

HAVANT BOROUGH COUNCIL
PUBLIC SERVICE PLAZA
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Havant
BOROUGH COUNCIL

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LICENSING COMMITTEE AGENDA

Membership: Councillor Smith D (Chairman)

Councillors Bains, Cresswell, Edwards, Francis, Gibb-Gray, Hughes, Kerrin, Pierce Jones, Pike, Ponsonby, Seal, Shimbart, Tarrant (Vice-Chairman) and Wade

Meeting: Licensing Committee

Date: Wednesday 16 September 2015

Time: 5.00 pm

Venue: Hollybank Room, Public Service Plaza, Civic Centre Road,
Havant, Hants PO9 2AX

The business to be transacted is set out below:

Nick Leach
Monitoring Officer

8 September 2015

Contact Officer: *Tristan Fieldsend (023) 9244 6233*
Email: tristan.fieldsend@havant.gov.uk

Page

PART 1 (Items open for public attendance)

1 Apologies

To receive apologies for absence.

2 Minutes

1 - 4

To confirm the minutes of the meeting of the Licensing Committee held on 17 June 2015.

3 Matters Arising

To consider any matters arising from the minutes of the previous

meeting.

4 Exclusion of Press and Public

The Committee is asked to consider whether to pass a resolution excluding the public from the meeting during consideration of any of the items on the agenda. If members wish to do so then this could be achieved by passing the following resolution. Members are not required to pass the resolution but the Solicitor to the Council recommends this as to the item set out below.

That the public be excluded from the meeting during consideration of the item headed and numbered as below because:

it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information of the descriptions specified in paragraphs of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 shown against the heading in question; and

in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Item 11 Consideration of a Hackney Carriage / Private Hire Licence
(Paragraphs 1 to 3)

Paragraph 1 Information relating to any individual

Paragraph 2 Information which is likely to reveal the identity of an individual

Paragraph 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information)

5 Declarations of Interests

To receive and record any declarations of interests from members present in respect of any of the various matters on the agenda for this meeting.

6 Chairman's Report

- | | | |
|----------|--|----------------|
| 7 | Adoption of Revised Deputation Procedure | 5 - 10 |
| 8 | Charges for Combined Hackney Carriage/Private Hire Vehicle Driver Licensing | 11 - 28 |

9	Charges for Private Hire Vehicle Operator Licensing	29 - 32
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Part 2 (Confidential Items)		
11	Consideration of a Hackney Carriage / Private Hire Licence	37 - 118

GENERAL INFORMATION

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Internet

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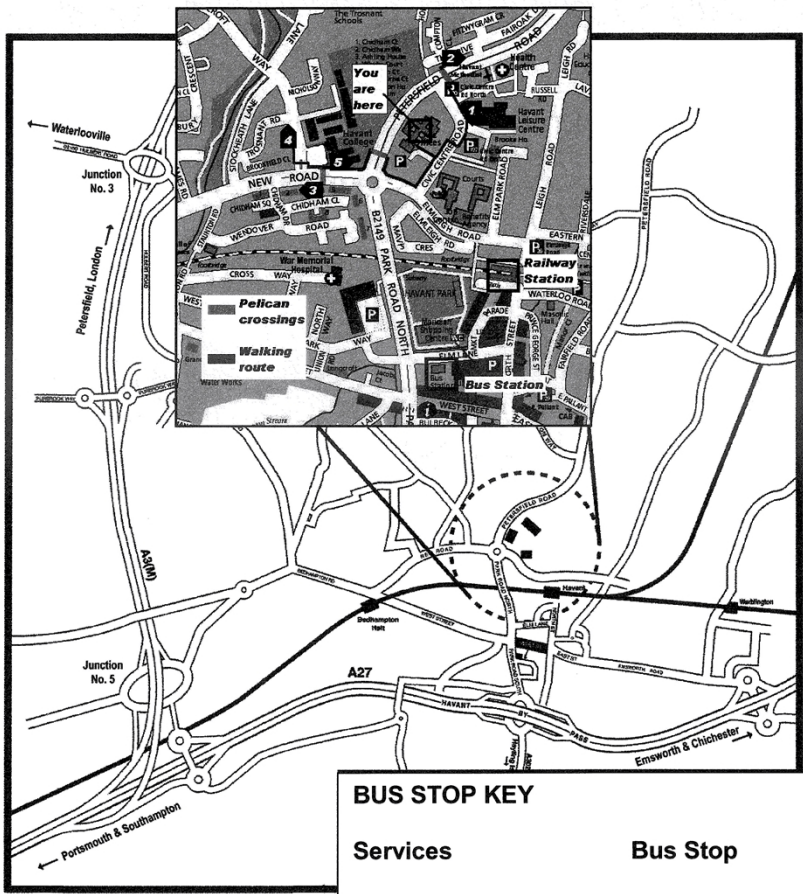
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23, 36**	3
23, 27**, 37	4
23, 27**, 36**, 37	5

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Public Service Plaza
 Civic Centre Road
 Havant
 Hampshire PO9 2AX

Public
 Service
 Plaza

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HAVANT BOROUGH COUNCIL

At a meeting of the Licensing Committee held on 17 June 2015

Present

Councillor Smith D (Chairman)

Councillors Bains, Cresswell, Edwards, Francis, Gibb-Gray, Hughes, Kerrin, Pike, Ponsonby, Seal, Shimbart, Tarrant (Vice-Chairman) and Wade

4 Apologies

Apologies for absence were received from Councillor Pierce Jones.

5 Minutes

RESOLVED that the minutes of the meetings of the Licensing Committee held on 22 April 2015 and 13 May 2015 be approved as a correct record subject to an amendment recording Councillor Pike as having attended the meeting on 13 May 2015.

6 Matters Arising

There were no matters arising.

7 Declarations of Interests

Councillor Wade advised that he was acquainted with the applicant but had not formed any conclusive view on this application.

8 Licensing Sub-Committee

RESOLVED that the minutes of the Licensing Sub-Committee held on 15 April 2015 be approved as a correct record.

9 Chairman's Report

The Chairman welcomed new members to the Committee.

10 Variation to a Street Trading Consent

The Committee was asked to consider a report from the Economic Development Officer concerning an application to vary a street trading consent to allow a mobile catering trailer to be kept on site at Waterlooville precinct overnight, seven days a week. The application had been referred to the Committee at the request of the ward Councillors'.

The Committee received a deputation from Mr Rosenthal in support of his application.

Licensing Committee (17.6.15)

The Committee held a detailed discussion over the application during which the following points were raised:

- Whether granting the application would set a precedent allowing other trailers to operate on the precinct. Members were assured that it was officer policy not to allow more than one trailer to operate on site;
- If consent was granted a need for emergency contact details to be visible on the mobile catering unit;
- The effect allowing the trailer to stay on site would have on the local economy;
- The health and safety implications of leaving the trailer on the precinct overnight;
- The Committee considered that permission for a trial period of three months would be appropriate in this case to enable the Council to monitor the implications of this permission;
- The Council to be informed of a nominated person, and their contact details, who could move the trailer in the event the owner was not available; and
- The owner to confirm that the trailers insurance allowed it to be left on the precinct overnight.

RESOLVED that

- (1) Mr J Rosenthal's request to keep his catering trailer on site at Waterlooville precinct overnight seven days a week be granted for a three month trial period with authority being provided to officers to extend this if there were no problems;
- (2) The street trading terms and conditions be varied in this case to allow Mr Rosenthal to leave his van on the site; and
- (3) The following conditions be included on the licence agreement:
 - (a) At the request of Havant Borough Council, Hampshire County Council or any contractor working for the aforementioned, Mr Rosenthal remove his trailer without question given appropriate notice.
 - (b) Havant Borough Council may withdraw the variation should unforeseen difficulties attributed to the permanent overnight presence of the trailer be experienced by the local authorities and Police.

- (c) The Solicitor to the Council be authorised to add any further conditions as deemed appropriate.

The meeting commenced at 5.00 pm and concluded at 5.54 pm

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HAVANT BOROUGH COUNCIL

Licensing Committee

ADOPTION OF REVISED DEPUTATION PROCEDURE

Report by the Democratic Services Officer

1.0 PURPOSE OF REPORT

1.1 To consider changes to the Licensing Committee's deputation procedure.

2.0 RECOMMENDATION

That the deputation procedure attached at Appendix A be approved.

3.0 SUMMARY

- 3.1 The Constitution adopted by the Council on 8 May 2013 did not include a provision for Committees, Boards or the Cabinet to receive deputations and it was up to each individual Committee, Board or Cabinet to adopt its own deputation procedure. On 26 March 2014 the Licensing Committee adopted its own deputation procedure.
- 3.2 In order to improve areas where the procedure restricted the Committee and deputees several changes are proposed to the procedure allowing the Committee to ask questions of deputees. These changes will allow the Committee to debate often complex items in greater detail. The main changes to the procedure are highlighted in Appendix A.

4.0 IMPLICATIONS

- 4.1 **Resources:** Not Applicable
- 4.2 **Legal:** No specific Issues
- 4.3 **Strategy:** The Statement of Community Involvement (SCI) sets out how and when the community can get involved in these processes and includes a provision that individuals and applicants have an opportunity to address the Committee when a decision is to be made by the Committee.
- 4.4 **Risks:** Not Applicable
- 4.5 **Communications:** Not Applicable
- 4.6 **For the Community:** None directly from this report

4.7 **The Integrated Impact Assessment (IIA) has been completed and concluded the following:** Not Applicable

Appendices: Appendix A – Deputation Procedure

Agreed and signed off by:

Legal Services: 25 June 2015

Background papers: None

Contact Officer: Tristan Fieldsend, Democratic Services Officer
Tel: 023 92 446233
Email: tristan.fieldsend@havant.gov.uk



DEPUTATIONS AT THE LICENSING COMMITTEE

A. General Notes

1. The Council gives the following an opportunity to address, Members of the Licensing Committee (the Committee”) at the meeting before Members make their decision:-
 - (a) Objectors
 - (b) Supporters
 - (c) County Councillors
 - (d) Ward Councillors who are not members of the Committee.
2. A deputation can only appear in connection with an item on the Agenda for a particular meeting.
3. The purpose of the deputations procedure is to allow deputees to address the Committee orally and to answer questions from the members of the Committee. Deputees will not therefore be able to put any documents or written material to the Committee at the meeting as there is no practical opportunity for members or officers to study this without delaying and disrupting the conduct of the meeting.
4. If there has been a deputation within six months of any previous appearance on the same or similar topic (irrespective of whether or not the member(s) of the deputation might be different) then no such new deputation will be received until that time limit has expired.

B Registering Your Intention to Speak

1. Notice of the wish to be received as a deputation must be given in writing or by email to the Democratic Services Team (contact details are given at the end of these notes) not less than 48 hours before the start of the meeting (other than when the meeting is on a Monday, when notice has to be in the previous Thursday). Notices received after the deadline will not be accepted
2. In all cases, the notice must briefly specify the subject on which the deputation wishes to speak and whether the deputation is in support or against the matter to be discussed.
3. Acknowledgement of the request for a deputation will be made whenever practicable, but given the timescale at B1 above, this may not always be possible. You will be advised as soon as practicable whether or not the request to be received as a deputation has been agreed.

4. The address and telephone number of a depute will not be given to other deputees unless the Council has been given written permission to pass on these details.

C. About Deputations Generally

1. A deputation can consist of one but not more than two persons.
2. It is for the members of a deputation to decide who will address the meeting. Where it is two persons, both may speak if they wish.

D. Time limits

1. Subject to D4 below a total of five minutes per matter/application will be allocated to hear the views of all objectors, five minutes for County Councillors and five minutes for supporters.
2. If there is more than one deputation wishing to appear on a specific matter, the total amount of time allowed for speaking remains five minutes. This means (*for example only*) that if there is one deputation in favour of a matter, this one may speak for five minutes, but if there are two wishing to speak against, those two would have to agree between themselves as to how they will divide up the five minutes in total that is available.
3. Clearly a point could be reached where there are a number of people wishing to make a deputation for or against a particular matter. Given that only five minutes is available to either side, the various deputations would wish to consider appointing no more than two spokespersons in order to make maximum use of the overall time available. As notification of a request to appear as a deputation can be left until 48 hours before a meeting (see A4 above), in all probability, the "pooling of resources" will have to be discussed and agreed on the day of the Committee.
4. There is no time limit for Councillors wishing to speak who are not members of the Committee.

E. Procedure

1. Ordinarily, all meetings commence at 5 pm. Meetings normally take place in the Hollybank Room ("the Meeting Room") at the Public Service Plaza, Civic Centre Road, Havant.
2. The Committee may, if it wishes, vary the order of business as published in the Agenda.
3. Accordingly, whilst every effort is made to be as helpful as possible, it is very difficult to give a precise indication to the members of a deputation as to the time when the matter in which they have an interest will be reached. The Democratic Services Officer concerned (contact details are set out below) may be contacted on the day of the meeting in an effort to clarify the situation, but otherwise the members of a deputation are asked to be in attendance in the Meeting Room at the Public Service Plaza, Civic Centre Road, Havant at

least fifteen minutes before the normal starting time (normally 4.45 pm).

A warning note - if the subject matter of a deputation has been debated and decided upon by the time a deputation arrives, it will not then be possible for the deputation to appear before the Committee.

6. If time permits prior to commencement of the meeting the deputees will be shown from where speeches will be made in the Meeting Room at the Public Service Plaza, Civic Centre Road, Havant and where to sit prior to and after delivery of the deputation.
7. Deputations are heard with the subject matter to which they relate. After all deputations for a subject matter have been heard, the Committee will make and announce their decision.
8. In cases where it is known beforehand that the views of the deputation accord with what the officers might be recommending and there are no deputations wishing to appear to put the contrary view, the Chairman will normally ask the members of the Committee if they oppose the officers' recommendation. If the members indicate that they will not speak against the officers' recommendation, the Chairman will ask the deputees if he or she still wishes to address the Committee. Please note that it is open to the Chairman concerned to decide to deal with the matter in any other way.
9. When the particular item is reached on which there may be a deputation or deputations, the order of business will normally be as follows:-

(a) There will be a presentation by the Officer(s) concerned (if required), including questions by the Committee Members of the Officers.	No Time Limit
(b) The deputation(s) opposing the matter to be discussed will be heard.	A total of 5 minutes is allocated for those objecting
(c) Members to ask questions of the deputees opposing the matter	No Time Limit
(d) The deputation supporting the matter to be discussed will be heard	A total of 5 minutes is allocated for those supporting
(e) Members to ask questions of the deputees supporting the matter	No Time Limit
(f) County Councillors	A total of 5 minutes is allocated for County Councillors
(g) Members to ask questions of the County Councillors	No Time Limit
(h) Members of the Committee, who have	A total of 5 minutes is

formed a conclusive view on any matter included in the agenda allocated for those Members, who have formed a conclusive view

- (i) Members to ask questions of the members who have made a deputation under (h) above **No Time Limit**
 - (j) Elected members of the Council who are not members of the Committee who have indicated in advance of the meeting that they wish to address the Committee **No time limit**
 - (k) Members to ask questions of the members who have made a deputation under (j) above **No Time Limit**
 - (l) The matter will be debated, including any questions by the members of the Committee of the Officers, and a decision made.
10. The exception to 9 above would be where the matter is one where a resolution excluding the public during the debate has been passed. In such instances, only 9(b) to 9(k) would take place in public, with officer's presentation and any debate taking place later in the meeting without the public being present.
11. The members of a deputation may, if they wish, remain in the public gallery until that matter is dealt with (provided it is not a confidential matter when both the press and the public are excluded).

STAFF TO CONTACT ON DEPUTATIONS

(1) Licensing Committee Tristan Fieldsend (023) 92446233
tristan.fieldsend@havant.gov.uk

Or

DemocraticServicesTeam@havant.gov.uk

Address: Democratic Services Team
 Havant Borough Council
 Public Service Plaza
 Civic Centre Road
 Havant, Hants P09 2AX

HAVANT BOROUGH COUNCIL

LICENSING COMMITTEE

CHARGES FOR COMBINED HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE DRIVER LICENSING

Report of the Licensing Officer

Key Decision: No

1.0 Purpose of Report

1.1 To consider the Charges for Combined Hackney Carriage/Private Hire Vehicle Driver licences from 1st October 2015 to 31st March 2017 as a result of the Deregulation Act 2015.

2.0 Recommendation It is recommended that:

2.1 The charges as shown at Annex A are approved;

3.0 Summary

3.1 Licensing charges for Taxi and Private Hire were last reviewed in November 2014 and are reviewed on an annual basis. However, due to the Deregulation Act 2015 section 10 commencing 1st October 2015, combined Hackney Carriage/Private Hire Vehicle driver licences are to be issued for a 3 year period.

4.0 Subject of Report

4.1 Havant Borough may only recover certain costs incurred in carrying out licensing functions as detailed in Local Government (Miscellaneous Provisions) Act 1976 Section 53 for driver licences. Currently combined Hackney Carriage/Private Hire Vehicle driver licences are issued annually, however Deregulation 2015 section 10 amends this.

4.2 From 1st October 2015, combined Hackney Carriage/Private Hire Vehicle driver licences are to be a standard 3 year duration (or for such lesser period as the Council think appropriate in the circumstance of the case i.e. at a Licensing Committee hearing)

4.3 Therefore we have calculated the fees for a 3 year licence (and 1 year licence fee should the Licensing Committee have cause to issue). The proposed fees set out in Annex A seek to fully recover relevant costs to the Council. The calculation of fees from an assessment of relevant costs is shown at Annex B

4.4 Fees are reviewed through an assessment of relevant costs. This is important to ensure that our fees are legally robust and that we have used a transparent methodology

5.0 Implications

Resources:

- 5.1 In arriving at the proposed charges, analysis of combined Hackney Carriage/Private Hire Vehicle driver and Private Hire Vehicle operator licensing income/expenditure by the Council's Financial Team was undertaken. A copy of the figures produced as a result of the analysis is shown at Annex B and effect the propose charge would have on annual income at Annex C.

Legal:

- 5.2 The setting of fees for driver licences is governed by section 53 of the Local Government (Miscellaneous Provisions) Act 1976. The council may charge such amounts as they consider reasonable with a view to recovering the costs of issue and administration.

Strategy:

- 5.3 The proposed fees ensure Havant Borough Councils fee continue to be in alignment with relevant costs associated with licensing for which we can recover through fees. Re-assessing costs and fees is necessary to meet our strategic objective of achieving financial sustainability.

Risks:

- 5.4 The fees proposed can be justified against a transparent assessment of our costs for administering these particular licences.

Communications:

- 5.5 The taxi trade will be informed of the fees via post

For the Community:

- 5.6 The community will be provided with a safe form of public transport funded through the fees proposed in this report.
- 5.7 The Integrated Impact Assessment (IIA) has been completed and concluded the following that no further action necessary; attached at Annex D.

6.0 Consultation

N/A.

Annexes:

Annex A – Proposed charges

Annex B – Financial analysis figures

Annex C – Effect of proposed charge in annual income

Annex D – Integrated Impact Assessment

Background Papers:

None

Agreed and signed off by:

Legal: 19th August 2015

Finance: 1st September 2015

Relevant Executive Head: 2nd September 2015

Contact Officer: Hilary Smith
Job Title: Licensing Officer
Telephone: 023 9244 6653
E-Mail: hilary.smith@havant.gov.uk

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ANNEX A

Licensing Committee	Approved Prices 2015/2016	Proposed Prices 2016/2017	Comments
<u>HACKNEY CARRIAGE/PHV PRICES</u>			
	£ p	£ p	
1. <u>Hackney Carriage Licence</u> (including plate)	219.00	205.00	1 and 3 exclude vehicle mechanical inspection element. A maximum statutory fee of £25 applies in respect of prices 1, 3, and 5 but the maximum may be increased by following the procedure laid down by statute HBC is capped to issue 40 Hackney Carriage licences, meter test now a separate fee for compliance purposes.
2. <u>Meter Test</u>	-	12.00	
3. <u>Private Hire Vehicle Licence</u> (including plate)	162.00	150.00	
4. <u>Vehicle Mechanical Inspections</u>			These prices are added to 1 and 3 as appropriate to establish a composite fee.
Pre application inspection	89.00	89.00	
Inspection on application (incl. first re-inspection)	89.00	89.00	
Second and subsequent re-inspection	48.00	48.00	
Failure to keep appointment	42.00	45.00	
Special vehicles and limousines (1½ hour test)	134.00	134.00	
5. <u>Operators Licence</u>			Change in legislation, standard licence length 5 years. Fee for each additional address from which the licensee operates Reduced licence length can be issued if determined by Licensing Committee.
Initial application and standard renewal (5 year)	-	435.00	
For each additional operator address	167.00	435.00	
Committee grant (1 year)	167.00	125.00	

ANNEX A

Licensing Committee	Approved Prices 2014/2015	Proposed Prices 2015/2016	Comments
<p>6. <u>Drivers Licence (Joint Hackney and PHV)</u> Initial application (3 year) Standard renewal (3 year) Committee grant (1 year)</p> <p>7. <u>Knowledge Test</u> Initial Re-test</p>	<p>£ p</p> <p>- - 72.00</p> <p>40.00 40.00</p>	<p>£ p</p> <p>110.00 100.00 88.00</p> <p>40.00 40.00</p>	<p>Driver's Licence prices include the costs of Drivers Identification Cards and appropriate checks. Any application after the expiry date of an existing Driver's Licence will be charged at the initial application fee. Change in legislation, standard licence length 3 years however reduced licence length can be issued if determined by Licensing Committee.</p>

ANNEX B

New Driver Licence Application (1 Year)				New Driver Licence Application (3 Year)			
Staffing Costs				Staffing Costs			
Initial enquiry and explanation of process	LSO	15 mins	£ 2.68	Initial enquiry and explanation of process	LSO	15 mins	£ 2.68
Check and process submitted application forms and DBS form	CSO	35 Mins	£ 6.25	Check and process submitted application forms and DBS form	CSO	35 Mins	£ 6.25
Receive application in office and check all documentation, enter details onto LaIPac and place in folder	LSO	60 Mins	£ 10.71	Receive application in office and check all documentation, enter details onto LaIPac and place in folder	LSO	60 Mins	£ 10.71
When application complete, documents checked prior to passing to LO for approval	LSO	10 Mins	£ 1.78	When application complete, documents checked prior to passing to LO for approval	LSO	10 Mins	£ 1.78
Decision made whether to grant or refuse application after check details on the documents	LO	20 Mins	£ 5.29	Decision made whether to grant or refuse application after check details on the documents	LO	20 Mins	£ 5.29
Produce and Issue licence with ID Badge	LSO	15 Mins	£ 2.68	Produce and Issue licence with ID Badge	LSO	15 Mins	£ 2.68
Cost of Materials				Cost of Materials			
Printer costs				Printer costs			
£85 per annum shared between 540 new and licence renewals			£ 0.16	£85 per annum shared between 540 new and licence renewals			£ 0.16
Components of actual licence			£ 1.00	Components of actual licence			£ 1.00
Other Costs				Other Costs			
DVLA checks			£ 5.75	DVLA checks			£ 17.25
Medical checks total £150 per year			£ 0.28	Medical checks total £150 per year			£ 0.28
<small>25 mins per call over 37 calls = 1250 mins divided by 540 licences</small>				<small>25 mins per call over 37 calls = 1250 mins divided by 540 licences</small>			
Routine Checks & Complaints.	LO	2.5 Mins	£ 0.75	Routine Checks & Complaints.	LO	2.5 Mins	£ 0.75
<small>3 Mins per call over 37 calls = 111 mins divided by 540 licences</small>				<small>3 Mins per call over 37 calls = 111 mins divided by 540 licences</small>			
Routine Checks & Complaints.	LSO	0.2 Mins	£ 0.05	Routine Checks & Complaints.	LSO	0.2 Mins	£ 0.05
<small>Demographic services are included in the support service overhead</small>				<small>Demographic services are included in the support service overhead</small>			
Absorption of licence refusals			£ -	Absorption of licence refusals			£ -
Support Service Overhead				Support Service Overhead			
Support Service overhead allocation based on hourly absorption		157.7	£ 59.92	Support Service overhead allocation based on hourly absorption		157.7	£ 59.92
			<u>£ 67.28</u>				<u>£ 108.78</u>
Current Licence Fee			£ 95.00	Current Licence Fee			£ 95.00
Difference			£ 2.28	Difference			£ 13.78

Driver Licence Renewal(3 Year)				Driver Licence Renewal(1 Year)			
Staffing Costs				Staffing Costs			
Production and sending of renewal letter	LSO	15 Mins	£ 2.68	Production and sending of renewal letter	LSO	15 Mins	£ 2.68
Arrangement	LSO	5 Mins	£ 0.89	Arrangement	LSO	5 Mins	£ 0.89
Production	LSO	10 Mins	£ 1.78	Production	LSO	10 Mins	£ 1.78
Customer services check submitted				Customer services check submitted			
application forms and associate Forms submitted to Licensing where forms checked and details entered onto Lalpac	CSO	20 Mins	£ 3.57	application forms and associate Forms submitted to Licensing where forms checked and details entered onto Lalpac	CSO	20 Mins	£ 3.57
Annual admin re-licence checks.	LO	30 Mins	£ 7.93	Annual admin re-licence checks.	LO	30 Mins	£ 7.93
Cost of Materials				Cost of Materials			
Printer costs £85 per annum shared between 540 new and licence renewals			£ 0.16	Printer costs £85 per annum shared between 540 new and licence renewals			£ 0.16
Components of actual licence			£ 1.00	Components of actual licence			£ 1.00
Other Costs				Other Costs			
DVLA checks			£ 17.25	DVLA checks			£ 5.75
Medical checks total £150 per year			£ 0.28	Medical checks total £150 per year			£ 0.28
Routine Checks & Complaint			£ 0.75	Routine Checks & Complaint			£ 0.75
Routine Checks & Complaint			£ 0.05	Routine Checks & Complaint			£ 0.05
Absorption of licence refusals				Absorption of licence refusals			
Support Service Overhead				Support Service Overhead			
Support Service overhead allocation based on hourly absorption		140	£ 53.19	Support Service overhead allocation based on hourly absorption		140	£ 53.19
			<u>100.24</u>				<u>88.74</u>
Current Licence Fee Difference			£ 72.00	Current Licence Fee Difference			£ 72.00
			£ 28.24				£ 16.74

Hackney Vehicle Licence Application				PHV Vehicle Licence Application			
Staffing Costs				Staffing Costs			
Renewal letter produced and sent by post	LSO	15 Mins	2.68	Renewal letters produced and sent by post	LSO	15 Mins	£ 2.68
Mechanical Test and forms submitted reception. Calender entry made.	CSO	20 Mins	£ 3.57	Mechanical test and forms submitted at reception-calendar entry made.	CSO	20 Mins	£ 3.57
Check and process submitted application forms and relevant documents at licensing office. Input details onto Lalpac.	LSO	60 Mins	£ 10.71	Check, process submitted application forms and relevant documents at Licensing office. Input details onto Lalpac	LSO	60 Mins	£ 10.71
Produce Licence and plate once mech test passed	LSO	25 Mins	£ 4.46	Produce Licence and plate once mech test passed	LSO	25 Mins	£ 4.46
Once application checked, documents checked and input on LALPAC	LSO	15 Mins	£ 2.68	When application complete, documents checked and input on Lalpac	LSO	15 Mins	£ 2.68
Annual admin costs, control and supervision including arrangement for random mechanical tests not charged to vehicle owner	LO	90 Mins	£ 23.79	Annual Admin costs, control and supervision including arrangement for random mechanical tests not charged to vehicle owner	LO	90 Mins	£ 23.79
Cost of Materials				Cost of Materials			
Cost of plate and associated consumables			£ 13.00	Cost of plate and associated consumables			£ 13.00
Other Costs				Other Costs			
Demand study around number of issued Hackney licences. <small>Invoice for £7050 that covers three years</small>			£ 58.75				
Support Service Overhead				Support Service Overhead			
Support Service overhead allocation based on hourly absorption		225	85.49	Support Service overhead allocation based on hourly absorption		225	£ 85.49
			<u>£ 202.44</u>				<u>£ 146.37</u>
Current Licence Fee			£ 219.00	Current Licence Fee			£ 162.00
Difference			-£ 16.56	Difference			-£ 15.63

Meter Testing and fare charge amendments	LO	45 Mins	£ 11.90
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Operator Licence (5 Year)				Operator Licence (1 Year)			
Renewal letters produced and sent by post	LSO	15 mins	£ 2.68	Renewal letters produced and sent by post	LSO	15 mins	£ 2.68
Forms submitted at reception and checked	CSO	20 Mins	£ 3.57	Forms submitted at reception and checked	CSO	20 Mins	£ 3.57
Check and process submitted application forms and relevant documents at licensing office. Input details onto Lalpac.	LSO	30 Mins	£ 5.35	Check and process submitted application forms and relevant documents at licensing office. Input details onto Lalpac.	LSO	30 Mins	£ 5.35
Passed to LO for decision.	LSO	10 Mins	£ 1.78	Passed to LO for decision.	LSO	10 Mins	£ 1.78
Once application checked, documents checked and input on LALPAC	LSO	10 Mins	£ 1.78	Once application checked, documents checked and input on LALPAC	LSO	10 Mins	£ 1.78
Annual admin costs, control and supervision including arrangement for random mechanical tests not charged to vehicle owner	LO	600 Mins	£ 158.61	Annual admin costs, control and supervision including arrangement for random mechanical tests not charged to vehicle owner	LO	120 Mins	£ 31.72
Cost of Materials			0.15	Cost of Materials			0.15
Support Service Overhead				Support Service Overhead			
Support Service overhead allocation based on hourly absorption		685	£ 260.27	Support Service overhead allocation based on hourly absorption		205	£ 77.89
			<u>£ 434.20</u>				<u>£ 124.93</u>
Current Licence Fee			£ 167.00	Current Licence Fee			£ 167.00
Difference			£ 267.20	Difference			-£ 42.07
			<u>£ -</u>				<u>£ -</u>

Knowledge Test

Staffing Costs

Compiling
additional
tests =
6*180
mins =
1080/128
= 8.5
mins

LO 8.5 mins £ 2.25

120 mins per test, 128
attendees per year. 43
app blocks offered
@120 mins =5160
mins/128=40 mins

Staging of
the test in
a booked
room

LO 40 £ 10.57

Enter
results
onto
Lalpac

LO 10 Mins £ 2.64

Support Service Overhead

Support
Service
overhead
allocation
based on
hourly
absorption

58.5 £ 22.23

£ 37.69

Current Licence Fee £ 40.00

Difference -£ 2.31

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Effect which the proposed charges would have on the Council's annual income for Taxi and Private Hire Licensing

ANNEX C

	£ increase 2013/14	£ income 2013/14	£ increase 2014/15	£ income 2014/15	Volume	£ increase 2015/16	£ income 2015/16	Volume	£ +/- 2016/17	£ income +/- 2016/17
HC licence	0	£0.00	6	£240.00	40	10	£400.00	40	-14	decrease -560
PHV licence	4	£2,000.00	5	£2,500.00	520	-3	-£1,560.00	540	-12	decrease -6480
Mech test	3	£1,605.00	2	£1,070.00	580	0	£0.00	580	0	0
Mech re-test	2	£10.00	1	£5.00	10	0	£0.00	7	0	0
FTKA	1	£10.00	2	£20.00	15	0	£0.00	2	3	increase 6
Special vehicle mech test	3	£6.00	4	£8.00	2	0	£0.00	3	0	0
Operator	5	£275.00	6	£330.00	60	-17	-£1,160.00	55	268	increase*14740
Driver new	4	£440.00	4	£440.00	70	-30	-£2,100.00	115	12	increase* 1380
Driver renewal	1	£470.00	2	£940.00	470	11	£5,170.00	445	12	increase* 5340
Knowledge test	1	£110.00	1	£110.00	70	7	£490.00	115	0	0
Knowledge retest		£5.00	1	£5.00	10	17	£170.00	30	0	0
TOTAL		£4,931.00		£5,668.00			£1,410.00			£14,420

*due to issuing of 3 and 5 year licences, anticipated decrease next year.

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Integrated Impact Assessment

ANNEX D

In exploring options for service design and alternative methods, managers should consider the need to ensure that the Council is meeting its legal duties in respect of community safety, equalities, health & safety, safeguarding children & vulnerable adults. In addition they should consider council commitments toward sustainability, economic impact and consideration of the impact of changes on people living in both rural and urban areas.

Lead Assessor	Date	Who else involved	What is the Service/function/project/strategy?	Why/how is it changing?
Hilary Smith	28/08/2015	N/A	EH Commercial / Taxi Licensing / HC & PHV licence fees	Proposed licence fees for 2016/17

Service Delivery	Yes	No	Explanation
1. Is this service provided elsewhere locally?		X	
2. Could this service be provided by the voluntary/community sector?		X	Statutory local authority function

Can this service be changed in ways that it:

Issue	+ve	-ve	Neutral	Explanation
Customer, Community & Equality				
3. Protects or improves the Health & Wellbeing of any section of the community			X	
4. Promotes community safety including reducing crime & anti social behaviour ¹			X	
5. Ensures it does not disadvantage any individuals on the basis of age, disability, gender reassignment, marriage/civil partnership, maternity/pregnancy, race, religion/belief, sex or sexual orientation ²			X	
6. Advances equality of opportunity between those who share the characteristics in Q5 and those who do not			X	
7. Promotes a vibrant, inclusive and cohesive community by: enabling and encouraging everyone to engage with the council and its partners and take part in community/voluntary activities			X	
8. Retains or improves access to use, local shops, services, facilities and leisure/recreation services			X	
9. Is designed to reduce the inequalities of outcome which result from socio-			X	

economic disadvantage				
10. Does not disadvantage current or former armed service personnel, their families or veterans ³			X	
11. Contributes positively to perceptions of Place, eg, affordable and resource/energy efficient housing needs that meets everyone's needs			X	
Economic				
12. Provides or supports local employment opportunities	X			General decrease in fees will assist with employment and businesses
13. Provides opportunities for, supports and develops local Third Sector (voluntary and not-for-profit) organisations and/or SME's?			X	
14. creates, improves or supports local education, training or work experience opportunities			X	
Health & Safety				
15. Impacts on the Health & Safety of employees, contractors, service users or the public			X	
16. Improves the H&S of employees, contractors, service users or the public			X	
Rural Communities				
17. Supports or enhances access to transport, public services, educational, leisure or recreational opportunities in rural areas			X	
18. Sustains, develops or improves rural infrastructure including: buildings, transport (including foot and cycle paths), energy and electronic infrastructure			X	
19. Protects or develops land-based and other rural businesses and sustain or create jobs in rural areas			X	
20. Supports or develops the capacity and capabilities of rural organisations in all sectors to deliver services, work in partnership and support community activities			X	
Safeguarding Children & Vulnerable Adults				
21. Promotes and complies with the safeguarding policy & procedures			X	
22. Prevents or reduces the risk of children or adults becoming victims of domestic abuse ⁴			X	
Sustainability				
23. Impacts on the carbon footprint of the Borough/District, i.e. energy and transport use			X	
24. Supports the ability to adapt to a changing climate or be resilient to its			X	

longer term impacts i.e. hotter summers, extreme weather events, flooding and sea level rise				
25. Promotes sustainable use of resources i.e. using resources such as water, land and minerals efficiently, minimising pollution, promoting re-use and recycling, and encouraging sustainable consumption or production			X	
26. Conserves the natural environment by protecting and enhancing: biodiversity, species, natural habitats and green space, and landscapes			X	
Assessment Conclusion		Explanation		
27. Can any negative impacts be mitigated?	N/A			
28. Can any positive impacts be enhanced?	No			
29. Do you need to seek more information to conclude?	No			
30. Do you need to carry out a further assessment, such as a health & Safety or Customer & Equality Impact Assessment? If so please state why.	No			
31. Assessment Summary (this can be copied onto your committee report template). Ensure decision makers are fully aware of the potential impact of their decisions.	Head of Service sign off (title)..... Date.....			

¹ Section 17 of the Crime and Disorder Act requires all local authorities, including joint authorities and police authorities, to consider crime and disorder reduction while exercising all their duties

² These are the “protected characteristics” identified in the Equality Act 2010 which came into force on 1st October 2010 and replaced earlier equality legislation. The council has legal duties to:

- Eliminate discrimination
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

N.B. Services may lawfully treat individuals or groups differently if that is necessary to meet their different needs.

³ Those associated with the armed forces may experience isolation. Some families have a parent away from the area for long periods of time. Can single person discounts apply? How are you communicating the benefits of what you are assessing to people associated with the armed forces? Did you know we have a web page that could help?

⁴ A vulnerable adult is a person who is aged 18 years or older and:

- is living in residential accommodation, such as a care home or a residential special school;
- is living in sheltered housing;
- is receiving domiciliary care in his or her own home;
- is receiving any form of health care;
- is detained in a prison, remand centre, young offender institution, secure training centre or attendance centre or under the powers of the Immigration and Asylum Act 1999;
- is in contact with probation services;
- is receiving a welfare service of a description to be prescribed in regulations;
- is receiving a service or participating in an activity which is specifically targeted at people with age-related needs, disabilities or prescribed physical or mental health conditions. (age-related needs includes needs associated with frailty, illness, disability or mental capacity)
- is an expectant or nursing mothers living in residential care
- is receiving direct payments from a local authority/HSS body in lieu of social care services;
- requires assistance in the conduct of his or her own affairs

Whilst the majority of adult domestic abuse victims are women, men are also subject to domestic abuse in both same sex and different sex relationships. The government defines domestic violence as: 'any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults, aged 18 and over, who are, or have been, intimate partners or family members, regardless of gender and sexuality.'

Family members are defined as: mother, father, son, daughter, brother, sister or grandparents. These may be direct relatives, in-laws or step-family.

This definition is also used by the Association of Chief Police Officers and the Crown Prosecution Service. Where the victim of the abuse is less than 18 years of age the abuse will normally be treated as child abuse.

HAVANT BOROUGH COUNCIL

LICENSING COMMITTEE

CHARGES FOR PRIVATE HIRE VEHICLE OPERATOR LICENSING

Report of the Licensing Officer

Key Decision: No

1.0 Purpose of Report

1.1 To consider the Charges for Private Hire Vehicle Operator licences from 1st October 2015 to 31st March 2017 as a result of the Deregulation Act 2015.

2.0 Recommendation. It is recommended that:

2.1 The charges as shown at Annex A attached to item number 7 are approved for consultation;

2.2 The necessary advertisement be placed;

2.3 In the event that no representations are received in response to the consultation, the new charges be recommended at Full Council and be implemented.

3.0 Summary

3.1 Licensing charges for Taxi and Private Hire were last reviewed in November 2014 and are reviewed on an annual basis. However, due to the Deregulation Act 2015 section 10 commencing 1st October 2015, PHV operator licences are to be issued for a 5 year period.

4.0 Subject of Report

4.1 Havant Borough may only recover certain costs incurred in carrying out licensing functions as detailed in Local Government (Miscellaneous Provisions) Act 1976 section 70 for Private Hire Operator Licences. Currently Private Hire Vehicle Operator licences are issued annually, however the Deregulation Act 2015 Section 10 amends this.

4.2 From 1st October 2015, Private Hire Vehicle Operator licences are to be of standard 5 year duration (or for such lesser period as the Council think appropriate in the circumstance of the case i.e. at a Licensing Committee hearing)

4.3 Therefore we have calculated the fees for a 5 year licence (and 1 year licence fee should the Licensing Committee have cause to issue). The proposed fees set out in Annex A seek to recover relevant costs to the Council. The calculation of fees from an assessment of relevant costs is shown at Annex B.

- 4.5 Fees are reviewed through an assessment of relevant costs. This is important to ensure that our fees are transparent.
- 4.6 Any change to the charges for Vehicle and Operators licences has to be advertised in the local newspaper and any comments have to be considered at a subsequent meeting of the Licensing Committee.

5.0 Implications

Resources:

- 5.1 In arriving at the proposed charges, analysis of combined Hackney Carriage and Private Hire Vehicle driver and Private Hire Vehicle operator licensing income and expenditure was undertaken. A copy of the figures produced as a result of the analysis is shown at Annex B. The impact of the proposed charge would have on annual income at Annex C.

Legal:

- 5.2 The setting of fees for hackney carriage, private hire vehicle and operator licences is governed by section 70 of the Local Government (Miscellaneous Provisions) Act 1976. The council may charge such amounts as are sufficient in the aggregate to cover the reasonable cost of carrying out vehicle inspections, the costs of providing hackney carriage stands and any reasonable administrative or other costs in connection with these activities and with the control and supervision of hackney carriages and private hire vehicles.

The Act sets a maximum fee of £25 for the grant of vehicle and operator licences or any such sum as the council may determine. If the council wishes to charge more than £25 or vary its existing charges, the council must publish details in at least one local newspaper specifying a period of not less than 28 days within which objections to the variation can be made. A copy of the notice must be available for inspection by the public during the 28 day period and if no objections are received, or any objections made are withdrawn; the variation shall come into operation on the date of the expiration of the period specified in the notice. If objections are made and not withdrawn, the council must consider those objections and set a further date, not later than two months after the first specified date, on which the variation shall come into force with or without modification as decided by the council, after consideration of the objections.

Strategy:

- 5.3 The proposed fees ensure Havant Borough Council continue to reflect relevant costs associated with licensing. Re-assessing costs and fees is necessary to meet our strategic objective of achieving financial sustainability.

Risks:

- 5.4 The fees proposed can be justified against a transparent assessment of our costs for administering these particular licences.

Communications:

5.5 The taxi trade will be informed of the proposed fees via an advertisement which will be placed and should any comments be received, these will be referred back to the Licensing Committee on 11th November 2015 .

For the Community:

5.6 The community will be provided with a safe form of public transport funded through the fees proposed in this report.

5.7 The Integrated Impact Assessment (IIA) has been completed and concluded that no further action necessary, attached at Annex D.

6.0 Consultation

6.1 Public Consultation to follow agreement of the proposals in this report.

Annexes attached to Item 7:

Annex A – Proposed charges

Annex B – Financial analysis figures

Annex C – Effect of proposed charge in annual income

Annex D – Integrated Impact Assessment

Background Papers:

None

Agreed and signed off by:

Legal: 19th August 2015

Finance: 1st September 2015

Relevant Executive Head: 2nd September 2015

Contact Officer: Hilary Smith
Job Title: Licensing Officer
Telephone: 023 9244 6653
E-Mail: hilary.smith@havant.gov.uk

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HAVANT BOROUGH COUNCIL

LICENSING COMMITTEE

CHARGES FOR TAXI AND PRIVATE HIRE LICENSING

Report of the Licensing Officer

Key Decision: No

1.0 Purpose of Report

- 1.1 To consider the Charges for Taxi and Private Hire Licensing for the financial year 2016/2017.

2.0 Recommendation It is recommended that:

- 2.1 The charges as shown as Annex A attached to item number 7 are approved for consultation;
- 2.2 The necessary advertisement be placed; and
- 2.3 In the event that no representations are received in response to the consultation, the new charges be recommended at Full Council and be implemented for the financial year commencing 1st April 2016.

3.0 Summary

- 3.1 Licensing charges for Taxi and Private Hire were last reviewed in November 2014 and are reviewed on an annual basis. Annual review is important to ensure that our fees are legally robust and that we have used transparent methodology.

4.0 Subject of Report

- 4.1 Havant Borough may only recover certain costs incurred in carrying out licensing functions as detailed in Local Government (Miscellaneous Provisions) Act 1976 Section 53 and Section 70.
- 4.2 Licensing charges for Taxi and Private Hire were last reviewed in November 2014 for the financial year 2015/2016. Fees are reviewed annually through an assessment of relevant costs. Changes may be made for 2016/17 if there was a considerable variation between income and costs in 2014/2015.
- 4.3 The proposed fees set out in Annex A seek to fully recover all relevant costs to the Council. The calculation of fees from an assessment of relevant costs is shown in Annex B.

- 4.4 Any change to the charges for Vehicle and Operators licences has by law to be advertised in the local newspaper and any comments have to be considered at a subsequent meeting of the Licensing Committee.

5.0 Implications

Resources:

- 5.1 In arriving at the proposed charges, analysis of combined Hackney Carriage/Private Hire Vehicle driver and Private Hire Vehicle operator licensing income/expenditure by the Council's Financial Team was undertaken. A copy of the figures produced as a result of the analysis is shown at Annex B and effect the proposed charge would have on annual income at Annex C.

Legal:

- 5.2 The setting of fees for hackney carriage, private hire vehicle and operator licences is governed by Section 70 of the Local Government (Miscellaneous Provisions) Act 1976. The council may charge such amounts as are sufficient in the aggregate to cover the reasonable cost of carrying out vehicle inspections, the costs of providing hackney carriage stands and any reasonable administrative or other costs in connection with these activities and with the control and supervision of hackney carriages and private hire vehicles.

The Act sets a maximum fee of £25 for the grant of vehicle and operator licences or any such sum as the council may determine. If the council wishes to charge more than £25 or vary its existing charges, the council must publish details in at least one local newspaper specifying a period of not less than 28 days within which objections to the variation can be made. A copy of the notice must be available for inspection by the public during the 28 day period and if no objections are received, or any objections made are withdrawn; the variation shall come into operation on the date of the expiration of the period specified in the notice. If objections are made and not withdrawn, the council must consider those objections and set a further date, not later than two months after the first specified date, on which the variation shall come into force with or without modification as decided by the council, after consideration of the objections.

Strategy:

- 5.3 The proposed fees ensure Havant Borough Council continue to reflect relevant costs associated with licensing. Re-assessing costs and fees is necessary to meet our strategic objective of achieving financial sustainability.

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- 5.4 The fees proposed can be justified against a transparent assessment of our costs for administering these particular licences.

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For the Community:

5.6 The community will be provided with a safe form of public transport funded through the fees proposed in this report.

5.7 The Integrated Impact Assessment (IIA) has been completed and concluded the following that no further action necessary, attached at Annex D.

6.0 Consultation

6.1 Public Consultation to follow agreement of the proposals in this report.

Annexes attached to Item 7:

Annex A – Proposed charges

Annex B – Financial analysis figures

Annex C – Effect of proposed charges in annual income

Annex D – Integrated Impact Assessment

Background Papers:

None

Agreed and signed off by:

Legal: 19th August 2015

Finance: 1st September 2015

Relevant Executive Head: 2nd September 2015

Contact Officer: Hilary Smith
Job Title: Licensing Officer
Telephone: 023 9244 6653
E-Mail: hilary.smith@havant.gov.uk

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