

LICENSING BOARD

Venue: Town Hall, Moorgate
Street, Rotherham. S60
2TH

Date: Wednesday, 15 February
2012

Time: 9.30 a.m.

A G E N D A

1. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
3. Minutes of the Board held on 11th January, 2012. (Pages 1 - 2)

The Chairman authorised consideration of the following report in order to progress the matters referred to.

4. Licensing Services: Proposed Fees - 2012-13. (Pages 3 - 8)
5. Exclusion of the Press and Public.

The following item is likely to be considered in the absence of the Press and Public as being exempt under the Police Act 1997 and Paragraphs 3 and 7 of Part 1 of Schedule 12A to the Local Government Act 1972 (business affairs and prevention of crime)

6. Hackney Carriage/Private Hire Drivers' Licences. (Pages 9 - 32)

LICENSING BOARD
Wednesday, 11th January, 2012

Present:- Councillor Wootton (in the Chair); Councillors Andrews, Barron, Buckley, Dodson, Doyle, Falvey, Goulty, J. Hamilton, Havenhand, Jack, McNeely, Nightingale, Read, Sangster and Swift.

Apologies for absence were received from Councillors Beck, Foden, N. Hamilton and P. A. Russell.

Q39. MINUTES OF THE BOARD HELD ON 14TH DECEMBER 2011.

Resolved: - That the minutes of the meeting of the Licensing Board held on 14th December, 2011 be approved as a correct record for signature by the Chairman.

Q40. HOUSE TO HOUSE COLLECTIONS.

The Senior Licensing Officer submitted a report concerning the following application for the grant of a licence to carry out house to house collections:-

| ORGANISATION | AREA | DATE |
|-------------------------------------------------|----------------------------|--------------------------------------------------------------------|
| Do Not Delay Breast Cancer Prevention Programme | Whole of Rotherham Borough | 16 th January, 2012 to 21 st December, 2012. |

Resolved: - That the application be refused.

Q41. PROPRIETOR'S REQUEST FOR INDIVIDUAL EXEMPTION TO LICENSED VEHICLE CONDITIONS - ADVERTISEMENTS.

The Board considered the submitted report indicating a request from a licensed operator for an exemption to Condition 6 of the private hire vehicle conditions of licence to facilitate the advertisement of his company name, phone number, company logos and journey information on the rear boot, side panels and bonnet of his two private hire vehicles.

A copy of the proposed advertisements had been submitted for consideration.

Resolved: - That the request to be exempted from Condition 6 of the licensing conditions to facilitate rear boot, side panels and bonnet advertisements for the applicant's two vehicles be approved.

Q42. EXCLUSION OF THE PRESS AND PUBLIC.

Resolved:- That, under 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 grounds that it involves the likely disclosure of exempt information as defined in the Police Act 1997 and in Paragraphs 3 and 7 of Part I of Schedule 12A to the Local Government Act 1972 (business affairs and prevention of crime).

Q43. HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCES - APPLICATIONS

The Board considered reports by the Director of Housing and Neighbourhood Services relating to applications for the grant of hackney carriage/private hire drivers' licences from Messrs. K.S.Z. and N.K..

Mr. N.K. attended the meeting and was interviewed by the Board.

Resolved: - That the applications in respect of Messrs. K.S.Z, and N.K. be refused.

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| ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS |
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| | |
|---------------------|-------------------------------------------|
| Meeting: | Licensing Board |
| Date: | 15 February 2012 |
| Title: | Licensing Service – Proposed fee increase |
| Directorate: | Neighbourhood and Adult Services |

5. Summary

This report outlines the proposed licensing fee increases to be effective from 1st April 2012.

6. Recommendations

- (i) That Members approve the proposed fee structure for non-statutory licensing fees at the rate of increase indicated.
- (ii) That Members direct Officers to undertake the necessary consultation with the hackney carriage and private hire trade associations and place a notice in the local press outlining the proposed fee increases in relation to Private Hire/Hackney Carriage Vehicles and Private Hire Operators.
- (iii) That a further report be presented for consideration and determination of the private hire/hackney carriage vehicle and private hire operator fees at the next meeting of the Licensing Board on 21 March 2012 following the end of the consultation period.

7. Proposals and Details

The proposed increase in licensing fees reflects the direct costs involved in maintaining the current level of administrative and enforcement services. The increase is necessary to ensure the cost of delivering services is met within budget.

The increase represents a 2% (rounded up to the nearest pound) increase in fees commencing in the financial year 2012/13.

The fees for administering the Licensing Act 2003 are not included as they are set by central government and are standard throughout the country. However there is a change to the legislation via the Police, Crime and Social Responsibility Act which will come into force at some point in 2012 which will allow the local authority to set the fees based on full cost recovery. Members will be asked to consider a report on this when more is known about the exact date of implementation.

The fees outlined in Appendix A are those that it is proposed to increase by 2% (rounded up to the nearest pound).

Vehicles

In relation to Private Hire/Hackney Carriage Vehicles the testing is carried out by Translinc who have yet to indicate what their increased charges will be. They will be inline with the Motoring RPI Index and these increases will be passed directly onto the trade.

Sex Establishments

The fee for this licence has not been subject to the increase of 2% as a report outlining changes to the proposed licensing of these premises including fee structure will be brought to Licensing Board sometime in 2012.

General

The Service is currently working on procedures including administrative procedures which will require a full costing out of how much it costs to process particular applications. Indications are that particularly in relation to driver applications the true cost of processing appears to be much higher than the increases proposed.

Due to the current economic climate these types of fee increase are not being proposed, however members may be requested to review such fees in future.

8. Finance

Local Authorities can only set fee levels (where they are non-statutory and not prescribed) which are reasonable and proportionate to the costs incurred in providing a licensing service, in terms of administration processes and enforcement responsibilities.

9. Risks and Uncertainties

Failure to recover an appropriate level of revenue from licensing fees would result in the cost of service provision being greater than the income received. This would mean the service could not be delivered in budget which could lead to a reduction in the levels of services provided, especially in terms of enforcement.

10. Policy and Performance Agenda Implications

Failure to recover funding sufficient to meet the costs of the service could result in the section failing to deliver its statutory functions. The setting of fees, as part of the budget setting process, forms part of the Councils Service and Financial Planning framework which supports the delivery of cost effective and efficient services.

The setting of fees as part of the budget setting process is consistent with the Corporate Plan's cross cutting themes of sustainable development and fairness as it ensures the deliver of a cost effective licensing service. It also ensures that the Council continues to maintain its statutory functions and undertakes enforcement to support the delivery of safe and sustainable communities in Rotherham.

11. Background Papers and Consultation

Consultation will take place with the private hire and hackney carriage trades will take place in relation to the setting of the fees for vehicles and operators. Any comments received will be submitted in a report to Licensing Board on 21 March 2012.

Contact Name: Deborah Bragg, Licensing Manager, 34524
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APPENDIX A

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|-------------------------------------------------------------------------|
| Rotherham Borough Council – Proposals for Licensing Fees 2012/13 |
|-------------------------------------------------------------------------|

Fees proposed to increase by 2% (rounded up to nearest £)(i) Private Hire/Hackney Carriage Licensing

| | <u>Present Fees</u> | <u>Proposed Fees</u> |
|----------------------------------------------|-------------------------|--------------------------|
| Hackney Carriage/Private Hire Drivers | | |
| 1 to 3 years | £145 | £148 |
| Up to 1 year | £ 79.00 | £81.00 |
| Knowledge Test | £15.00 | £16.00 |
| DVLA Record Check | £9.00 | £10.00 |
| Replacement Badge | £17.00 | £18.00 |
| Criminal Records Bureau Enhanced Disclosure | £44.00 | £44.00 |

Hackney Carriage/Private Hire Vehicles

| | | |
|---------------------------------------------------------------------------|---------|---------|
| Application Fee (vehicles under the age of 5 licensed for 1 full year) | £105.00 | £108.00 |
| Application Fee (vehicles over the age of 5 licensed for 6 months) | | £54.00 |

Inspection Fees – Current Fees charged by Translinc – awaiting any changes

| | | |
|--------------------------------------------------------------------------|----------------|----------------|
| Vehicle Plates (vehicles under the age of 5 licensed for 1 full year) | £30.00 | £31.00 |
| Vehicle Plates (vehicles over the age of 5 licensed for 6 months) | | £15.50 |
| Transfer of Vehicle Licence (from one owner to another) | £39.00 | £40.00 |
| Approval of trailer for attachment to vehicle | £34.00 | £35.00 |
| Approval of advertisement | £36 per advert | £37 per advert |
| Hackney Carriage Door Sign | £5.00 | £6.00 |

Private Hire Operators

| | | |
|-------------------|------|------|
| 1 to 3 vehicles | £133 | £136 |
| 4 to 20 vehicles | £179 | £183 |
| 21 to 40 vehicles | £424 | £433 |
| Over 40 vehicles | £624 | £637 |

Miscellaneous

| | | |
|-----------------------------------|--------|------------------------------------|
| Copy of Licence | £17.00 | £18.00 |
| Request for Information from File | | £10 as per DP Act 1998 per request |

Other Licences/Registrations

| | | | |
|-------|-------------------------------------------------------------------------|---------------------|----------------------|
| (ii) | Approved Premises (Marriages/Civil Partnerships) <u>(3 years)</u> | <u>Present Fees</u> | <u>Proposed Fees</u> |
| | | £1447 | £1476 |
| | Transfer | £28.00 | £29.00 |
| | Variation | £269 | £275 |
| (iii) | <u>Small Bus Permits</u> | £ 22.00 | £23.00 |
| | <u>Sex Shops</u> | £7635 | £7635 |
| (iv) | <u>Motor Salvage Operators</u> | | |
| | 3 year Registration Grant/ Renewal | £94.00 | £96.00 |
| | Certified Copy of Register (each copy up to a max of 5) | £14.00 | £15.00 |
| | Copy of Database | £8.00 | £9.00 |
| | Public Access to Register | Free | Free |
| | Other Miscellaneous | | |
| | Photocopying | £0.20 per sheet | £0.25 per sheet |

Gambling Act 2005 Fees and charges

Premises Licences

| Premises Type | New Application | Annual fee |
|-------------------------------------|------------------------|-------------------|
| Existing Casinos | | |
| New Small Casinos | 6369 | 7962 |
| New Large Casino | 7962 | 7803 |
| Regional Casino | 11941 | 11941 |
| Bingo Club | 2655 | 797 |
| Betting premises (excluding Tracks) | 2123 | 480 |
| Tracks | 2123 | 797 |
| Family Entertainment Centres | 1593 | 532 |
| Adult Gaming Centre | 1593 | 797 |

| | Application to vary | Application to Transfer | Application for Reinstatement | Application for Provisional Statement | Licence Application (provisional statement holders) | Copy Licence | Notification of change |
|-------------------------------------|----------------------------|--------------------------------|--------------------------------------|----------------------------------------------|------------------------------------------------------------|---------------------|-------------------------------|
| New Small Casinos | 3184 | 1433 | 1433 | 6368 | 2389 | 25 | 50 |
| New Large Casino | 3981 | 1700 | 1700 | 7962 | 3981 | 25 | 50 |
| Bingo Club | 1382 | 957 | 957 | 2761 | 957 | 25 | 50 |
| Betting premises (excluding Tracks) | 1201 | 957 | 957 | 2389 | 957 | 25 | 50 |
| Tracks | 990 | 756 | 756 | 1976 | 756 | 25 | 50 |
| Family Entertainment Centres | 797 | 745 | 745 | 1593 | 745 | 25 | 50 |
| Adult Gaming Centre | 797 | 957 | 957 | 1593 | 957 | 25 | 50 |
| | | | | | | | |

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