers Licence - Laurence William Dent** (Pages 1 - 32)

Report of Licensing Manager

7. **Existing Hackney Carriage and Private Hire Driver's Licence - Tahir Siddique** (Pages 33 - 36)

Report of Licensing Manager

Public Items

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

8. **Review of Licence Fee for Home Boarding of Dogs** (Pages 37 - 40)

Report of Chief Officer (Health and Housing Services)

9. **Proposed Animal-Related Licensing Fees 2014/15** (Pages 41 - 43)

Report of Chief Officer (Health and Housing)

10. **Review of Recent Court Cases** (Pages 44 - 45)

Report of Licensing Manager

11. **Taxi Marshal Scheme** (Pages 46 - 55)

Report of Licensing Manager

12. **Training for Hackney Carriage and Private Hire Drivers** (Pages 56 - 61)

Report of Licensing Manager

13. **Proposed Licensing Fees 2014/15** (Pages 62 - 68)

Report of Licensing Manager

14. **Amendment to the Procedure for Varying Hackney Carriage Fares** (Pages 69 - 70)

Report of Licensing Manager

15. **Proposed Creation of Two Hackney Carriage Stands - Lancaster University Campus** (Pages 71 - 75)

Report of Licensing Manager

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Jonathan Dixon (Chairman), Mike Greenall (Vice-Chairman), Roger Dennison, Sheila Denwood, Tim Hamilton-Cox, Billy Hill, Tony Johnson, Margaret Pattison and Robert Redfern

(ii) Substitute Membership

Councillors Chris Coates, Joan Jackson, Terrie Metcalfe, Richard Newman-Thompson and Susan Sykes

(iii) Queries regarding this Agenda

Please contact Jane Glenton, Democratic Services - telephone (01524) 582068, or email jglenton@lancaster.gov.uk.

(iv) Changes to Membership, Substitutions or Apologies

Please contact Members' Secretary, telephone (01524) 582170, or email memberservices@lancaster.gov.uk.

MARK CULLINAN,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

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LICENSING REGULATORY COMMITTEE

**Review of Licence Fee for Home Boarding of Dogs
13 February 2014**

Report of Chief Officer (Health and Housing)

PURPOSE OF REPORT

To review the licensing fee for home boarding of dogs to enable Members to consider the level of fee for 2014/15

This report is public

RECOMMENDATIONS

(1) That the licensing fee for a first-time home boarding licence and subsequent (renewal) licences be determined for 2014/15 from the options contained in this report.

1.0 Introduction

1.1 This report is concerned with the setting of the level of licence fee for dog home boarding for the year 2014/15. The setting of such fees is a non-executive function, and therefore a matter for this Committee.

1.2 Licensing of dog home boarding premises under the Animal Boarding Establishments Act 1963 was introduced by the council on 1 April 2013. The annual licensing fee for 2013/14 was set at £100 based on the anticipated cost of providing this new aspect of licensing. The council's Fees and Charges Policy (approved by Cabinet at its 21 January 2014 meeting) states that when setting charges, the general aim is to cover the cost of the service, reflecting the full cost of provision including recharges. The Fees and Charges Policy in relation to licensing fees offers a standard of good practice, although it is not binding on Licensing Regulatory Committee.

1.3 Members were assured at previous Licensing Regulatory Committees that dog home boarding fees would be reviewed before the end of the financial year. It is also a requirement of the council's Fees and Charges Policy that fees be reviewed annually. Home boarding licences have now been in force for over nine months, which is considered sufficient time to review the basis on which the licensing fee was originally proposed.

2.0 Proposal Details

2.1 The costs of administering home boarding licensing consist mainly of staffing resources plus associated overheads with negligible spend against equipment and materials . The fee of £100 introduced in April 2013 was based on approximately 3 hours of officer time per premises to carry out the necessary administrative, inspection and enforcement activities. Time monitoring carried out over the last nine months confirms that processing

an application, liaising with the applicant and visiting the home, and issuing each first-time licence, takes on average 3 hours of officer time, costing £106 (based on 2014/15 budget estimates). There are currently 25 licensed home boarders which is a lower figure than was originally estimated based on soundings taken in the home boarding community.

- 2.2 As regards licence renewal applications, officers are finding that the only difference between these and first-time applications is that, due to familiarity, inspections take on average 20 minutes less to carry out. Each licence renewal therefore takes on average 2 hours and 40 minutes of officer time, costing £95 (based on 2014/15 budget estimates). This is 10% lower than the cost of a first-time licence application but also assumes the same officer carries out these duties from one year to the next as is presently the case.
- 2.3 Based on the review of service delivery costs, three options are proposed for consideration:

Option 1: Two fee levels: new applications and renewals of existing licences

Option 1 is to set levels of fee for first-time licence applications at £106.00 and renewal applications at £95.00 in order to fully recover costs.

Option 2: A single fee level at the lower of the two proposed in Option 1

Option 2 is to set a single level of fee for licence applications / renewals based on the lower of the two (the renewal) cost. This would under-recover the full costs of home boarding licensing by a small amount (probably less than £50 per year).

Option 3: A single fee level for renewals as per new applications

Option 3 reflects the existing arrangement and is to charge the first-time application fee level for renewals at an amended fee level of £106.00 based on the review undertaken of service delivery costs.

Consistent with views expressed in previous deliberations by the Licensing Regulatory Committee, none of the above options would generate surplus income.

3.0 Details of Consultation

- 3.1 The subject of licensing fees for home boarders has been discussed over the last 12 months by Licensing Regulatory Committee when presented with reports and corresponding representations.
- 3.2 To assist the committee, on 20 June 2013 officers contacted other local authorities asking for information on their home boarding licensing fees. Of the 35 councils that responded, 28 councils (80%) have a licence renewal fee set the same as the original application fee. Of the 7 councils that have set a lower renewal fee, these range from a 12% to a 50% reduction of the first-time fee.
- 3.3 On 5 November 2013 all licensed home boarders were informed that the fees were being reviewed and that Licensing Regulatory Committee would be considering whether to introduce a reduced fee for renewal applications. Three responses were received, all in agreement with reducing the fee after the first year, although one of these stated that they would also be happy to pay the original fee.

4.0 Options and Options Analysis (including risk assessment)

- 4.1 There is only a very minor financial difference between the three options. More significant is the relationship of this fee setting with guidance in the council's Fees and Charges Policy.

	Option 1: To set a fee of £106.00 for first-time licences and £95 for licence renewals	Option 2: To set a single fee of £95.00 for both first-time licences and licence renewals	Option 3: To set a single fee of £106.00 for first-time licences and licence renewals
Advantages	<ul style="list-style-type: none"> Covers and more closely reflects the cost of providing the service More affordable for small-scale casual home boarders on renewal of existing licences 	<ul style="list-style-type: none"> Simpler to administer than two separate fees Popularity with some home boarders 	<ul style="list-style-type: none"> Simpler to administer than two separate fees More precautionary about fully recovering the costs of service delivery
Disadvantages	<ul style="list-style-type: none"> Results in less revenue than the current practice of charging the first-time fee for all applications. 	<ul style="list-style-type: none"> Slight under-recovery of the costs of administering home boarding licensing 	<ul style="list-style-type: none"> Unpopular with home boarders
Risks	<ul style="list-style-type: none"> If a new officer were in future to become involved in home boarding licensing and they were unfamiliar with licensed home boarding premises, the council's costs may not be fully recovered. This would have modest cost recovery implications May under-recover full costs if there are unforeseen demands on the service 	<ul style="list-style-type: none"> If a new officer were in future to become involved in home boarding licensing and they were unfamiliar with licensed home boarding premises, the council's costs may not be fully recovered. This would have modest cost recovery implications. May under-recover full costs if there are unforeseen demands on the service 	<ul style="list-style-type: none"> May slightly over-recover full costs if there is no change in staff or unforeseen demands on the service

5.0 Conclusion

5.1 The officer recommendation option is Option 1, which best reflects the spirit of the council's Fees and Charges Policy. This option recovers the cost of providing the licensing service in accordance with the Council's Fees and Charges Policy, whilst retaining fees at affordable levels for home boarding businesses.

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

No implications have been identified.

LEGAL IMPLICATIONS

No implications have been identified.

FINANCIAL IMPLICATIONS

Members are reminded that licensing for home boarding is a statutory function legislated by the Animal Boarding Establishments Act 1963, although it is for the Local Authority to

determine the appropriate charge. It is recommended therefore, that the fee covers the cost of licensing, administration, inspection and enforcement.

The original budget for 2014/15 and future years assumed £4,000 fee income with no inflationary increase for home boarding establishments. This was based on initial estimates that there may be around 40 home boarding establishments within the district. The current estimate based on the 9 months since the introduction of the home boarding licensing fee shows that only 25 establishments have been licensed, however. The 2014/15 draft revenue budget has already been updated to reflect the estimated £1,400 income shortfall based on the current number of licensed establishments and existing fee for 2013/14 as part of the 2014/15 budget process and is in line with the officer preferred option 1.

The table below demonstrates that there could be a further shortfall should option 2 be implemented instead, although this is not deemed significant and can be easily absorbed elsewhere within the overall general fund revenue budget. Option 3 would generate a slight surplus compared to the budget.

	Option 1	Option 2	Option 3
Licence Type	£	£	£
Renewals (25)	2,375	2375	2,650
New (2)	212	190	212
Total Fee Income	2,587	2,565	2,862
2014/15 Draft Budget	2,600	2,600	2,600
Estimated Budget (Shortfall)/Surplus	(13)	(35)	262

BACKGROUND PAPERS

Animal Boarding Establishments Act 1963
Lancaster City Council Fees and Charges
Policy

Contact Officer: Sue Clowes
Telephone: 01524 582740
E-mail: sclowes@lancaster.gov.uk
Ref: slc

LICENSING REGULATORY COMMITTEE

**Proposed Animal-Related Licensing Fees 2014/15
13 February 2014**

Report of Chief Officer (Health and Housing)

PURPOSE OF REPORT

The report is to enable Members to consider the level of animal-related licensing (excluding dog home boarding) fees to be charged for 2014/15.

This report is public.

RECOMMENDATIONS

(1) Members are recommended to approve an increase of 2% for animal-related licences as set out in Appendix A.

1.0 Introduction

1.1 Members will recall that as of 1 December 2011 the responsibility for carrying out the licensing function in relation to animal welfare transferred to Environmental Health Services, in Health and Housing. These licences still fall within the remit of this Committee.

1.2 The report is concerned with the setting of the licence fees for animal-related licences issued by the Council except for dog home boarding which is the subject of a separate report. The setting of such fees is by law a non-executive function, and therefore a matter for this Committee.

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. It is not lawful however for the Council to seek to make a profit from licence fees that are within its discretion.

2.0 Proposals

2.1 The Chief Officer (Health and Housing) has recommended that there be an increase in the fees charged for 2013/2014 of 2% in line with the increase in other fees and charges approved by Cabinet, with the exception of dog home boarding licences which have been reviewed and are the subject of a separate report submitted to this Licensing Regulatory Committee. The recommended Fees sheet is attached as appendix A to this report

3.0 Options and Options Analysis

3.1 The options proposed are:

Option 1

With regard to the animal welfare licences administered by Health and Housing to approve a 2% increase as set out in Appendix A.

Option 2

With regard to the animal welfare licences administered by Health and Housing to approve a different level of percentage increase as decided by the committee.

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

- 3.2 The Officers' recommended option is Option 1, a 2% increase for animal-related licences.

4.0 Conclusion

- 4.1 Cabinet has already approved a general 2% increase in the levels of other fees and charges within Health and Housing (with exceptions). Approving Option 1 would be consistent with this position.

CONCLUSION OF IMPACT ASSESSMENT

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

None.

FINANCIAL IMPLICATIONS

The officer preferred option will generate a small additional income of £100 (rounded) over and above the current draft 2014/15 draft budget, demonstrated by the following table:

Licence Type	Licence No's	Current Fee Income £	Proposed Fee Income at 2% £	Difference £
Horse Riding Establishments	8	1,102	1,124	22
Dog Breeders	4	551	562	11
Pet Shops	12	1,714	1,749	35
Animal Boarding (Commercial)	10	1,433	1,462	29
Total	34	4,800	4,897	97

Should Members opt for a different option / percentage, then subject to how material they are, these would need to be further appraised and fed into the annual budget process.

LEGAL IMPLICATIONS

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

BACKGROUND PAPERS

None

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MISCELLANEOUS LICENCES
PROPOSED FEES 2014/15

Type of Licence	Current Licence Fee £	Proposed Licence Fee £
Animal Boarding Licence (Commercial)	142.80	145.70
Dangerous Wild Animals + vet fees	693.60	707.50
Dangerous Wild Animal + vet fees renewal	204.00	208.10
Dog Breeder's Licence + vet fees	137.70	140.50
Horse Riding Establishment + vet fees	137.70	140.50
Pet Shop Licence	142.80	145.70
Zoo Licence + vet fees	147.90	150.90

LICENSING REGULATORY COMMITTEE**Review of Recent Court Cases
13 February 2014****Report of Licensing Manager****PURPOSE OF REPORT**

To inform members of the outcomes of recent court cases in relation to hackney carriage and private hire drivers.

The report is public

RECOMMENDATIONS

The Committee is requested to note the report.

1.0 Introduction

1.1 Members have requested to be kept informed of licensing court cases, and it is intended to provide a quarterly report. The following cases have been determined in Lancaster Magistrates' court in relation to licensing matters in the last four months.

1.2 30 September 2013

A private hire driver appealed a fixed penalty notice which had been issued for smoking whilst driving a private hire vehicle. The driver was successful in his appeal and the FPN was overturned. This matter fell within the previous quarter, but had not been included in the earlier report, as it was not specifically a matter for this Committee, being an appeal in relation to a FPN which was issued under the Health Act 2006.

1.3 15 November 2013

James Blackwood of Lancaster was convicted for plying for hire on a street which was not a designated rank contrary to Byelaws adopted by Lancaster City Council. He was fined £270 and ordered to pay £220 costs.

1.4 15 November 2013

Christopher Lee of Morecambe was convicted of plying for hire on a street which was not a designated rank contrary to Byelaws adopted by Lancaster City Council. He was fined £140 and ordered to pay £220 costs.

1.5 15 November 2013

Alan Brodie of Lancaster was convicted of plying for hire on a street which was not a designated rank contrary to Byelaws adopted by Lancaster City Council. He was fined £115 and ordered to pay costs of £220 costs.

1.6 15 November 2013

Heider Ali Bala of Lancaster was convicted of plying for hire on a street which was not a designated rank contrary to Byelaws adopted by Lancaster City Council. He was fined £200 and ordered to pay costs of £120

1.7 16 December 2013

Kevin Chamberlain of Lancaster was convicted of plying for hire on a street which was not a designated rank contrary to Byelaws adopted by Lancaster City Council. He was given a conditional discharge and ordered to pay £500 costs.

1.8 3 January 2014

A hackney carriage proprietor from Morecambe appeared at Lancaster Magistrates' Court charged with the offence of failing without reasonable cause to give an officer information which he may reasonably require. The Magistrates determined that on the facts of the case there was no case to answer. No costs were awarded against the Council

2.0 Conclusion

2.1 Members are asked to note the report.

CONCLUSION OF IMPACT ASSESSMENT

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

Prosecutions relating to licensing matters help to assure the public that the Council does consider the issue of the safety of the public.

FINANCIAL IMPLICATIONS

Financial Services have been consulted. There are no direct financial implications as a result of this report, any council costs awarded would be collected by the courts and paid across into the legal services court fees income code, for which there is a budget provision.

LEGAL IMPLICATIONS

The Council are under a duty to ensure that the legislation in relation to hackney carriage and private hire licensing is enforced.

BACKGROUND PAPERS

None

Contact Officer: Wendy Peck

Telephone: 01524 582317

E-mail: wpeck@lancaster.gov.uk

Ref: WP

LICENSING REGULATORY COMMITTEE**Taxi Marshal Scheme
13 February 2014****Report of Licensing Manager****PURPOSE OF REPORT**

Following discussions at the Taxi Forum, and consultation with the hackney carriage proprietors to enable the Committee to consider further the introduction of a temporary Taxi Marshal scheme between the North Road, Diggles rank and Wood Street car park

This report is public

Recommendation

Not to introduce a Taxi Marshalling scheme between the North Road, Diggles rank and Wood Street car park on a Friday and Saturday night.

1.0 Introduction

- 1.1 Members will be aware that at the last meeting of this Committee it was resolved that further consultation should be carried out with hackney carriage proprietors in relation to the introduction of taxi marshals on a Friday and Saturday night between the hours of 1930 and 0330 to ensure that proprietors would support such a scheme.
- 1.2 It was proposed that, in order to deal with the current North Road issue during the United Utilities works, the Council could, through an agency, arrange for taxi marshals to be engaged on Friday and Saturday nights from 19.30 to, say, 03.30, one in the Wood Street car park and another at the North Road rank. Hackney carriages could then wait in the Wood Street car park until the marshals advised that a place was available on the North Road rank. The presence of the marshals would ensure that only vehicles which had been waiting in Wood Street were able to access the North Road rank, and would also deter unauthorised private parking on the rank.
- 1.3 It was reported that the scheme, if introduced, could be funded from the current budget, as there was currently a vacant enforcement officer post. However, officers would only be able to recommend the introduction of a taxi marshal scheme if there was clear evidence that its implementation would have the full support and co-operation of the trade, and would offer value for money.
- 1.4 It was reported that the Taxi Task Group had considered the report and asked that the views of the trade be sought in relation to the proposal. Hackney carriage proprietors had been consulted and only three responses had been

received - two were in favour of a taxi marshal scheme being introduced between the North Road, Diggles rank and Wood Street car park, and one did not know. Members may recall that the report in January stated there had originally been four responses however this was an administration error as one of the responses had been recorded twice.

- 1.5 Members were advised that the County Council had no objection to the management of ranking within the taxi bays on North Road by appointed and appropriately trained marshals in addition to the existing restrictions.
- 1.6 The Police had been consulted on the report, and Inspector Thackeray-Scott was in attendance at the meeting to put forward the views of the Police. He reported that over ranking in the city centre was a problem and the Police received complaints about it. The Police worked with the City Council to resolve issues and had the power to issue fixed penalty notices for obstruction. Taxi marshals were used elsewhere and received the support of the Police. The City Council needed to be sure that any proposal to introduce taxi marshals had the support of the hackney carriage proprietors and represented value for money before being implemented.
- 1.7 It was resolved that hackney carriage proprietors be consulted further regarding the engagement of taxi marshals. That, subject to the outcome of this consultation, if marshals would have the support of the trade, the Committee would be minded to engage taxi marshals, through an agency, on Friday and Saturday nights from 19.30 to 03.30, one in the Wood Street car park and another at the North Road rank.
- 1.8 A further consultation has now been carried out with the hackney proprietors in relation to the introduction of the scheme. Once again, the response was very low with a total of three being received. Two of the responses were in favour of the scheme and one was against. That means in total from both consultations the council have received six responses of which four were in favour, one was against and one didn't know. All responses are attached to this report at Appendix A.
- 1.9 Members may wish to consider whether the low response means there is a lack of interest in the scheme, which could then follow that it will not be supported by the trade. A taxi marshalling scheme such as the one proposed can only work with the full co-operation of the trade, who will be expected to participate in it.
- 1.10 The Licensing Manager has requested quotes from security companies who supply SIA registered staff, such as the ones required, and at the time of writing this report has only been given one quotation which works out at £28 per hour plus VAT for 2 marshals.
- 1.11 Members will note from the cost quoted above, providing the scheme, even on a temporary basis, is quite costly, in particular if it is not going to be supported by the hackney proprietors. Although such schemes do work very well in other towns and cities, the lack of interest from the trade suggests that the proposal may not represent best value for money.

2.0 Conclusion

- 2.1 The officer recommendation is that in view of the lack of positive response

form the trade, the introduction of a taxi marshalling scheme should not proceed.

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None directly arising from this report.

LEGAL IMPLICATIONS

The legal implications are set out in the report.

FINANCIAL IMPLICATIONS

The cost of the taxi marshal scheme could be covered within the current licensing budget as there is currently a vacant post.

BACKGROUND PAPERS

Contact Officer: Mrs W Peck
Telephone: 01524 582317
E-mail: wpeck@lancaster.gov.uk
Ref:

From: [REDACTED]

Sent: 03 January 2014 18:04

To: licensing; Greenall, Michael; Burns, Shirley; Coates, Christopher; Hill, Billy; Redfern, Robert; Denwood, Sheila; Johnson, Anthony; Dixon, Jonathan; Harrison, John

Subject: Rank Marshals, Call-out Fee

Licensing

This is a much better idea than the phone link to Dalton Square and I wholly support it, it is just a pity that it has taken this length of time before anything that is remotely beneficial to the Hackney trade has finally been considered, but even now you are still missing the point.

The main Taxi rank in Lancaster has been closed yet you still only supply one space on North Road during the day, and no proper signage has been provided, so when the public pass this rank they are unaware that it is a Taxi rank and walk straight past and go to the private hire office around the corner because even if the public see the Taxi they don't realize that it is for hire they just think that it is parked up, or waiting for someone.

During the build-up to Christmas we had the ridiculous situation where people were queuing 20/30 deep outside 32090's office of which some of these people had walked straight passed the north road rank where there was a Hackney carriage driver sat twiddling their thumbs.

The Council are seriously failing in there duty to provide a viable service to both the traveling public and to those trying to provide the service, I'am totally disgusted in the way that our trade has been dealt with, I just hope that this isn't two little two late!

I myself would prefer option three with the amount to be set through consultation with the trade, but as I have said before if common sense is not allowed to be used then both the council and the trade must be honest and not pretend that this is not the current situation, because we have all seen how this council prefers to deal with certain members of our trade, so we need to get this right!

Regards

A solid black rectangular box used to redact the signature of the sender.

Hello Licensing,

I am replying with my views on the taxi marshal and call out fee.

I think both are a good idea and should be introduced at the earliest opportunity.

I vote for option 3 for the booking fee. I understand that on first thought addresses some distance away could run up quite a charge, but I feel in reality as the miles are charged up to a maximum of £1.00 trade competition will keep the fee down for the more distant addresses and the trade will self introduce competitive maximum call out fees.

Regardless of the chosen option, it is important provision to regulate this anomaly as other authorities have done is emplaced.

Best regards



From: [REDACTED]

Sent: 23 January 2014 19:19

To: licensing

Subject: Taxi marshal scheme

Hello

I think it would be a very good idea to introduce the taxi marshal scheme as this would stop the illegal ranking and the drivers getting fined as they are trying to make a living.

Also to your recent email I am not the member of LCHPA.

Yours faithfully

[REDACTED]

[REDACTED]

[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 06 January 2014 13:57
To: Peck, Wendy
Subject: Re:

TAXI MARSHALS ON NORTH ROAD RANK.

At present I am not in a situation to either agree or disagree regarding of having two Taxi Marshals on North Road rank. Not enough information regarding the expenses involved in employing 2 marshals has been provided by the Licensing department. If cost of the Marshals is going to be paid by Hackney Proprietors then I am not in favour of having the Marshals. And also in my view some Hackney drivers will not co-operate with the rules implemented by the council.

BOOKING/CALL OUT FEE.

I don't think it is necessary to introduce a booking/call out fee. This is a problem for the Private Hire Companies and not Hackney Drivers. Taxi users at present do not fully understand how the tariffs work, and to introduce a booking fee will only confuse matters further.

[REDACTED]

Dear Wendy

The Taxi marshal idea on North road (Diggles) rank is a bad idea, The rank works through the day as well as night time and you are only suggesting that this be monitored for a few hours on a Friday and Saturday night.

Listening to what the members of the LRC where talking about the costs and the powers that the marshal will have this being none, I don't think the scheme would be effective in any way all I can see is tax payers or members from the trade paying for something that they don't want.

Introducing such scheme means that I don't have to return to a rank and allowing cars to park in car parks makes a mockery of what has been going on don't you think?

Kind Regards

A small black rectangular redaction box covering the signature area.

Dear Wendy

In principle I believe the taxi marshal scheme to be a good idea although I wish it had of been implemented in April 2013.

This proposal still leaves a very big gap in providing a taxi service during a normal working day as well as just catering for the night trade. I believe this to be many other proprietors feeling as well.

If I can be of any assistance please feel free to contact me.

Yours sincerely

A solid black rectangular box used to redact the signature of the sender.

LICENSING REGULATORY COMMITTEE**Training for Hackney Carriage and Private Hire Drivers
13 February 2014****Report of Licensing Manager****PURPOSE OF REPORT**

The report is to seek Members' approval of proposals to introduce the Driving Standards Agency Private Hire and Hackney Carriage assessment for all new applicants for hackney carriage and private hire drivers' licences and to consider whether it is appropriate to phase in the test for existing drivers.

This report is public.

RECOMMENDATIONS

Members are recommended:

1. To approve that a new condition be attached to applications for the grant of hackney carriage and private hire drivers' licences requiring applicants to pass the Driving Standards Agency Private Hire and Hackney Carriage standard assessment, and to pass the enhanced/upgrade assessment prior to driving a wheelchair accessible vehicle
2. That the above conditions be imposed in respect of all new applications for the grant of hackney carriage and private hire drivers' licences made as from 1 March 2014 and that the requirement to have held an ordinary DVLA driving licence for a period of three years be deleted on the same date.
3. That Members consider whether it would be appropriate to introduce the upgrade assessment for all existing drivers who drive a wheelchair accessible vehicle with a specified time period being allowed to pass the test.

1.0 Report

- 1.1 At previous meetings of the Taxi Task Group members have considered the introduction of the Driving Standards Agency test for hackney carriage and private hire drivers. This was due to some concern about the standard of driving of some drivers licensed by the Council
- 1.2 The Driving Standards Agency (DSA) is committed to improving driving standards through testing and assessment activities. The DSA is charged with setting driving standards and delivering consistently high quality driving tests to help ensure safe driving.

- 1.3 As professional drivers, hackney carriage and private hire drivers have a special responsibility to ensure that their passengers have a safe, comfortable and enjoyable journey.
- 1.4 The DSA carries out 3 types of assessment:
- The standard driving assessment
 - The enhanced assessment – this includes a wheelchair assessment
 - The upgrade assessment if a person has done the standard assessment and then is required to do the wheelchair exercise
- 1.5 The assessment lasts about 40 minutes and includes an eyesight test as well as a practical assessment. The practical assessment will include:
- A manoeuvre where the driver will be asked to turn the vehicle to face the opposite direction
 - Around 10 minutes of driving without being given turn-by-turn directions by the instructor
 - Stops at the side of the road as if a passenger is getting out
 - Related questions, e.g. what to do if a passenger leaves property in the vehicle
 - Questions from the Highway Code identifying traffic signs and road markings
- The driver may also be asked to do an emergency stop.
- 1.6 Whilst doing the wheelchair exercise a driver would need to show his/her ability to:
- Safely load the wheelchair in the vehicle
 - Use the wheelchair brakes to secure and release it
 - Fasten the seat belts or safety harness
 - Secure any wheel belts or clamps fitted to the vehicle
- 1.7 Members will recall that at the last Proprietors' Forum some concerns were raised about the lack of training in relation to wheelchair accessible vehicles. It has also been reported anecdotally that some drivers refuse wheelchair work and use the excuse that they have not done any training
- 1.8 One practical problem which would arise in relation to the wheelchair part of the assessment would be that the driver is required to carry out the assessment in a wheelchair accessible vehicle, and that only the holder of a driver's licence may drive a licensed vehicle. With this in mind officers would recommend that if members are minded to approve the introduction of the DSA test, the wheelchair part of the assessment should be introduced as an enhancement only when someone is going to drive a wheelchair accessible vehicle. Officers would recommend that this part of the assessment should be mandatory before anyone can drive a wheelchair accessible vehicle.
- 1.9 For Members' information, the definition of wheelchair accessible as contained with the Rule, Regulations and Procedures for Hackney Carriage and Private Hire Licensing approved by this Committee is as follows:- "a vehicle purpose built by the manufacturer or adapted prior to registration in a

manner approved by the manufacturer, for the conveyance of wheelchair bound passengers

- 1.10 The Department for Transport in their published Best Practice Guidance in relation to hackney carriage and private hire licensing say of the DSA test:

“Many local authorities rely on the standard car driving licence as evidence of driving proficiency. Others require some further driving test to be taken. Local authorities will want to consider carefully whether this produces benefits which are commensurate with the costs involved for would-be drivers, the costs being in terms of both money and broader obstacles to entry to the trade. However, they will note that the Driving Standards Agency provides a driving assessment specifically designed for taxis.

- 1.11 The current cost of the test is set out in the table below;

Test type	Weekday	Evening, weekend and Bank Holiday
Hackney saloon vehicles and private hire saloon vehicles standard assessment	£79.66	£96.00
Hackney wheelchair accessible vehicles enhanced assessment	£92.94	£112.34
Taxi wheelchair exercise upgrade assessment	£26.56	£32.68

- 1.12 Other local authorities were asked the following questions

1. Do you require applicants for hackney carriage or private hire driver's licences to pass the DSA test?
2. If you do have the DSA test did you also make it mandatory for existing drivers?

- 1.13 15 Authorities responded, of which 10 have introduced the DSA test for new drivers. All of those that responded except one said that existing drivers had been given grandfather rights and had not had to take the test. However, 7 of them said that if any existing drivers were reported to the Regulatory Committee for driving issues the requirement to pass the DSA test had been used as an option. A table of responses is attached at appendix 1 to this report.

2.0 Options

2.1 Option 1

Do nothing. This would not alleviate any of the concerns in relation to the standard of driving of some licensed drivers. The Council has a duty to protect the public and to ensure that standards are maintained or improved.

2.2 Option 2

Introduce the whole of the DSA test including the wheelchair accessible part for all new applicants for a hackney carriage or private hire drivers' licence. This would have the potential to raise standards and improve public safety. However, there are practical issues in relation to the provision of wheelchair accessible vehicles for such assessments as set out in the report

2.3 Option 3

Introduce the whole of the test for all new and existing drivers to be phased in over a nominated period for existing drivers. This would have similar implications to option 2 however existing drivers would not maintain grandfather rights. The existing trade have not been consulted at this time.

2.4 Option 4

Introduce the basic test for all new and existing drivers. This would help to raise the standards of drivers licensed by this Council; however this would mean that existing drivers would not maintain grandfather rights. The existing trade have not been consulted at this time.

2.5 Option 5

Introduce just the basic test for all new applicants for a hackney carriage or private hire driver's licence. Maintain the option to require existing drivers to complete the assessment following any reports or complaints of driving issues. Make it mandatory for anyone who will be driving a wheelchair accessible vehicle to pass the Taxi wheelchair exercise including existing drivers. This would raise the standards of driving in the district and also ensure that anyone who drives a wheelchair accessible vehicle has completed the necessary training. This would also ensure that operators and proprietors can be assured that anyone driving a wheelchair accessible vehicle has undergone the appropriate training and is therefore available to carry out the wheelchair work as and when required to do so.

3.0 Conclusion

Members are asked to approve the introduction of the DSA test. Officers' preferred option would be option 5 however it is open to members to choose any of the 5 options as set out in report with or without amendment. If approved officers would recommend that the changes have effect from 1 March 2014 in relation to new applicants and that existing drivers who drive a wheelchair accessible vehicle should be given a period of 6 months until 31 August 2014 to pass the upgrade assessment

CONCLUSION OF IMPACT ASSESSMENT

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

None applicable to this report.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

LEGAL IMPLICATIONS

Legal Services have been consulted and have no further comment.

BACKGROUND PAPERS

None

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Ref: WP

Name of Authority	DSA New Drivers	DSA Existing Drivers	DSA Referral from Committee
Wyre	No	No	No
Carlisle	Yes	No	Yes
South Lakeland	Yes	No	Yes
Blackburn	Yes	No	Yes
Rossendale	Yes	No	Yes
St Helens	No	No	No
Fylde	No	No	No
Basingstoke	Yes	No	Not answered
Bolton	Yes	No	Not answered
Warrington	Yes (in the process)	No	Yes (in the process)
Hynburn	No	No	No
Chorley	Yes	No unless driving WAV	Not answered
Wycombe	Yes	No	Yes
Bury	No	No	No
Craven DC	Yes	Yes	Yes
Totals	10 Yes 5 No	1 Yes 14 No	7 Yes 5 No 3 Not Clear

LICENSING REGULATORY COMMITTEE

**Proposed Licensing Fees 2014/15
13 February 2014**

Report of Licensing Manager

PURPOSE OF REPORT
The report is to enable Members to consider the level of fees to be charged for 2014/15.
This report is public.

RECOMMENDATIONS

- (1) **Members are recommended to approve an increase of either 2% or 5% for hackney carriage and private hire licence fees for 2014/2015, as set out in Appendix A and to authorise the Chief Officer (Governance) to advertise the preferred increases for vehicle and operator licences in accordance with the statutory requirement.**

- (2) **Members are recommended to approve an increase of either 2% or 5% for miscellaneous licence fees for 2014/15, as set out in Appendix B, but reducing the fee for a sex shop licence to £500.**

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. The setting of such fees is by law a non-executive function, and therefore a matter for this Committee. 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.

- 1.2 As Members are aware, it has for many years been a policy aim 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 currently seeks to ensure that the costs of the service will, to some degree, 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 vehicle and operator 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 an on-going assessment of time allocations for licensing staff, together with recharges from other Services, and other costs born by the licensing service, the current cost of administering hackney carriages and private hire vehicle licensing and miscellaneous licensing have been reviewed. As a result of this exercise, it is calculated that for 2014/15 the budgeted cost of the hackney carriage and private hire licensing function will be £232,800, and for miscellaneous licences administered within the Licensing Service £13,300. Recently a new time recording system has been implemented in the licensing department which will enable officers to give a more accurate breakdown of time allocations to each individual licence. The system has only been in place for six months and a further review of the fees will be carried out when the full 12 month data is available. At that time a further report can be presented to members.
- 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 2014/15, it is estimated that, if the fees remain at the same levels as in 2013/14, income from hackney carriage and private hire licensing will be £163,000 and for miscellaneous licensing £9,700
- 1.6 With regard to hackney carriage and private hire licensing, and miscellaneous licensing on the basis of the above projections it is clear that the level of income generated through licence fees is not sufficient to cover the costs in providing the function and, without any increase in fees, there would be a shortfall of £69,800 for hackney carriage and private hire licensing and £3,600 for miscellaneous licences which are dealt with within the licensing department
- 1.7 Officers would suggest 2 options for members to consider,. The first option is; that all hackney carriage and private hire licensing, and miscellaneous licensing fees (with the exception of the licence fee for sex shops) be increased by 2% in line with other fee increases approved by the Council rounded to the nearest 10p in order to recover some of the shortfall in these areas. This would produce an estimated additional £3,400. The second option would be a 5% increase, which would produce an estimated additional £8,300. Either option would still leave a substantial shortfall between the cost of providing the service and the income from licence fees. A 2% increase would leave a shortfall of £66,600 for hackney carriage and private hire licensing and £3,400 for miscellaneous licences. A 5% increase would leave a shortfall of £62,000 and £3,100 respectively. In addition, Officers would further strongly recommend that, in the light of recent case law, the fee levied for the issuing of a sex shop licence should be reduced to £500 based on the best estimate of cost recovery, a reduction of £2,200 from the proposed budgeted income.
- 1.8 As members are aware, in view of the Council's policy to restrict the number of Hackney Carriage licences issued to 109, (currently 108 due to a revocation) it is considered necessary to commission an independent survey to assess the level of demand for Hackney Carriage services every three years. The last survey was carried out in 2010 and therefore another survey has just been carried out, in

accordance with the Committee's decision of the 6th June 2013, the results of which will be reported to this committee in March. The cost of the survey was £8,712 and as with previous arrangements, the costs of the demand survey should be recovered through Hackney Carriage vehicle licence fees. As there are currently 108 Hackney Carriage licences issued, it will be necessary to include a surcharge on all licences in the sum of £80.70 (£8,712 divided by 108 = £80.70) for 2014/15, in addition to any other increase that may be approved

- 1.9 Members will recall that the hackney proprietors were consulted regarding the requirement to carry out the unmet demand survey this time and the view of those who responded was that they would like it to go ahead rather than to remove the limit in favour of issuing licences to additional wheelchair accessible vehicles.
- 1.10 The control of hackney carriage and private hire vehicles, and associated drivers and operators, is a time consuming and costly exercise, and it is quite legitimate for a local authority to recover as much of their costs as they are able to in relation to this in accordance with the provisions of the 1976 Act. Those involved in the hackney carriage and private hire trades are in a business and it would be difficult to justify an approach whereby a local authority subsidises private enterprise by refusing to recover as much of the costs associated with its statutory duties as it is legally able to. However, despite the increase in officer time spent on hackney carriage and private hire licensing over the past 2 years it is felt reasonable not to seek to recover the whole of the budgeted deficit through a higher increase in licence fees at this stage, but to keep the position under review over the next year and to wait until other recharges to the service have been fully reviewed.
- 1.11 Even with a 2% or 5% increase, there will still be a shortfall in the fees recovered from miscellaneous licences administered by Licensing. However, the shortfall with regard to miscellaneous licences reflects the work carried out by officers on licences and registrations where no fee is recoverable

2.0 Options and Options Analysis

- 2.1 The options are as follows :-

With regard to the hackney carriage and private hire vehicle licences, to approve either a 2% or 5% increase as set out in Appendix A

With regard to the miscellaneous licences, to approve either a 2% or 5% increase as set out in Appendix B, but with a decrease to £500 for a sex shop licence.

Alternatively, it would be open to the Committee to consider alternative fee structures each additional 1% increase would recover an additional £1,700.

- 2.2 Whilst officers could not recommend an alternative fee structure at this stage, it is considered that either a 2% or 5% increase would be appropriate.

3.0 Conclusion

- 3.1 Members are requested to consider the licence fees for 2014/15. The legislation requires any increase in the licence fees in respect of private hire operators and hackney carriage and private hire vehicles to be advertised, and a period of 28 days allowed for objections, which must then be considered. Members are therefore recommended to authorise the Chief Officer (Governance) to advertise their proposed increases as required by statute.

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. As can be seen from the table below, even with the recommended increases there is still a significant deficit ;

	No increase	2% increase	5% increase
Hackney Carriage/Private Hire	69,800	66,600	62,000
Miscellaneous Licences (including sex shop reduction)	5,800	5,600	5,300
Total Cost	75,600	72,200	67,300

The options recommended will increase the income in the proposed 2014/15 budget for hackney carriage and private hire licensing and for miscellaneous licences, taking into account the reduction in sex shop licence income, by £1,200 at a 2% increase and £6,100 at 5% and will need to be built into the budget as appropriate. Each additional 1% increase would increase the income by around £1,700.

These charges will continue to be monitored and reviewed as part of the 2014/15 budget process and reported back to Members once the review has been completed.

LEGAL IMPLICATIONS

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

MONITORING OFFICERS COMMENTS

The Monitoring Officer has been consulted and has no further comments.

S. 151 OFFICERS COMMENTS

The s151 Officer has been consulted and has no further comments.

BACKGROUND PAPERS

None

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Appendix A Hackney Carriage and Private Hire Proposed Fees

Type of Licence	Proposed 2% increase £	Proposed 5% increase £	Current 2013/2014 £
Hackney Carriage Licence (annual)	246.00	253.30	241.20
Hackney Carriage Licence (six month)	148.80	153.20	145.90
Hackney Carriage Driver's Licence (annual)	57.20	58.90	56.10
Hackney Carriage Driver's Licence (3 yearly)	106.40	109.50	104.30
Duplicate Driver's Badge	11.40	11.80	11.20
Hackney Carriage– Vehicle test fee	51.50	53.00	50.50
Transfer of Private Hire Ownership	41.60	42.80	40.80
Transfer of Hackney Carriage Ownership	41.60	42.80	40.80
Private Hire Vehicle Licence (annual)	246.00	253.30	241.20
Private Hire Vehicle Licence (six month)	148.80	153.20	145.90
Private Hire - Vehicle test fee	51.50	53.00	50.50
Private Hire Driver's Licence (annual)	57.20	58.90	56.10
Private hire Driver's Licence (3 yearly)	106.40	109.50	104.30
Hackney Carriage/Private Hire driver's - dual badge (annual)	88.40	91.00	86.70
Hackney Carriage/Private Hire Driver's dual badge (3 yearly)	137.60	141.60	134.90
Licence Plate - Private Hire (each)	6.20	6.40	6.10
Licence Plate - Hackney Carriage	6.20	6.40	6.10
Enhanced CRB Check (Fee set by CRB)	44.00	44.00	44.00
Door Signs - (each)	6.20	6.40	6.10
Online Drivers Licence Check	5.90	6.00	5.75
Private Hire Operator's Licence 0 – 10	114.40	117.80	112.20
11 - 25	145.70	149.90	142.80
26 and over	194.50	200.20	190.70
Administration fee (where applicable)	40.00	40.00	40.00

N.B In addition there will be an £80.70 one off payment due at the first renewal of a hackney carriage vehicle licence in 2014/15 to cover the cost of the unmet demand survey.

Appendix B Miscellaneous Licences

Type of Licence	Proposed 2% increase £	Proposed 5% increase £	Current Fee 2013/14 £
Boatman's Licence	51.00	52.50	50.00
Scrap Metal Dealer (mobile/site)	153.00	157.50	150.00
Pleasure Boat Licence	92.60	95.30	90.80
Registration in Skin Piercing/Tattooing (Persons)	70.80	72.90	69.40
Registration in Skin Piercing/Tattooing (Premises)	156.10	160.60	153.00
Registration of dealer in second-hand goods	156.10	160.60	153.00
Registration of dealer in second-hand goods - market stalls	46.80	48.20	45.90
Sex Shop/SEV	500.00	500.00	5227.50
Sex Shop renewal	500.00	500.00	2550.00
Street Café Licence	261.10	268.80	256.00

LICENSING REGULATORY COMMITTEE**Amendment to the Procedure for Varying the
Hackney Carriage Table of Fares
13 February 2014****Report of Licensing Manager****PURPOSE OF REPORT**

To enable Members to consider whether to introduce a new procedure in relation to the variation of the Hackney Carriage Table of Fares

This report is public.

RECOMMENDATIONS

Members are requested to approve the proposed amendment to the procedure in relation to the variation of the Hackney Carriage Table of Fares.

1.0 Report

- 1.1 This report has been brought as a result of a request from some members of the trade to reconsider the current procedure for amending the Hackney Carriage Table of Fares.
- 1.2 Currently fare proposals are received from hackney carriage proprietors at the beginning of the year. The proposals are collated and discussed at the Taxi and Private Hire Forum in April. The proposals are then considered by the Licensing Regulatory Committee, following which the statutory procedure is followed.
- 1.3 Members will recall that in 2012 this method caused problems in as much as there were conflicting views within the trade as to what had or should have been proposed. In any case it is very rare that all members of the trade will agree on any particular proposal
- 1.4 With the above in mind Members are asked to consider whether a more efficient method would be for the Council to recommend an annual increase in line with the Retail Price Index (RPI)
- 1.5 Officers propose that it would seem reasonable for a recommendation to come from the Licensing Regulatory Committee in March of each year, following which hackney carriage proprietors could be consulted on whether

an increase is required that year or not. It is envisaged that the question will require a yes or no answer.

- 1.6 The results could be reported back to the Committee in May. If the Committee are then minded to approve the increase, a notice could be placed in the newspaper outlining the proposed variation as required by the legislation. Members may recall that this Council would then allow a 21 day period in which objections could be made. If no objections were received or objections were received but then withdrawn the variation would be applied.

2.0 Conclusion

Members are asked to approve the change in procedure in relation to the variation of the Hackney Carriage table of Fares.

CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)	
The proposed changes do not have the potential to cause negative impact or discriminate against different groups in the community based on age, disability, gender, race/ethnicity, religion or religious belief (faith), sexual orientation, or rural isolation.	
FINANCIAL IMPLICATIONS	
There are no financial implications, other than advertising the notice of the changes and these costs would be met from existing advertising budgets. Finance would advise the Licensing department in relation to the prevailing RPI rate.	
LEGAL IMPLICATIONS	
There are no direct legal implications arising from this report.	
BACKGROUND PAPERS None.	Contact Officer: Wendy Peck Telephone: 01524 582317 E-mail: wpeck@lancaster.gov.uk Ref: WP

LICENSING REGULATORY COMMITTEE

**Local Government (Miscellaneous Provisions) Act
1976 – Proposed Creation of Two Hackney Carriage
Stands on the University of Lancaster Campus
13 February 2014**

Report of Licensing Manager

PURPOSE OF REPORT
The report is to seek Members' approval of proposals to create two additional hackney carriage stands on the Lancaster University Campus
This report is public

RECOMMENDATIONS

1. To indicate that, subject to public advertisement, the Committee would be minded to appoint hackney carriage stands at the following locations on the Lancaster University Campus

- a) Bowlands Avenue South – a stand for 3 taxis 24 hours
- b) South West Drive – a stand for 2 taxis 24 hours

2. To authorise the Chief Officer (Governance), in accordance with Section 63 (2) of the Local Government (Miscellaneous Provisions) Act 1976, to advertise the proposed new hackney carriage stands.

1.0 Report

1.1 Members may be aware that for some time there has been a need for hackney carriage stands on the campus at Lancaster University.

1.2 Officers have been liaising with staff at the University and 2 locations have now been identified and approved by the management team there, as set out above. Plans of the area are attached at appendix 1 to this report.

1.3 Under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 a district council may from time to time appoint stands for hackney carriages for the whole or any part of a day in any highway in the district which is maintainable at the public expense and, with the consent of the owner, on any land in the district which does not form part of a highway so maintainable and may from time to time vary the number of hackney carriages permitted to be at each stand.

1.4 Before appointing any stand for hackney carriages or varying the number of hackney carriages to be at each stand in exercise of the powers of section 63,

a district council shall give notice to the chief officer of police for the police area in which the stand is situated and shall also give public notice of the proposal by advertisement in at least one local newspaper circulating in the district and shall take into consideration any objections or representations in respect of such proposal which may be made to them in writing within twenty-eight days of the first publication of such notice.

1.5 Nothing in Section 63 empowers a district council to appoint any such stand:

- (a) so as unreasonably to prevent access to any premises;
- (b) so as to impede the use of any points authorised to be used in connection with a local 'bus service within the meaning of the Transport Act 1985 or PSV operator's licence granted under the Public Passenger Vehicles Act 1981, as points for the taking up or setting down of passengers, or in such a position as to interfere unreasonably with access to any station or depot of any passenger road transport operators, except with the consent of those operators;
- (c) on any highway except with the consent of the highway authority;

and in deciding the position of stands a district council shall have regard to the position of any bus stops for the time being in use.

1.6 The highway at the University is not maintained at public expense and therefore it is private land, however there still remains the requirement to formally adopt the stands. There will be no requirement to request Traffic Regulation Orders from the Highways Authority, and the cost of the ranks and signage will be covered by the University.

2.0 CONCLUSION

2.1 Members are therefore requested to approve the proposals to create the additional hackney carriage stands as outlined in the report, and to authorise the Chief Officer (Governance) to give notice in accordance with Section 63 (2) of the Local Government (Miscellaneous Provisions) Act 1976.

CONCLUSION OF IMPACT ASSESSMENT

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

None applicable to this report.

FINANCIAL IMPLICATIONS

The costs of advertising for the purpose of the requirements of the Local Government (Miscellaneous Provisions) Act 1976 can be met from the existing 2013/14 advertising budget.

LEGAL IMPLICATIONS

These are contained within the report.

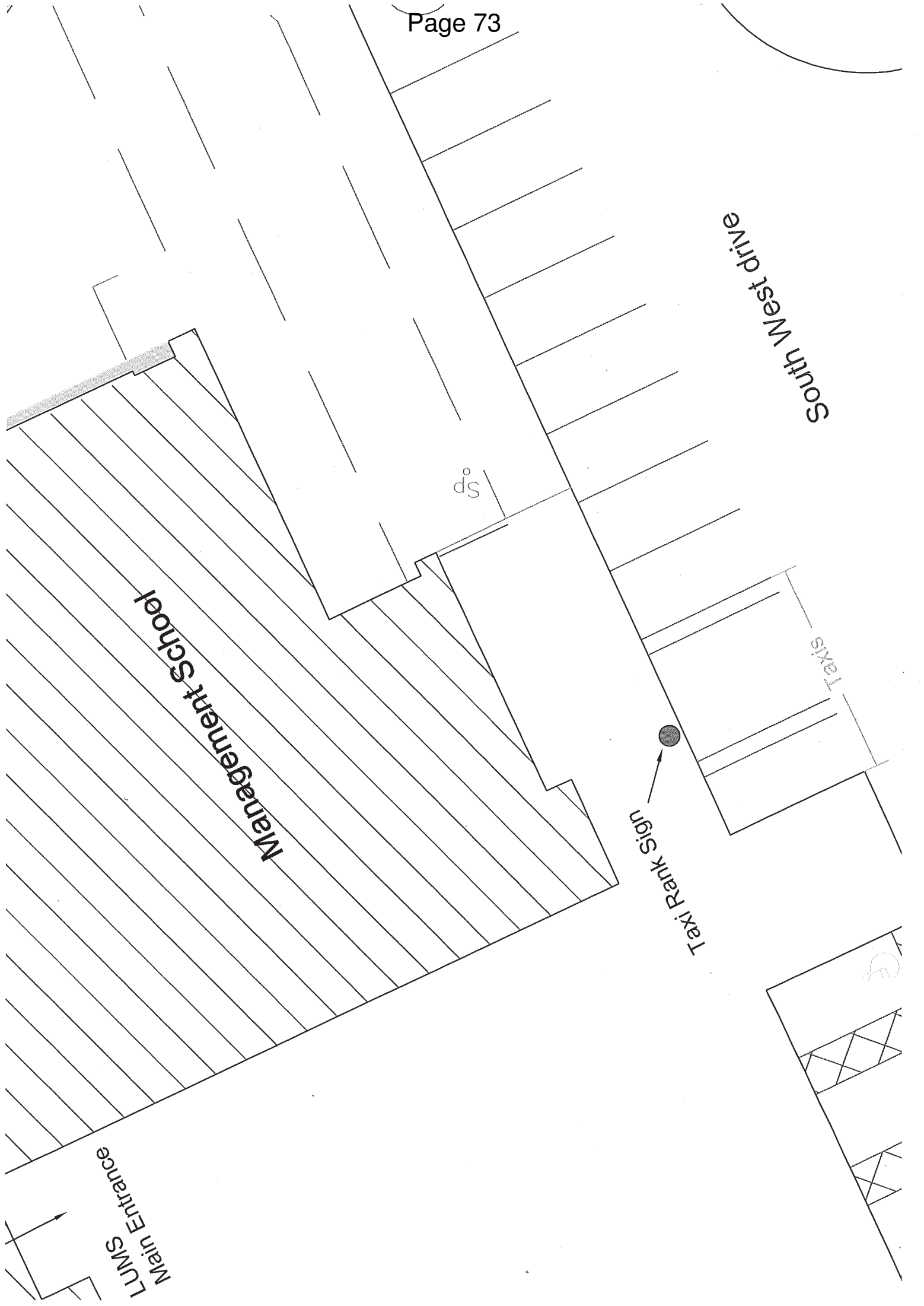
BACKGROUND PAPERS

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Management School

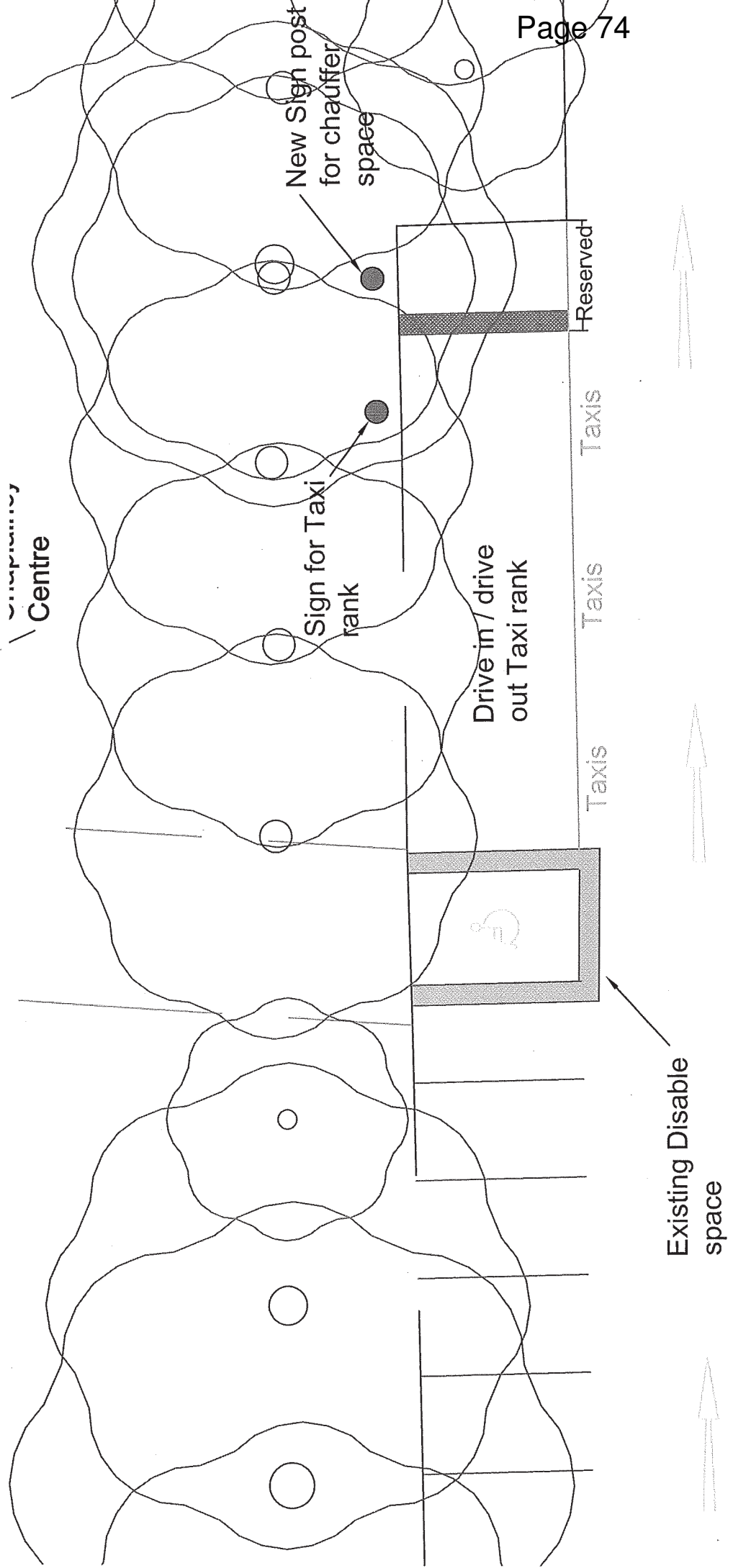
South West drive

Taxi Rank Sign

Taxis

LUMS
Main Entrance

G



Bowland Avenue South

