

LICENSING BOARD

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

Date: Wednesday, 13 April 2011

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 (Pages 1 - 2)
4. Licensing Service - Proposed Fee Increase (Pages 3 - 7)
5. House to House Collections (Pages 8 - 19)
6. 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)
7. Hackney Carriage/Private Hire Driver's Licence (Pages 20 - 31)

**LICENSING BOARD
16th March, 2011**

Present:- Councillor Wootton (in the Chair); Councillors Barron, Buckley, Dodson, Doyle, Falvey, Goulty, J. Hamilton, N. Hamilton, Jack, Nightingale, P. A. Russell, Slade and Swift.

Apologies for absence were received from The Mayor (Councillor McNeely) and Councillors Burton, Havenhand and Sangster.

Q48. MINUTES

Resolved:- That the minutes of the meeting of the Licensing Board held on 16th February, 2011 be approved as a correct record for signature by the Chairman.

Q49. LICENSED VEHICLE SPECIFICATION AND INSPECTION CRITERIA

The Board considered a report by the Licensing Manager proposing the introduction of a new inspection criteria and licensed vehicle specifications for vehicles licensed for either hackney carriage or private hire purposes.

In order to introduce an effective, consistent and transparent approach to licensed vehicle standards and specifications in Rotherham, it was proposed that a set of documentation was published that outlined :-

- The standards applicable to all licensed vehicles, including the criteria to be considered during a vehicle inspection to establish a vehicle met the required visual and mechanical conditions for licensing by Rotherham Licensing Authority
- The specifications that licensed vehicles must meet in order to be considered appropriate as a licensed vehicle by Rotherham Licensing Authority (including requirements in relation to the Equalities Act 2011)
- The Licensing Authority documentation relevant to vehicle inspection process

The draft licensed vehicle inspection and specification manual, based on best practice guidance, was submitted.

Discussion and a question and answer session ensued focusing on the proposed requirements regarding the number of vehicle doors.

Resolved:- (1) That the vehicle specification and inspection process with regard to Rotherham licensed vehicles, as now submitted, be approved.

(2) That officers be authorised to commence a period of appropriate consultation on the proposals.

(3) That a further report be submitted to this Board as soon as reasonably practicable following the completion of the consultation process, with a view to approving the introduction of the vehicle inspection guidance and specification manuals.

Q50. 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in the Police Act 1997 and Paragraphs 3 and 7 of Part I of Schedule 12A to the Local Government Act 1972 (business affairs and prevention of crime).

Q51. HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE

The Board considered a report by the Director of Housing and Neighbourhood Services relating to the hackney carriage/private hire driver's licence held by Mr. A.K.

Resolved:- That the licence held by Mr. A.K. be revoked.

Q52. HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' 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. J.H.R., Q.M.Y., M.H.S., N.C.A. and A.A.

Messrs. J.H.R., Q.M.Y., M.H.S., N.C.A. and A.A. attended the meeting and were interviewed by the Board.

Resolved:- (1) That Mr. J.H.R. be granted a licence for a period of twelve months, subject to the satisfactory completion of the local knowledge test, Driving Standards Agency test and medical.

(2) That Mr. N.C.A. be granted a licence for a period of three years, subject to the satisfactory completion of the Driving Standards Agency test and medical.

(3) That the applications from Messrs. Q.M.Y., M.H.S. and A.A. be refused.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

Meeting:	Licensing Board
Date:	13 th April, 2011
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 2011 in relation Hackney Carriage/Private Hire Vehicles and Private Hire Operators.

6. Recommendations

- (i) That Members approve the proposed fee structure for the vehicle and operator licensing fees.

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.

In relation to the charges for testing vehicles by Translinc they use the Motoring RPI Index to set their charges. This is currently running at 4.7%. However this year they have only increased their charges by 2% acknowledging current budgetary constraints. The only fee not subject to any change is the Missed Appointment Charge. The fees have been rounded up to the nearest pound to make the administration of the system much easier.

In relation to vehicle and operator fees it is a statutory requirement that the fees are advertised in the local press, inviting objections within 28 days of the date the notice being placed. The notice appeared in the Rotherham Advertiser on Friday 25 February 2011 and the date for objections to be received was Friday 25 March 2011.

In addition letters were sent to all Hackney Carriage proprietors, Private Hire Operators and Private Hire Vehicle proprietors advising them of the proposed increase to fees and inviting comments.

We have received one representation/comment about the proposed increase, details of which are attached in Appendix B.

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 deliver of safe and sustainable communities in Rotherham.

11. Background Papers and Consultation

Consultation with all those who will be affected by the proposed changes, i.e all vehicle proprietors and private hire operators have been sent a letter outlining the proposals.

Contact Name: Deborah Bragg, Licensing Manager, 34524
deborah.bragg@rotherham.gov.uk

Rotherham Borough Council – Proposals for Licensing Fees 2011/12

Hackney Carriage/Private Hire Vehicles

Application Fee (vehicles under the age of 5 licensed for 1 full year)	£105.00
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Application Fee (vehicles over the age of 5 licensed for 6 months)	£52.50
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Inspection Fees – Current Fees charged by Translinc

New Applications/Renewals/Replacement Vehicles Including issuing of MOT Certificate where applicable	£76.00
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Intermediate Inspection	£64.00
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Missed Appointment (unless exceptional circumstances can be demonstrated)	£50.00
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Full Retest (where use of smoke meter/brake tester/ headlight beam tester is required)	£76.00
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Partial Retest (all items except those which are identified as free within VOSA Guidelines)	£36.00
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Vehicle Plates (vehicles under the age of 5 licensed for 1 full year)	£30.00
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Vehicle Plates (vehicles over the age of 5 licensed for 6 months)	£15.00
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Transfer of Vehicle Licence (from one owner to another)	£39.00
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Approval of trailer for attachment to vehicle	£34.00
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Approval of advertisement	£36 per advert
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Hackney Carriage Door Sign	£5.00
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Private Hire Operators

1 to 3 vehicles	£133
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4 to 20 vehicles	£179
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21 to 40 vehicles	£424
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Over 40 vehicles	£624
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APPENDIX B

Table of Responses received to consultation on Proposed Increase to Vehicle and Operator Fees

NAME OF RESPONDENT	COMMENTS
Mr L Port	<p>'I am wishing to object to the proposed rise in fees for the granting of private hire operators, hackney carriage and private hire vehicles on the following grounds –</p> <p>1 Rotherham Council has announced no increase in council tax fees. I do consider these proposed rises to stealth tax.</p> <p>2 The private hire operators fees are unfair e.g. 1 to 3 vehicles - £133 = £44.33 per vehicle over 30 vehicles - £624 = £21.40 per vehicle</p> <p>A firm like A1 taxis has over a hundred vehicles, therefore the unit price would be £6.24 per vehicle.</p> <p>3 In my experience the licensing department is simply a money collecting department that issues pieces of paper and provided no services or support in return.</p> <p>4 I also want to point out that Rotherham Council has failed to comply with government instructions to deregulate the issue of Hackney Carriage Licence.</p>

1. Meeting:	Licensing Board
2. Date:	13 April 2011
3. Title:	Determination of Licensing Issues - House to House Collections
4. Programme Area:	Neighbourhoods and Adult Services

5. Summary

This report concerns applications made for proposed House to House collection Promoters permits in or about the Borough of Rotherham.

Where a person who is promoting, or proposes to promote, a collection in any locality for a charitable purpose makes an application to the authority for the area in the prescribed manner specifying the purpose of the collection and the locality within which the collection is to be made, and furnishes them with the prescribed information, the authority shall, subject to the provisions of the act, grant to them a licence authorising them to “promote” a collection within that locality for that purpose.

“Promoter” means, in relation to a collection, a person who causes others to act as collectors for the purposes of the collection.

6. Recommendations

THAT MEMBERS INFORM THE LICENSING OFFICER OF THEIR DECISION ON EACH CASE.

7. Proposals and Details

The following application for a promoters permit has been received by the Licensing Office for consideration of a House to House collection:-

- | | |
|--------------------------------|--|
| 1. Charity/Charitable Purpose: | <u>Little Treasures Children's Trust – Charity Reg. 1119024</u> |
| Permit Applicant | D Collins – (Director for East London Textiles Ltd) |
| Permit Collection Area | Whole Borough Area |
| Collection Dates/times | 10/04/2011 to 09/04/2011 |

Further details and the application for this permit, are attached at "Appendix A" of this report.

Should the licence be granted at the hearing any permit would only run from the date the Members of the board approve the grant to the requested expiry date unless otherwise granted by members.

8. Finance

Permits for House to House collections in or about the Borough of Rotherham are provided free of charge to applicants. Any relating enforcement and other matters of application processing are financed through the authority's normal budgeting methods.

9. Risks and Uncertainties

Failure to consider each application to the extent that members feel necessary to satisfy themselves they have reached a reasoned decision could lead to inappropriate collections being made within the Borough.

10. Policy and Performance Agenda Implications

The granting of House to House permits is consistent with the Corporate Plan and community strategy as it ensures the deliver under the themes of a Safer and Fairer Rotherham; also ensuring that the Council continues to maintain its statutory functions and undertakes appropriate enforcement to support the delivery of safe communities in Rotherham.

11. Background Papers and Consultation

Applications received, as detailed in section 7 of this report and associated appendices.

Contact Name: Katy Giller, Senior Licensing Officer, 4525, katy.giller@rotherham.gov.uk



Neighbourhood and Adult Services

Application for a House to House Collections Permit

House to House Collections Act 1939

House to House Collections Regulations 1947 (as amended)

NEIGHBOURHOOD	
For office use only	
Date	16 MAR 2011
Fee	Free of Charge
Permit number	SERVICES

Use this form to apply for a house to house promoters collection permit. The licence will allow you to authorise collectors to collect from door to door for charitable purposes only. No collection for a charitable purpose may be made in the locality unless the applicant is an appropriately licensed promoter by this authority, or holds an exemption granted by the Secretary of State from obtaining a licence from this authority.

The attention of applicants for licences under the House to House Collections Act 1939 is drawn to Paragraph 4 of the House to House Collections Regulations 1947 (as amended) made by the Secretary of State on the 12 December 1947. This paragraph provides that ordinarily an application for licence shall be made not later than the first day of the month preceding that in which it is proposed to commence the collection.

Data Protection Act, 1998

I understand that RMBC is required to use information provided by me to carry out cross system and cross authority comparisons for the prevention and detection of fraud or crime. I understand that information I have provided may be used in this way or for connected purposes, and that this information may also be shared with certain third parties who administer or protect public funds. We may use the information you have provided in this form to carry out checks to prevent and detect fraud or crime. We may also use the information share the inf in this way or for connected purposes, and we may also share the information with certain other people or organisations who manage handle or protect public funds. By signing this application, you are agreeing to us using your information in this way.

**Please answer all the questions on this form in BLOCK CAPITALS and in ink.
Enter NONE or N/A as appropriate in all boxes you do not enter information in.**

Applicants (Promoter) personal details

Details of Business or Organisation Responsible for the Collection

2. Name of Business/Organisation conducting collection: EAST LONDON TEXTILES LTD

Office address of the Business/Organisation: UNIT 64 GALLMANS END FARM, MANOR ROAD,
ABRIDGE, ESSEX

Post code: RM4 1NA

Contact phone number: 020 85010743 Mobile phone number:

E-mail address: info@east-london-textiles.com

2. a. Are you an employee of this Business/Organisation YES No

If YES, please state your position within the Business/Organisation: DIRECTOR

*If NO, you must supply a letter, with this application form, from the Society/Organisation to benefit from the collection and which is authorising you to organise collections on the society's behalf.

Licensing history

3. Have you, or the business ever held a house to house collection licence before? Yes No

If 'Yes', who issued it? PLEASE SEE ATTACHED LIST

What date was it granted? / /

What licence number was it?

3.a. Have you, or to your knowledge anyone associated with this collection, ever had a house to house licence or order **with this** local authority, refused, or revoked before? Yes No

3.b. Have you, or to your knowledge anyone associated with this collection, ever had a house to house licence or order, **with any other authority** refused, or revoked before? Yes No

If Yes, where was it held, when was it refused, or revoked and why was it revoked?

Please use an extra sheet if required.

PLEASE SEE ATTACHED

Collection Details

4. Name of Society/Charity/Fund to benefit from the proceeds of this collection: LITTLE TREASURES CHILDREN'S TRUST

Address of the Society/Charity/Fund: 138 SOUTH STREET, ROMFORD, ESSEX

Post code: RM 11 TE

E-mail address: Contact phone number: 01708 753339

4.a. Objective/aims of the Society/Charity/Fund to benefit from the proceeds of this collection. Please attach recent literature, & accounts etc.

4.b. Is the Society/Charity/Fund a registered charity Yes No

Registered Charity Number: 119024

4.c. Over what parts of the licensing area is it proposed that collections will be made?

ALL COUNCIL AREA

4.d. Over what periods in the year, dates & times, is it proposed that collections will be made?

10/04/2011 - 09/04/2012

Collection Details - Continued

4.e. How many collectors will be permitted to make the collections:

2

4.f. Is it proposed to collect money including direct debits as money

Yes

No

Direct Debits

4.g. Is it proposed to collect "other" types of property

Yes

No

If Yes, what type(s) of property will be collected (Include direct debits as a collection of money)

USED CLOTHING

Is it proposed to Sell, Give Away, or Use this "other" property

Sell

Give Away

Use

4.h. Are applications also being made for licences for the same purposed in other areas of the UK:

Yes

No

If Yes, which other licensing authorities

PLEASE SEE ATTACHED

How many collectors will be permitted to make these collections

2

Will these collectors be the same collectors as those you intend to use in this authority

Yes

No

4.i. Is it proposed to promote this collection in conjunction with a street collection

Yes

No

If Yes, is it proposed to combine the House to House and Street Collection accounts or submit separate accounts:

Combined accounts

Separate accounts

4.j. If the collection is for a War Charity, state if the charity has been registered or exempted from registration under the War Charities Act 1940, and give the name of the registration authority, date of registration or exemption in the box below.

Proceeds of Collections Details

5. Are the whole of the receipts to be paid over to the Society/Charity/Fund

Yes

No

If NO, please state the purposes for which deductions will be made

18960F PROCEEDS DEDUCTED FOR COLLECTION

5.a. Please state how much will be deducted for expenses or other purposes

£0.18

5.b. Is it proposed to use some of the proceeds for the remuneration of any persons

Yes

No

If YES; is it to Collectors

Yes

No

is it to Other Persons

Yes

No

5.c. Please state details, how much will be deducted, for what reasons and if applicable what "other persons"

£0.10 FOR COLLECTORS
0.08 FOR COLLECTION SERVICE

Applicant Promoter's "Criminal Records" history request

6. Convictions & Cautions Details. In the boxes below list any convictions/cautions etc you may have which are not considered as "spent" with in the terms of the "Rehabilitation of Offenders Act 1974".

6.a. Have you ever been convicted of any criminal offence, or received any police cautions etc or are you waiting to hear about any prosecutions or other actions of any type, pending against you?, warnings or reprimands? (If you answer YES to this question give details in the box below.) Yes No

6.b. If you are waiting to hear about any prosecution enter the court hearing the case: If known, date of future court hearing date:

Date of conviction(s)	Details of Offence(s) and Conviction(s)	Sentence Or Penalty
/ /		
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Declaration

I am aware that should a House to House Collection Licence be granted to me the collection must take place in strict compliance with the House to House Regulations, which I have read and fully understand. I am aware that it is also necessary for me to submit a certified form of statement within at least 28 days of the collection taking place.

In pursuance of Section 2 of the House to House Collections Act 1939, I hereby apply for a licence allowing me to promote the collection, of which particulars are given in this form.

Applicants Signature D. Allen

Date form signed by applicant 09/03/2011

LITTLE TREASURES CHILDREN'S TRUST

Charity Registration Number 1119024
138 South Street | Romford | Essex | RM1 1TE
telephone: 01708 753339
e-mail: littletreasuresct@btinternet.com
web: www.littletreasureschildrenstrust.org

01-10-10

Dear Sir/Madam

I can confirm the East London Textiles have permission to collect on behalf of Little Treasures Childrens Trust. We have a commercial contract with East London Textiles. They are contracted to donate £6,250.00 monthly to us this year. Last year they donated £52,000.000 to the charity.

If you have any further questions please do not hesitate to contact me on 01708 753339

Kind regards



Emmalene Ratcliffe
LTCT



Trustees: Mr K Ratcliffe, Mr M Rowbotham & Mr T Ratcliffe
Main Office: 138 South Street, Romford, Essex, RM1 1TE



LITTLE TREASURES CHILDREN'S TRUST

Registration No: 1119024

Your Manager has kindly agreed to help us raise funds for children in your area and across the UK.

Our aim is to help as many children as possible that suffer with acute medical conditions such as Cerebral Palsy, Spina Bifida and terminal illnesses such as Cancer.

With your help we can supply medical equipment, respite, hospital travel and make children's remaining time as comfortable as possible.

Please get involved with this sponsorship, just sign your name and give what you can.



Trustees: Mr K Ratcliffe, Mr T Ratcliffe, Mr M Rowbotham Main Office: 138 South Street, Romford, Essex RM1 1TE
Tel: 01708 753 339 Email: littletreasuresct@btinternet.com Web: www.littletreasureschildrenstrust.co.uk

THANK YOU FOR YOUR GENEROSITY

Information regarding refused licences

- We have had a licence refused by Kettering Council. This happened because we did not make it clear how much as a % we donated to the charity. We have applied again stating that we actually donate 82% of the proceeds to Little Treasures Children's Trust and as such they have now granted us the licence.
- Isle of Man Council refused the licence because Little Treasures Children's Trust is not a local charity.
- South Lakeland refused the licence because we did not supply the correct information at the time. They have since granted us the licence.
- Eden District Council refused the licence because at that time we did not donate enough % to the charity.
- We have never had a Licence revoked

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COUNTY WEST
Commercial Services

6 Cambridge Court, 210 Shepherds Bush Road, London W6 7NJ. Tel: 020 8563 0484 Fax: 020 8563 0843
e-mail: mail@countywest.com, www.countywest.com

To whom it may concern

10 February 2011

East London Textiles Ltd donations to Little Treasures Children's Trust

We act as accountants to East London Textiles Ltd.

Following a review of the company's books and records we are pleased to advise that during the past year East London Textiles Ltd has donated the sum of £68,849.00 to the Little Treasures Children's Trust. The total amount of donations since the start of the project is £84,524.00 as at today's date.

Yours sincerely



K. R. Edwards
Accountant

Export

ELT ltd has established business links with Europe, Africa and Asia.

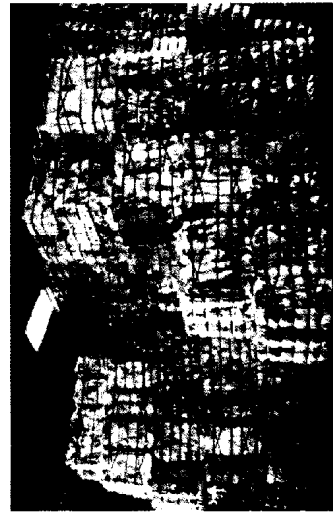
Second hand clothing is highly valued, and in some countries the only source of affordable clothing.

Once sorted in the warehouse the clothes are baled into small or large bales, wrapped, stored and ready for export.

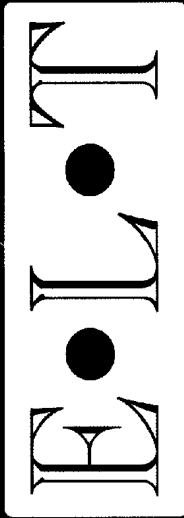
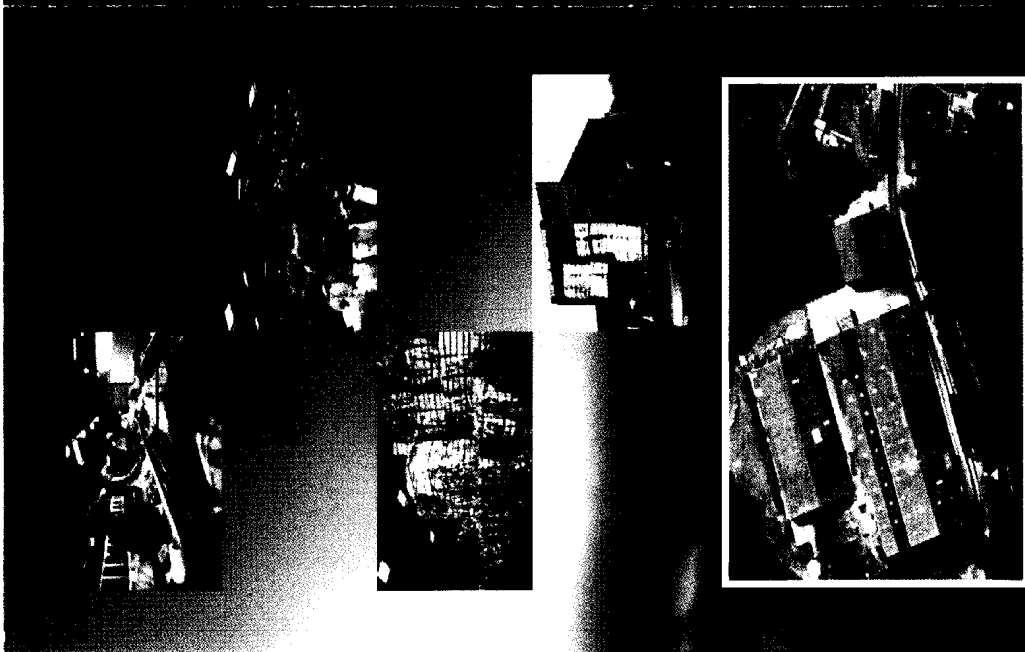
We take orders from our traders and we offer them a quality service from start till the end.

*We guarantee the quality of grades that are ordered by our business partners.
We look after every client individually, giving as much attention as required.*

We hope to see you soon!



**"LET'S EXPORT TOGETHER THROUGH
THE GLOBE"**



EAST LONDON TEXTILES LTD
Unit G4 • Gallman's End Farm • Manor Road
Abridge • Romford • Essex • RM4 1NA
Telephone: +44(0)20 8501 0743
Fax: +44(0)20 8501 1586
Email: info@east-london-textiles.com
Web: www.east-london-textiles.com

*Textiles Recycling
Exporter Of Used Clothing*
EAST LONDON TEXTILES LTD

About Us

East London Textiles Ltd is a well established, professional company specialising in recycling and exporting of used clothing and textiles.

Our services consist of rags collection from charity shops, processing of those items in our warehouses and export.

Over time we have established business links with the UK, Europe, Africa and Asia.

Our facilities allow us to store about 5000 tonnes of textiles.

We recycle and process 120 tonnes of clothing weekly in our processing warehouses.



We are only a phone call away.

We are looking forward to working with you!

Rag Collection

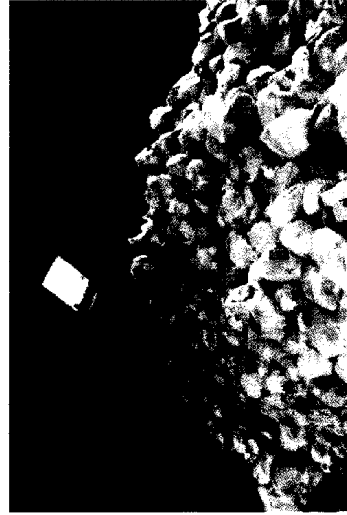
EAST LONDON TEXTILES LTD has a well established and extensive collection operation from a number of different charity organisations.

We provide first class service for our current stock charity suppliers.

Our friendly and professional staff provide collections depending on each shop requirements.

After collection the rags are delivered straight to ELT factory, where recycling process starts.

We are fully compliant with all employment and logistic legislation and you can delegate the collection service to us with confidence.



"LET US MAXIMISE THE BENEFITS TO YOUR GOOD CAUSE"

Textiles Recycling

Textiles are the fastest-growing waste product in the UK.

The statistic shows that we buy more clothes and textiles than ever, and most of them end up in landfill.

We actively participate in reduction of textile waste for the benefit of our environment.

We take care of every item that reaches our factory. Every garment finds its destination, instead of ending up in landfill.

Not all the items meet the requirements to be exported and those items are sent to specialist fibre plants in England for further recycling. We provide raw materials to the "wiping" and "bedding" industries.

Our employees are fully trained in grading of all kind of textiles.



"SAVE THE LAND"

Document is Restricted