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**LICENSING COMMITTEE**  
**THURSDAY 2<sup>nd</sup> FEBRUARY 2012 AT 5.30 P.M.**  
**COUNCIL CHAMBER, PARK NORTH, NORTH STREET, HORSHAM**

**Councillors:** Christian Mitchell (Chairman)  
Jim Sanson (Vice-Chairman)  
Peter Burgess  
George Cockman  
David Coldwell  
Christine Costin  
Helena Croft  
Leonard Crosbie  
Brian Donnelly  
David Jenkins  
Gordon Lindsay  
Chris Mason  
Josh Murphy  
Sue Rogers  
David Skipp

*You are summoned to the meeting to transact the following business*

**TOM CROWLEY**  
Chief Executive

## AGENDA

**Page  
No.**

1. Apologies for absence
2. To approve as a correct record the minutes of the meeting of the Committee held on 3<sup>rd</sup> November 2011 **1**
3. To receive any declarations of interest from Members of the Committee
4. To receive any announcements from the Chairman of the Committee or the Chief Executive
5. To consider the following report of the Head of Planning & Environmental Services:  
  
(i) Hackney Carriage and Private Hire Licence Fees **5**
6. Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as urgent because of the special circumstances



**LICENSING COMMITTEE**  
**3<sup>rd</sup> November 2011**

Present: Councillors: Christian Mitchell (Chairman), Jim Sanson (Vice-Chairman), Peter Burgess, Helena Croft, Leonard Crosbie, David Jenkins, Gordon Lindsay, Chris Mason, Sue Rogers, David Skipp.

Apologies: Councillors: George Cockman, David Coldwell, Christine Costin, Brian Donnelly, Josh Murphy.

Also present: Councillor Roger Arthur.

LI/7 **MINUTES**

The minutes of the meeting held on 9<sup>th</sup> June 2011 were approved as a correct record and signed by the Chairman.

LI/8 **MINUTES OF LICENSING SUB-COMMITTEE**

The minutes of the meeting of the Licensing Sub-Committee held on 25<sup>th</sup> July 2011 were received.

LI/9 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

LI/10 **ANNOUNCEMENTS**

The Chairman announced that the next meeting of the Committee would be held on Thursday 2<sup>nd</sup> February 2012.

LI/11 **PUBLIC HEALTH & LICENSING – LICENCE FEES FOR 2012/2013**

The Head of Planning & Environmental Services reported on the proposed fees for various licences issued by the Public Health & Licensing Department. The fees, if approved by the Committee, would take effect on 1<sup>st</sup> April 2012.

The individual licence fees were calculated to recover the cost of issuing the licence and enforcing the requirements of the legislation. There were other licenses issued by the Public Health & Licensing Department, the fees for which were set by statute and could not be changed.

The fees were calculated taking into account officer time, transport and any external costs that the Council incurred. The Council had determined that where possible fees and charges should go up by a minimum of 3% for the financial year commencing 1<sup>st</sup> April 2012.

LI/11 Public Health & Licensing – Licence Fees For 2012/2013 (cont.)

RESOLVED

That the fees for licences issued during 2012/13 be agreed, as submitted, to take effect from 1<sup>st</sup> April 2012.

LI/12 **HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE FEES**

The Head of Planning & Environmental Services presented a report of proposed fees for hackney carriage and private hire licences for the three financial years 2012/13 to 2014/15. Fees for Hackney Carriage and Private Hire Licences had last been set in 2009. Setting fees for a period of three years at a time allowed the trade to be able to plan their business development and be certain of their fees over that period.

Legislation required the Council to consult on the proposed fees and to take into account any comment received before reaching a final decision.

RESOLVED

- (i) That a fees advert as set out in the report be placed in the West Sussex County Times on Thursday 17<sup>th</sup> November 2011 for consultation purposes with a reply deadline of 14<sup>th</sup> December 2011.
- (ii) That a report setting out any representations received and making recommendations on fees to take effect on 1<sup>st</sup> April 2012 be submitted to the Committee meeting at its next meeting.

REASONS

- (i) To ensure compliance with legislative requirements.
- (ii) To ensure transparency and openness in decision making.

LI/13 **REVIEW OF PET SHOP LICENCE CONDITIONS**

The Head of Planning & Environmental Services presented a review of pet shop licence conditions for the consideration of adopting new licence conditions for Pet Shop Licences as recommended by the RSPCA.

LI/13 Review Of Pet Shop Licence Conditions (cont.)

The Council had adopted standard conditions for Pet Shop Licences in 1992 and revised guidance and model conditions for the licensing of pet shops had subsequently been issued in 1998 and incorporated into the Council's Pet Shop Licence Conditions. The model conditions had been drafted prior to the introduction of the Animal Welfare Act 2006. Anyone running a pet shop also had to comply with the Animal Welfare Act and ensure that the welfare needs of animals in their care were met.

Whilst the RSPCA appreciated that local authorities could not control where pet shops sourced their puppies, they had developed a set of model pet shop licence conditions which would make it difficult for pet shops to sell puppies that were not fit for sale, details of which were submitted. These conditions, developed with Chelmsford Borough Council, had been adopted by other local authorities and the RSPCA had requested that this Council also considered adopting them.

The suggested new licence conditions were based on the existing model conditions but included additional conditions aimed at safeguarding the health of the animals sold from pet shops, particularly puppies and kittens.

RESOLVED

- (i) That the proposed licence conditions for Pet Shop Licences be approved, as submitted.
- (ii) That the new conditions be applied to all Pet Shop Licences issued with effect from 1<sup>st</sup> January 2012.

REASON

- (i) To protect the welfare of animals whilst on the pet shop's premises

LI/14 **CONSULTATION PROPOSAL TO EXAMINE THE DEREGULATION OF SCHEDULE ONE OF THE LICENSING ACT 2003**

The Chairman of the Committee certified that this item was urgent due to the timescale for the receipt of consultation responses.

The Head of Planning & Environmental Services reported that the Government was in the process of consulting on a proposal to remove licensing requirements for most activities currently defined as regulated entertainment in Schedule 1 of the Licensing Act 2003. The closing date of the consultation was 3 December 2011.

LI/14 Consultation Proposal To Examine The Deregulation Of Schedule One Of The Licensing Act 2003 (cont.)

General comments with regard to the proposal, as well as a draft consultation response had been circulated to the Members for their consideration. Members considered that the Council should respond to the consultation and supported the comments as drafted.

RESOLVED

That the proposed responses to the consultation be approved.

The meeting ended at 6.30pm having started at 5.30pm

CHAIRMAN

## Report to Licensing Committee

Date of meeting 2<sup>nd</sup> February 2012

By Head of Planning and Environmental Services

### DECISION REQUIRED/ INFORMATION REPORT

Not exempt



Horsham  
District  
Council

serving our towns and villages

## Hackney Carriage and Private Hire Licence Fees

### Executive Summary

This report sets out the proposed fees for hackney carriage and private hire licences for the three financial years 2012/13 to 2014/15. The legislation requires that Councils consult on the fees and take into account any comments received from the trade before coming to a final decision.

At its meeting on 3<sup>rd</sup> November 2011, the Committee agreed draft fees for consultation with the trade. Drivers and operators were notified individually and an advert was placed in the West Sussex County Times on Thursday 17<sup>th</sup> November 2011 and both asked for comments to be returned by Wednesday 14<sup>th</sup> December 2011. No representations were received.

Fees for Hackney Carriage and Private Hire licences were last set in 2009. Setting fees for a period of three years at a time allows the trade to be able to plan their business development and be certain of their fees over that period.

### Recommendations

The Committee is recommended:

- i) To agree the fees set out at appendix 2 to this report, and
- ii) To agree that the fees should take effect on 1<sup>st</sup> April 2012, 2013 and 2014 respectively.

### Reasons for Recommendations

- i) To ensure compliance with legislative requirements, and
- ii) To ensure transparency and openness in decision making.

### Background Papers

Consultation: Public and Trade

Wards affected: All

Contact: A Skipper x 5326

## **Background Information**

### **1 Introduction**

#### **The purpose of this report**

- 1.1 The purpose of this report is to agree the fees for Hackney Carriage and Private Hire licences. The proposed fees are set for three years and the first years fees will take effect on 1<sup>st</sup> April 2012.

#### **Background/Actions taken to date**

- 1.2 The Council is responsible for licensing of hackney carriage and private hire driver's, vehicles and operators.

### **2 Statutory and Policy Background**

#### **Statutory background**

- 2.1 Local Government (Miscellaneous Provisions) Act 1976.

#### **Relevant Government policy**

- 2.2 Fees for hackney carriage and private hire licences can only be agreed following consultation with the trade.

#### **Relevant Council policy**

- 2.3 Council policy is that fees set should cover the costs of the licensing regime and not be a burden on the general charge payer. Under the Council's constitution the setting of fees is delegated to the Licensing Committee to determine.

### **3 Details**

- 3.1 Fees for hackney carriages and private hire licences were last set in 2009. Setting fees for a period of three years at a time allows the trade to be able to plan their business development and be certain of their fees over that period.
- 3.2 At the meeting on 3<sup>rd</sup> November 2011 the Committee agreed draft fees for consultation with the trade. All driver's and operators were notified individually and an advert was in the West Sussex County Times on Thursday 17<sup>th</sup> November 2011 and both asked for comments to be returned by Wednesday 14<sup>th</sup> December 2011. No representations were received.
- 3.3 Any fees agreed will take effect on 1<sup>st</sup> April 2012, 1<sup>st</sup> April 2013, and 1st April 2014.

**4 Next Steps**

- 4.1 The Committee is recommended to agree the fees set out in appendix 2. Following approval by the Committee all driver's and operators will be notified of the new fees.

**5 Outcome of Consultations**

- 5.1 No representations were received in response to the consultations set out at paragraph 3.2 above.

**6 Other Courses of Action Considered but Rejected**

- 6.1 None

**7 Staffing Consequences**

- 7.1 None

**8 Financial Consequences**

- 8.1 The financial implications arising from this report have been built into budget assumptions for the financial year 2012/13 and will be included in budgets for future years.



## Appendix 1

### Consequences of the Proposed Action

<p>What are the risks associated with the proposal?</p> <p>Risk Assessment attached Yes/No</p>	<p>The increase in fares will ensure an active local taxi service that is safe thereby protecting not only the operators but also the public who use the service.</p>
<p>How will the proposal help to reduce Crime and Disorder?</p>	<p>The provision of an active local taxi service in town helps to reduce crime and disorder by providing means of transport for people to leave the area rather than having to wait for the next taxi to arrive.</p>
<p>How will the proposal help to promote Human Rights?</p>	<p>No impact</p>
<p>What is the impact of the proposal on Equality and Diversity?</p> <p>Equalities Impact Assessment attached Yes/No/Not relevant</p>	<p>No negative impact on the equality groups is foreseen directly as a result of this proposal.</p>
<p>How will the proposal help to promote Sustainability?</p>	

**Appendix 2**

**Horsham District Council**

**Local Government (Miscellaneous Provisions) Act 1976 sec 53 and 70  
Fees for Hackney Carriage and Private Hire Vehicles, Operators and Drivers**

**In the exercise of powers given by section 53 and 70 of the Local Government (Miscellaneous provisions) Act 1976, Horsham District Council has determined to vary the fees set out in the said section 70(2) and proposes that the following shall apply:**

Licence	Current	Proposed		
		1/4/12	1/4/13	1/4/14
<b>Hackney Carriage Vehicle</b>				
On first application	284.00	295.00	307.00	319.00
Renewal	260.00	270.00	281.00	292.00
Transfer	51.00	53.00	55.00	57.00
<b>Hackney Carriage Driver</b>				
Grant	99.00	103.00	107.00	111.00
Renewal	70.00	73.00	76.00	79.00
Conditions / Knowledge Test	26.00	27.00	28.00	29.00
<b>Private Hire Operators Annual</b>				
1 Vehicle	157.00	163.00	170.00	177.00
Each Additional Vehicle	45.00	47.00	49.00	51.00
<b>Private Hire Vehicle</b>				
On first Application	260.00	270.00	281.00	292.00
Renewal	234.00	243.00	253.00	263.00
Transfer	51.00	53.00	55.00	57.00
<b>Private Hire Driver</b>				
Grant	75.00	78.00	81.00	84.00
Renewal	70.00	73.00	76.00	79.00
Conditions / Knowledge Test	26.00	27.00	28.00	29.00
<b>Hackney Carriage / Private Hire Driver Dual Badge</b>				
Dual Badge (Must run concurrently) New	129.00	134.00	139.00	145.00
Dual Badge (Must run concurrently) Renewal	105.00	109.00	113.00	118.00

Any objections to the proposed fees must be made in writing and addressed to Head of Planning and Environmental Services, Park House, North Street, Horsham, West Sussex RH12 1RL, by no later than Wednesday 14<sup>th</sup> December 2011.

A copy of this notice is available for public inspection at Park North, North Street, Horsham, during normal office hours.

If no objection is made or if objections are duly made but withdrawn then the fees proposed will come into force on 1<sup>st</sup> April 2012.

Dated: 17<sup>th</sup> November 2011

R. Brown

**Head of Planning and Environmental Services**