

Licensing Committee

Tuesday 24th November at 5.30pm
Conference Room, Parkside, Chart Way, Horsham

Councillors: Jim Sanson (Chairman)
Roger Clarke (Vice-Chairman)
John Blackall
Karen Burgess
Peter Burgess
Philip Circus
Roy Cornell
Christine Costin
Ian Howard

David Jenkins
Adrian Lee
Tim Lloyd
Paul Marshall
Christian Mitchell
Connor Relleen

You are summoned to the meeting to transact the following business

Tom Crowley
Chief Executive

Agenda

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| 1. Apologies for absence | |
| 2. To approve as correct the minutes of the meeting of the Committee held on 15 th July 2015 (attached) | 3 |
| 3. To receive any declarations of interest from Members of the Committee – <i>any clarification on whether a Member has an interest should be sought before attending the meeting</i> | |
| 4. To receive the minutes of the meeting of the Licensing Sub-Committee held on 29 th September 2015 | 5 |
| 5. To receive any announcements from the Chairman of the Committee or the Chief Executive | |
| 6. To consider the following reports by the Environmental Health & Licensing Manager: | |
| (a) Relaxation of Late Night Refreshment - Deregulation Act 2015 | 7 |
| (b) Duration of Taxi and Private Hire Licences - Deregulation Act 2015 | 13 |
| (c) Taxi and Private Hire Licensing Criminal Convictions Policy | 19 |
| (d) Environmental Health and Licensing – Licence Fees for 2016/2017 | 37 |

LICENSING COMMITTEE
15th July 2015

Present: Councillors: Jim Sanson (Chairman), Roger Clarke (Vice-Chairman), John Blackall, Karen Burgess, Peter Burgess, Philip Circus, Roy Cornell, Ian Howard, Tim Lloyd, Paul Marshall, Christian Mitchell

Apologies: Christine Costin, David Jenkins, Adrian Lee, Connor Relleen

LI/6 **MINUTES**

The minutes of the meeting held on 11th June 2015 were approved as a correct record and signed by the Chairman.

LI/7 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

LI/8 **ANNOUNCEMENTS**

There were no announcements.

LI/9 **REVIEW OF LICENSING POLICY – GAMBLING ACT 2005**

The Environmental Health and Licensing Officer reminded Members that the Gambling Act 2005 required Licensing Authorities to publish, at least every three years, a statement of their licensing policy. The policy, which had been approved by the Council, as the Licensing Authority, had to be the subject of public consultation and comments received had to be taken into account before formal adoption of the policy.

The draft policy would be subject to public consultation and have to be approved by Council, acting as the Licensing Authority, before being formally adopted. Were the Committee to approve the draft policy for consultation, there would be a three month consultation period beginning by 1 August 2015.

If adopted by the Council, the Gambling Licensing Policy would be published and provided to all relevant persons and it would be posted on the Council's website.

RESOLVED

- (i) That the draft Gambling Licensing Policy, as set out in the report, be approved for consultation purposes.

LI/9 Review of Licensing Policy – Gambling Act 2005 (cont.)

- (ii) That the draft Policy be published for consultation for a period of three months commencing on 1st August 2015.
- (iii) That, following the expiry of the consultation period and subject to there being no relevant representations, the Environmental Health & Licensing Manager in consultation with the Chairman of the Committee recommends to Council the adoption of the Policy.
- (iv) That, should relevant representations be received, a further report be submitted to the Licensing Committee with the outcomes of the consultation.

REASONS

- (i) To comply with legislative requirements.
- (ii) To ensure openness and transparency in the Council's decision making.
- (iii) To ensure that those persons affected by the policy have the opportunity to have an input into it

The meeting ended at 5.06pm having commenced at 5.00pm

CHAIRMAN

LICENSING SUB-COMMITTEE
29TH SEPTEMBER 2015

Present: Councillors: John Blackall, Peter Burgess, Roy Cornell, Ian Howard

Also present: Councillor Jim Sanson (Chairman of Licensing Committee)

LIS/1 **ELECTION OF CHAIRMAN FOR THE MEETING**

RESOLVED

That Councillor Ian Howard be elected Chairman for the meeting.

LIS/2 **TO CONSIDER AN APPLICATION FOR A VARIATION TO AN EXISTING PREMISES LICENCE IN RESPECT OF WABI RESTAURANT, 38 EAST STREET, HORSHAM**

DETAILS OF APPLICATION: The existing premises licence stated that the rear garden patio area 'will be closed to the public for all activities between the hours of 23.00hrs and 07.00hrs the following day'. The proposed variation would amend these hours to '01.00hrs and 07.00hrs Saturday and Sunday only'. The variation would therefore extend the opening hours of the rear garden patio area by two hours, until 1.00am, on Friday and Saturday nights.

The Licensing Officer presented the report, which set out details of the application and representations made by interested parties.

Representations:

Responsible Authorities: There had been an objection from the Council's Environmental Health & Licensing Department on the grounds that the proposal would undermine the Licensing Objective for the prevention of public nuisance.

Interested Parties: Six members of the public had submitted letters or emails of complaint.

The Ward Members: No comments had been received.[is that right??]

The Chairman heard from the Environmental Health Officer and then from the applicant, who had submitted a Noise Management Plan.

Three members of the public addressed the sub-committee in objection to the application.

LIS/2 To consider an application for a Variation to an existing Premises Licence in respect of Wabi Restaurant, 38 East Street, Horsham (Cont)

Members considered all the evidence and submissions before them including the representations made on the application, and the answers to questions given to the sub-committee by those present.

The sub-committee concluded that the Grant of a Variation to the Premises Licence would, on the balance of probability, lead to an increase in noise nuisance. The sub-committee were not satisfied that the Noise Management Plan would ameliorate this nuisance.

RESOLVED

That the application for a Variation to the existing Premises Licence, to allow the rear garden patio area to be closed between the hours of 01.00hrs and 07.00hrs on a Saturday and Sunday morning instead of between the hours of 23.00hrs and 07.00hrs, be refused.

REASON

The proposal would be detrimental to the achievement of the prevention of public nuisance Licensing Objective.

The parties were informed of the rights of appeal.

The meeting closed at 3.21pm having commenced at 2.30pm.

CHAIRMAN

Report to Licensing Committee

24th November 2015

By the Environmental Health & Licensing Manager

DECISION REQUIRED



Not Exempt

Relaxation of Late Night Refreshment – Deregulation Act 2015

Executive Summary

The provision of late night refreshment is regulated under the Licensing Act 2003. Schedule 2 of the Licensing Act 2003 defines late night refreshment as the supply of 'hot food or hot drink' on or from premises to members of the public between the hours of 11pm and 5am for consumption on or off the premises.

From 1st October 2015 The Deregulation Act 2015 gives Licensing Authorities powers to exempt premises, in certain circumstances, from the requirement to have a licence to provide late night refreshment. The powers allow licensing authorities to choose to apply an exemption specifically where they think it will be helpful to businesses and where there are no problems with anti-social behaviour or disorder associated with the night time economy.

Licensing authorities are not under any obligation to use these exemptions and can continue, as before, to require all late night refreshment providers to be licensed by the Licensing Authority.

Recommendations

That the Committees recommended:

- i) To continue to require all late night refreshment providers to be licensed.

Reasons for Recommendations

- i) To ensure compliance with legislative requirements.
- ii) To ensure openness and transparency in the Council's decision making.
- iii) To ensure that any anti-social behaviour or disorder associated with the night time economy continues to be prevented as far as possible by the imposition of licence conditions and regulation under the Licensing Act 2003.

Background Papers:

Guidance on the licensing of Late Night Refreshment

Wards affected: All.

Contact: Chris Boyle, Licensing Officer, ext 5578

Background Information

1 Introduction and Background

- 1.1 At present all premises that sell hot food or hot drink between the hours of 11pm and 5am daily have to apply for a premises licence under the Licensing Act 2003. Should a licence be granted conditions can be attached to the licence and the applicant pays an annual fee on the anniversary of the grant of the licence.
- 1.2 The Deregulation Act 2015 gives Licensing Authorities powers to exempt premises, in certain circumstances, from the requirement to have a licence to provide late night refreshment. The powers allow licensing authorities to choose to apply an exemption specifically where they think it will be helpful to businesses and where there are no problems with anti-social behaviour or disorder associated with the night time economy.
- 1.3 Licensing authorities are not under any obligation to use these exemptions and can continue, as before, to require all late night refreshment providers to be licensed by the Licensing Authority.

2 Relevant Council policy

- 2.1 The Council Statement of Licensing Policy states that all premises selling hot food and/or hot drinks between the hours of 11pm and 5am daily must be licensed under the Licensing Act 2003

3 Details

- 3.1 The provision of late night refreshment is regulated primarily because it is often linked to alcohol-fuelled crime and disorder in the night-time economy, such as at fast-food takeaways where late-night drinkers congregate. However, the Government Guidance suggests that these safeguards may not be needed everywhere or for every type of late night refreshment business. For example, some late-night cafés serving hot drinks after 11pm could be located away from pubs and nightclubs or areas associated with alcohol-related anti-social behaviour, crime and disorder.
- 3.2 The Deregulation Act 2015 gives licensing authorities powers to exempt premises, in certain circumstances, from the requirement to have a licence to provide late night refreshment. Decisions to exempt supplies of late night refreshment are best made with local knowledge. The powers therefore allow licensing authorities to choose to apply an exemption specifically where they think it will be helpful to businesses and where there are no problems with antisocial behaviour or disorder associated with the night time economy.
- 3.3 The powers allow a licensing authority to exempt the supply of late night refreshment if it takes place:
 - a) on or from premises which are wholly situated in a designated area;
 - b) on or from premises which are of a designated description; or
 - c) during a designated period (beginning no earlier than 11.00 p.m. and ending no later than 5.00 a.m.).

- 3.4 When choosing to designate a particular area as exempt, the relevant licensing authority must define the location, which can be of any size.
- 3.5 When choosing to designate particular categories of premises as exempt, a licensing authority can only exempt types of premises set out in the regulations. These are:
- Motorway service areas;
 - petrol stations;
 - local authority premises (except domestic premises) unless there is an event taking place at which more than 500 people are present;
 - schools (except domestic premises) unless there is an event taking place at which more than 500 people are present
 - hospitals (except domestic premises);
 - community premises (church, chapel, village, parish or community hall or other similar building) unless there is an event taking place at which more than 500 people are present;
 - licensed premises authorised to sell by retail alcohol for consumption on the premises between the hours of 11pm and 5am.
- 3.6 When choosing to exempt the provision of late night refreshment at particular times, the relevant licensing authority must determine the times between 11pm and 5am when the exemption applies. The exemption and any subsequent change to the time will apply to the whole licensing authority area.
- 3.7 A relevant licensing authority may use more than one type of exemption at the same time, for example by changing the times across the licensing authority area during which licensing requirements will apply and also exempting premises by type across the whole licensing authority area. However, it cannot use different forms of exemption in conjunction with one another – for example, it would not be permitted to change the times in one geographical area.
- 3.8 When deciding which exemption to use, if any, the relevant licensing authority should always first consider what the risks are in terms of the promotion of the licensing objectives. Licensing authorities do not have to use the exemptions at all and can continue to require all late night refreshment providers to be licensed.
- 3.9 Within the Horsham District there are only eleven premises licensed to provide late night refreshment and seven of these are in Horsham town. As these premises are located in close proximity to pubs they do tend to attract people who have been drinking alcohol and we do get complaints of anti-social behaviour. All these premises are conditioned to control anti-social behaviour and nuisance. If the Council were to introduce any of the exemptions it would no longer have the ability to regulate these premises. Also by continuing to require all late night refreshment providers to be licensed it provides consistent practice across the District.

4 Next Steps

- 4.1 The committee is requested to note the provisions regarding the deregulation of late night refreshment and if in agreement to approve the recommendation to continue to require all late night refreshment providers to be licensed.

5 Outcome of Consultations

- 5.1 The Monitoring Officer has reviewed the provisions regarding the deregulation of late night refreshment and is supportive of the recommendation to continue to require all late night refreshment providers to be licensed. This decision will assist in providing certainty in respect of any future licensing decisions and should thereby help provide some protection to the Licensing Authority from legal challenge.

6 Other Courses of Action Considered but Rejected

- 6.1 To exempt premises, in certain circumstances, from the requirement to have a licence to provide late night refreshment. If the Council were to introduce any of the exemptions it would no longer have the ability to regulate these premises. This is considered to be a less preferable course of action to the action referred to in the Recommendation above for the reasons mentioned above.

7 Financial Consequences

- 7.1 There will be no financial consequences if the Committee approves the recommendation to continue to require all late night refreshment providers to be licensed. In the event that the Committee decides to exempt premises, in certain circumstances, from the requirement to have a licence to provide late night refreshment this would result in a small loss of annual licence fee income.

8 Legal Consequences

- 8.1 The proposal is consistent with the powers and duties of the licensing authority with the Licensing Act 2003 and The Deregulation Act 2015 (SI/ No. 1732 2015)

9 Staffing Consequences

- 9.1 None.

10 Risk Assessment

- 10.1 Should the Council introduce any of the exemptions it would no longer have the ability to regulate the premises providing late night refreshment and this may lead to an increase in problems with antisocial behaviour or disorder and nuisance associated with the night time economy.

Appendix 1

Consequences of the Proposed Action

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| <p>How will the proposal help to reduce Crime and Disorder?</p> | <p>Should the Council to continue to require all late night refreshment providers to be licensed these premises can be regulated through the imposition of conditions to help reduce crime and disorder.</p> <p>Should the Council introduce any of the exemptions it would no longer have the ability to regulate the premises providing late night refreshment and this may lead to an increase in problems with antisocial behaviour or disorder and nuisance associated with the night time economy.</p> |
| <p>How will the proposal help to promote Human Rights?</p> | <p>Should the Council to continue to require all late night refreshment providers to be licensed it will be promoting the Licensing Objectives for the benefit of the local community. This proposal is considered to be consistent with the principles of the Human Rights Act.</p> |
| <p>What is the impact of the proposal on Equality and Diversity?</p> | <p>There will be no adverse impact on different equality groups (protected characteristics) issues arising from this proposal and the proposal is considered to be consistent with the Council's Equality and Diversity policies and with the Equality Act 2010.</p> |
| <p>How will the proposal help to promote Sustainability?</p> | <p>The proposal is considered to be consistent with the Council's policies in respect of sustainability.</p> |

Report to Licensing Committee

24th November 2015

By the Environmental Health & Licensing Manager

DECISION REQUIRED



Not exempt

Duration of Taxi and Private Hire Licences – Deregulation Act 2015

Executive Summary

This report is to advise the committee of the changes to the duration of Taxi and Private Hire Drivers' Licences and Operators' Licences introduced in the Deregulation Act 2015 and to seek approval for the fee structure for the granting of longer duration licences.

From 1st October 2015 the Council is required to offer driver licences for either one or three years duration and Operators licences for either one or five years duration, depending on what is selected by the driver or operator. Prior to this the Council only offered licences of one year's duration.

There is an expectation that these changes would result in a small saving in administering these longer licences and that these savings should be passed on to the licensee. The Council's current fees for one year licences were agreed by this committee for the three year period 1st April 2015 to 31st March 2018 and are subject to an increase of 2% each year. As there is only a small saving in officer time in issuing licences of longer duration it is recommended that the licence fee for the grant of a new licence is calculated by the fee for the year of application multiplied by the duration of the licence. This would save the licensees paying the amount of the 2% annual increase.

Recommendations

That the Committee is recommended:

- i) To note the changes to Hackney Carriage & Private Hire licence durations for Drivers and Operators.
- ii) To approve the fee for the longer duration licences to be the fee for the year of application multiplied by the number of years' duration of the licence but without the 2% per annum increase.

Reasons for Recommendations

- i) To ensure compliance with legislative requirements.
- ii) To allow drivers and operators to decide the length of licence subject to statutory requirements.

- iii) To ensure that the Council is authorised to receive the appropriate licence fee following the implementation of these changes

Background Papers

Wards affected: All

Contact: A Skipper, Licensing Officer, ext 5471

Background Information

1 Introduction and Background

- 1.1 The purpose of this report is to advise the committee of the changes to the duration of Taxi and Private Hire Drivers' Licences and Operators' Licences introduced in the Deregulation Act 2015 and to seek approval for the fee structure for these longer duration licences.
- 1.2 The Deregulation Act 2015 commenced on 1st October 2015 and amended the Local Government (Miscellaneous Provisions) Act 1976 such that the Council has to offer Driver licences for one or three years and Operator licences for one or five years depending on what is selected by the driver or operator. Prior to this the Council only offered one year licences.
- 1.3 The Council's current fees for one year licences were agreed by this committee for the three year period 1st April 2015 to 31st March 2018 and were subject to an increase by 2% each year. Fees will need to be determined for the new longer duration licences.

2 Relevant Council policy

- 2.1 The Council's policy is to set fees to recover the costs of services provided, where appropriate. As such the Environmental Health and Licensing Department seeks to recover from applicants the cost of issuing the licence and ensuring compliance with the licence conditions so that these costs do not fall on the general charge payer.

3 Details

- 3.1 At present we issue annual licences to hackney carriage and private hire drivers under the provision of part II of the Local Government (Miscellaneous Provisions) Act 1976. The 1976 Act has been amended by the Deregulation Act 2015, sections 10 and 11. The changes require Licensing Authorities to issue drivers and operators licences for a period of three and five years respectively, or for a lesser period to be determined on a case by case basis.
- 3.2 From 1st October 2015 we have had to offer driver licences for one or three years and operators for one or five years depending on what licence durations are selected by the driver or operator.
- 3.3 There is an expectation that there would be a small saving in administering these longer licences and these savings should be passed on to the applicant. In reality the only saving will be the time and cost of producing the annual licence. Other costs relating to compliance and enforcement will remain the same. The Council's current fees for one year licences were agreed by this committee for the three year period 1st April 2015 to 31st March 2018 and were subject to an increase of 2% each year. As there is only a small cost saving in issuing longer duration licences it is recommended that these are granted subject to payment of the fee for the year of application multiplied by the duration of the licence. This would save the applicants paying the amount of the annual increase of 2%.

- 3.4 The Deregulation Act 2015 section 11 will also permit operators who have accepted a booking to pass that booking to another licensed operator to fulfil, whether in the same district or not, provided that booking is accepted in accordance with legislation

4 Next Steps

- 4.1 The Committee are recommended to agree the fees to issue three year licences to drivers and five year licences to operators.

5 Outcome of Consultations

- 5.1 The taxi and private hire trade have been advised by a trade letter of the Deregulation Act 2015
- 5.1 The Monitoring Officer advises that where the Council has discretion to set fees and charges for licensing that function is delegated to Licensing Committee.

6 Other Courses of Action Considered but Rejected

- 6.1 None.

7 Financial Consequences

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

8 Legal Consequences

- 8.1 The legal implications are contained within the body of this report. The proposal is considered to be consistent with the provisions of The Deregulation Act 2015, the Local Government (Miscellaneous Provisions) Act 1976 Part II and the Council's scheme on the licensing of Hackney Carriage and Private Hire Vehicles, Operators and Drivers

9 Staffing Consequences

- 9.1 None.

10 Risk Assessment

- 10.1 Whilst there is an expectation that there would be a small saving in administering these longer licences and that these savings should be passed on to the applicant, in reality any savings will be small. The recommended fees for the longer duration licences provide a small saving to the applicant in line with the saving to the Council. The Council could be criticised if it offered no reduction in fees but a greater reduction would mean that the Council's costs would not be recovered.

Appendix 1

Consequences of the Proposed Action

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| How will the proposal help to reduce Crime and Disorder? | n/a |
| How will the proposal help to promote Human Rights? | This amendment allows the driver or operator to decide on the duration of the licence applied for. The proposal is considered to be consistent with the principles of the Human Rights Act 1988 |
| What is the impact of the proposal on Equality and Diversity? | There would be no negative impacts on those groups with protected characteristics under the Equality Act 2010 if the recommendations in this report are approved . The proposal is considered to be consistent with the provisions of the Equality Act 2010. |
| How will the proposal help to promote Sustainability? | A one or three year licence for drivers and a one and five year licence for operators will allow the trade to be able to plan their business development and be certain of their fees over that period. |

Report to Licensing Committee

24th November 2015

By the Environmental Health & Licensing Manager

DECISION REQUIRED



Not Exempt

Taxi and Private Hire Licensing Criminal Convictions Policy

Executive Summary

This report seeks Committee approval for a Taxi and Private Hire Licensing Criminal Convictions Policy. The introduction and adoption of a policy on criminal convictions will provide guidance on the criteria taken into account by the Council when determining whether or not an applicant or existing licence holder is a fit and proper person to hold a hackney carriage and/or private hire driver or operator licence.

Recommendations

That the Committee is recommended:

- i) To approve the Taxi and Private Hire Licensing Criminal Convictions Policy set out at Appendix 2

Reasons for Recommendations

- i) To ensure openness and transparency in the Council's decision making process.

Background Papers

Background Papers: None

Consultation: Monitoring Officer

Wards affected: All

Contact: Andy Skipper, Licensing Officer, ext 5471

1 Introduction and Background

- 1.1 The purpose of this report is to seek Committee approval for a Taxi and Private Hire Licensing Criminal Convictions Policy.
- 1.2 The Council has a statutory obligation to ensure that a hackney carriage and/or private hire driver or operator licence is only granted to or held by someone who is considered to be a “fit and proper” person. This assessment is made by officers having regard to any criminal convictions.
- 1.3 Whilst officers have regard to best practice and guidance the Council has not formally adopted a criminal convictions policy. The adoption of a policy will assist consistency and provide information to applicants and existing licence holders on the approach that the Council is likely to take in respect of any convictions or cautions they may have.

2 Relevant Council policy

- 2.1 Whilst officers have regard to best practice and guidance the Council has not formally adopted a criminal convictions policy.

3 Details

- 3.1 The Council has a statutory obligation to ensure that a hackney carriage and/or private driver or operator licence is only granted to or held by someone who is considered to be a “fit and proper” person. There is a balance to be struck, as the Council must provide protection for the travelling public without establishing unwarranted barriers to those wishing to take up employment in the hackney carriage and private hire trade.
- 3.2 Consideration of criminal convictions is a major part of this decision making process. It is therefore important that clear and up to date guidance exists to encourage consistency and provide information to applicants and existing licence holders on the approach that the Council is likely to take in respect of any convictions or cautions they may have.
- 3.3 The Department for Transport Best Practice Guidance on Taxi and Private Hire Vehicle Licensing published in March 2010 recognises that:

“...In considering an individual’s criminal record, local licensing authorities will want to consider each case on its merits, but should take particularly cautious view of any offences involving violence, and especially sexual attack. In order to achieve consistency, and thus avoid the risk of successful legal challenge, local authorities will doubtless want to have a clear policy for the consideration of criminal records before they will grant a license...”
- 3.4 Local Government Regulation, the coordinating body for Local Authority Regulatory Services (part of the Local Government Association) in consultation with local councils, Department of Transport, Institute of Licensing, National Association of Licensing Enforcement Officers and Transport of London have produced a

guidance policy regarding criminal convictions. This has been localised and the proposed Taxi and Private Hire Licensing Criminal Convictions Policy is included at Appendix 2.

- 3.5 Different types of offences have been broken down and listed, and the relevant period that a person should be free from conviction of a particular crime specified.
- 3.6 Whilst each case must be considered on its individual merits, officers consider that the proposed policy provides a comprehensive and detailed set of guidance criteria to assist both in determining applications and taking further enforcement action during the life of a licence.

4 Next Steps

- 4.1 To approve the Taxi and Private Hire Licensing Criminal Convictions Policy set out at Appendix 2

5 Outcome of Consultations

- 5.1 The Monitoring Officer has reviewed the policy and supports its adoption. The policy will give clarity in respect of decisions and thereby help give protection from legal challenge.

6 Other Courses of Action Considered but Rejected

- 6.1 Convictions could continue to be considered having regard to relevant guidance but without formally adopting a policy. Whilst this approach has worked there is always the risk of legal challenge which would be harder to defend without an adopted policy.

7 Financial Consequences

- 7.1 None at this stage

8 Legal Consequences

- 8.1 There is no formal definition or statutory guidance regarding the application of criteria to be used when determining if an applicant or existing licence holder is a “fit and proper person”.
- 8.2 Under the provisions of Sections 51, 55 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 (the Act), the Council shall not grant a licence unless they are satisfied that the applicant is a fit and proper person to hold a licence.
- 8.3 Section 61 of the Act allows the Council to suspend, revoke or refuse to renew a driver’s licence if convicted of an offence involving dishonesty, indecency or violence. Section 62 allows the Council to suspend, revoke or refuse to renew an operator’s licence for any offence or conduct which appears to render him unfit to hold an operator’s licence. The Act gives any person, aggrieved by the refusal of the Council to grant, suspend or revoke a driver or operator licence, the right of appeal to a magistrates’ court.

- 8.4 The Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002 includes hackney and private hire drivers. Consequently all convictions, irrespective of age, sentence imposed or offence committed remain “live” and available to the Council for appropriate consideration.

9 Staffing Consequences

- 9.1 None at this stage

10 Risk Assessment

- 10.1 Should the policy not be adopted the Council would be more at risk of a successful legal challenge against any decision it makes in determining a licence

Appendix 1

Consequences of the Proposed Action

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|---|---|
| How will the proposal help to reduce Crime and Disorder? | The policy will assist with improving the quality and safety not only for the licensed trade but also the public. |
| How will the proposal help to promote Human Rights? | The policy allows for persons who may have previous relevant convictions to make representation to the Licensing Authority when determining or reviewing an application for a licence |
| What is the impact of the proposal on Equality and Diversity? | There will be no impact on different equality groups (protected characteristics) issues arising from this report |
| How will the proposal help to promote Sustainability? | The proposal is not relevant to issues of sustainability. |



Taxi and Private Hire Licensing Criminal Convictions Policy

1. Introduction

- 1.1 The purpose of this policy is to provide guidance on the criteria taken into account by the council when determining whether or not an applicant or an existing licence holder is a fit and proper person to hold a hackney carriage and/or private hire driver or operator licence.
- 1.2 The overriding aim of the licensing authority is to protect the safety of the public. The licensing authority is concerned to ensure:
 - That a person is a fit and proper person
 - That the person does not pose a threat to the public
 - That the public are safeguarded from dishonest person
 - The safeguarding of children and young persons
- 1.3 This policy provides guidance to any person with an interest in taxi and private hire licensing. In particular, but not exclusively:
 - Applicants for drivers' licences
 - Existing licensed drivers whose licences are being reviewed
 - Officers of the Council
 - Members of the Licensing Committee
 - Magistrates hearing appeals against local authority decisions
- 1.4 Where Officers have delegated powers to grant licences, they will utilise these guidelines when making a decision to grant a licence. In all other cases applications for licences will be referred to the licensing committee. Whilst officers and the committee will have regard to the guidelines contained in the policy, each case will be considered on its individual merits and, where the circumstances demand, the committee/officer may depart from the guidelines.

2. General policy

- 2.1 There may be occasions where it is appropriate to depart from the guidelines, for example where the offence is a one-off occasion or there are mitigating circumstances or alternatively where there are many or continuous offences which may show a pattern of offending and unfitness.
- 2.2 A person with a conviction for a serious offence need not be automatically barred from obtaining a licence, but will be expected to:
 - a. Remain free of conviction for an appropriate period; and

- b. Show adequate evidence that he or she is a fit and proper person to hold a licence (the onus is on the applicant to produce such evidence). Simply remaining free of conviction may not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence.

2.3 **Where an applicant has been convicted of a criminal offence, the licensing authority cannot review the merits of the conviction** [Nottingham City Council v. Mohammed Farooq (1998)].

3. Pre-requisites to making an application

3.1 It is the policy of the licensing authority that every application for a licence to drive a Hackney Carriage and/or Private Hire Vehicle must be accompanied by satisfactory evidence of the following matters (and that applications that are incomplete will not be deemed to have been made until such time as they are completed) -

- That the applicant has the right to live and work in the country
- An enhanced criminal record check and evidence that they are not on a child and/or vulnerable adult barring list
- A certificate of their current medical fitness [to Group 2 standard]
- That the applicant is authorised to drive a vehicle of the same classification as that which the licence will allow them to drive
- That the applicant has a minimum of 12 months post-qualification driving experience (or if not, successful completion of an advanced driving assessment)
- That the applicant has adequate literacy and numeracy skills to provide the service that they wish to be licensed for
- That the applicant has sufficient ability to speak English and to understand spoken English to provide the service that they wish to be licensed for
- That the applicant can demonstrate an understanding of safeguarding awareness (including in respect of sexual exploitation and disability)
- (For persons who seek to be authorised to drive a wheelchair accessible vehicle) that the applicant has the ability to safely load and secure wheelchair users in a wheelchair accessible vehicle whilst in their chair

3.2 If an applicant has spent six continuous months or more overseas the licensing authority will expect to see evidence of a criminal record check from the country/countries covering the period before a licence application can be made.

4. Appeals

- 4.1 Any applicant refused a driver's licence on the grounds that the licensing authority is not satisfied he or she is a fit and proper person to hold such a licence has a right to appeal to the Magistrates' Court within 21 days of the notice of refusal [Local Government Miscellaneous Provisions Act 1976, s 77 (1)].
- 4.2 Any applicant refused an operator licence on the grounds that the licensing authority is not satisfied he is a fit and proper person to hold such a licence has a right to appeal to the Magistrates' Court within 21 days of the notice of refusal.
- 4.3 Any licensee whose licence is suspended or revoked has a right to appeal to the Magistrates' Court within 21 days of the notice of suspension or revocation.

5. Powers

- 5.1 Section 61 and Section 62 of the Local Government Miscellaneous Provisions Act 1976 allow the licensing authority to suspend, revoke or refuse to renew a licence if the application/licence holder has been convicted of an offence involving dishonesty, indecency, violence; failure to comply with the provisions of the Town Police Clauses Act 1847; failure to comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976; or any other reasonable cause.
- 5.2 The Rehabilitation of Offenders Act 1974 (Exceptions)(Amendment) Order 2002, allows the licensing authority to take into account all convictions recorded against an applicant or the holder of a private hire vehicle or hackney carriage driver's licence, whether spent or not. Therefore the licensing authority will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending.
- 5.3 In this policy the term "disqualification" refers to the period served, in order to take account of the fact that a court may reduce the period of disqualification from driving. An applicant must provide evidence in advance to prove that the court agreed a reduction in the period of disqualification.

6. Consideration of disclosed criminal history

- 6.1 Under the provisions of Sections 51, 55, and 59, Local Government (Miscellaneous Provisions) Act 1976, the licensing authority is required to ensure that an applicant for the grant or renewal of a hackney carriage and/or a private hire vehicle drivers' licence and/or private hire vehicle operators licence is a 'fit and proper' person to hold such a licence. However, if an applicant has any convictions, warnings, cautions or charges awaiting trial, the licensing authority will look into:
 - How relevant the offence(s) are to the licence being applied for
 - How serious the offence(s) were
 - When the offence(s) were committed
 - The date of conviction
 - Circumstances of the individual concerned

APPENDIX to Report: *Taxi and Private Hire Licensing Criminal Convictions Policy*

- Sentence imposed by the court
 - The applicant's age at the time of conviction
 - Whether they form part of a pattern of offending
 - Any other character check considered reasonable (e.g. personal references)
 - Any other factors that might be relevant
- 6.2 Existing holders of drivers' licences are required to notify the licensing authority in writing immediately or no later than 5 days of receiving a driving licence endorsement, fixed penalty notice or criminal conviction (including cautions).
- 6.3 Applicants can discuss further what effect a caution/conviction may have on any application by contacting the Licensing Officer for advice.
- 6.4 The licensing authority conducts enhanced disclosures from the Disclosure and Barring Service (DBS) of any applicant for a driver/operator licence. The licensing authority follows the DBS's Code of Practice on the fair use of disclosure information. A copy is available on request.
- 6.5 Applicants applying for the grant or a renewal of a driver/operator licence will be required to obtain an enhanced disclosure at their expense. The licensing authority abides by the DBS's Policy on the secure storage, handling, use, retention and disposal of disclosure information, which is available on request.
- 6.6 More information about the DBS can be found on their website at www.disclosure.gov.uk.
- 6.7 The licensing authority is also entitled to use other records and information that may be available to it in determining applications or an entitlement to continue holding a licence. This may include information held by the licensing authority or other licensing authorities, and information disclosed by the police under the common law police disclosure.
- 6.8 DBS disclosures will not include details of any foreign convictions or cautions unless they have been recorded on the UK National Computer. Any applicant who has resided outside the UK for any period longer than 3 months within the preceding 3 years will be required to produce a "Certificate of Good Conduct" from the relevant countries which details any cautions or convictions arising against the applicant while resident in that country. It shall be the applicant's responsibility to obtain this documentary evidence and to bear the costs of such. The requirement is in addition to the DBS disclosure.

Where an applicant is unable to obtain the above, a discussion will take place with the Licensing Officer to ascertain what alternative evidence should be provided. This may include character references from appropriate individuals or other bodies as to the applicants conduct whilst resident in the other country.

- 6.9 It is an offence for any person knowingly or recklessly to make a false declaration or to omit any material particular in giving information required by the application for a licence. Where an applicant has made a false statement or a false declaration

on their application for the grant or renewal of a licence, the licence will normally be refused.

7 Serious offences involving violence

- 7.1 The following will apply to a licence applicant or an existing licence holder unless there are exceptional circumstances to indicate to the Environmental Health and Licensing Manager/Licensing Officer that that person is a fit and proper person to hold a licence.
- 7.2 Licensed drivers have close regular contact with the public. A firm line is to be taken with those who have convictions for offences involving violence. An application will normally be refused if the applicant has a conviction for an offence that involved the loss of life.
- 7.3 In other cases anyone of a violent disposition will normally be refused to be licensed until at least 3 years free of such conviction. However, given the range of the offences that involve violence, consideration must be given to the nature of the conviction.
- 7.4 Unless there are exceptional circumstances a licence will not normally be granted where the applicant has a conviction for an offence such as:
- Murder
 - Manslaughter
 - Manslaughter or culpable homicide while driving
 - Terrorism offences
 - Or any similar offences (including attempted or conspiracy to commit) offences which replace the above
- 7.5 A licence will not normally be granted where the applicant has a conviction for an offence of similar offence(s) which replace the below offences and the conviction is less than 10 years prior to the date of application:
- Arson
 - Malicious wounding or grievous bodily harm which is racially aggravated
 - Actual bodily harm which is racially aggravated
 - Grievous bodily harm with intent
 - Robbery
 - Possession of firearm
 - Riot
 - Assault Police
 - Common assault with racially aggravated
 - Violent disorder
 - Resisting arrest
 - Or any similar offences (including attempted or conspiracy to commit) offences which replace the above

- 7.6 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the below offences and the conviction is less than 5 years prior to the date of application:
- Racially-aggravated criminal damage
 - Racially-aggravated offence
 - Or any similar offences (including attempted or conspiracy to commit) offences which replace the above
- 7.7 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the below offences and the conviction is less than 3 years prior to the date of application:
- Common assault
 - Assault occasioning actual bodily harm
 - Affray
 - S5 Public Order Act 1986 offence (harassment, alarm or distress)
 - S.4 Public Order Act 1986 offence (fear of provocation of violence)
 - S4A Public Order Act 1986 offence (intentional harassment, alarm or distress)
 - Obstruction
 - Criminal damage
 - Or any similar offences (including attempted or conspiracy to commit) offences which replace the above
- 7.8 A licence will not be granted if an applicant has more than one conviction in the last 10 years for an offence of a violent nature.
- 7.9 In the event of a licence being granted, a strict warning both verbally and in writing will be administered.

8. Possession of a weapon

- 8.1 If an applicant has been convicted of possession of a weapon or any other weapon related offence, this will give serious concern as to whether the person is fit to carry the public.
- 8.2 Depending on the circumstances of the offence, an applicant should be free of conviction for 3 years before a licence is granted. In the case of possession of a firearm, an applicant should be free of conviction for 10 years before a licence is granted.

9. Sex and indecency offences

- 9.1 As licensed drivers often carry unaccompanied and vulnerable passengers, applicants with convictions for sexual offences must be closely scrutinised. Those with convictions for the more serious sexual offences will generally be refused. For other offences, applicants will be expected to show a substantial period free of conviction for such offences before a licence will be granted.

- 9.2 The following will apply to a licence applicant or an existing licence holder unless there are exceptional circumstances to indicate to the Environmental Health and Licensing Manager/ Licensing Officer that that person is a fit and proper person to hold a licence.
- 9.2 (a) Unless there are exceptional circumstances, an application will normally be refused where the applicant has a conviction for an offence such as:
- Rape
 - Assault by penetration
 - Offences involving children or vulnerable adults
 - Sexual assault
 - Indecent assault
 - Exploitation of prostitution
 - Trafficking for sexual exploitation
 - Possession of indecent photographs, child pornography etc.
 - Or **any** sex or indecency offence that was committed in the course of employment as a taxi or PHV driver
 - Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.
- 9.3 (b) Before an application is allowed, an applicant should be free of conviction for at least 10 years (or at least 3 years must have passed since the completion of the sentence, whichever is longer), if he/she has a conviction for an offence such as:
- Indecent exposure
 - Soliciting (kerb crawling)
 - Or any similar offences (including attempted or conspiracy to commit).
- 9.4 In addition to the above the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register.
- 9.5 A licence will not be granted if an applicant has more than one conviction for a sex or indecency offence.

10. Dishonesty

- 10.1 A licensed PHV or taxi driver is expected to be a trustworthy person. They deal with cash transactions and valuable property may be left in their vehicles. Taxi drivers are required to deposit such property with the Licensing Department within 24 hours. PHV drivers must pass lost property to the operator. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in licensed drivers. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal or agreed fare, etc. Overseas visitors can be confused by our currency and may be vulnerable to an unscrupulous driver. For all these reasons, a serious view is taken of any conviction involving dishonesty.

10.2 In general, a minimum period of 3 years free of conviction should be required before granting a licence. Offences involving dishonesty include:

- theft
- burglary
- fraud
- benefit fraud
- handling or receiving stolen goods
- forgery
- conspiracy to defraud
- obtaining money or property by deception
- other deception
- taking a vehicle without consent
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above

11. Drugs

11.1 A serious view is taken of any drug related offence. The nature and quantity of the drugs, whether for personal use or supply are issues which should be considered.

11.2 Unless there are exceptional circumstances, to indicate to the Environmental Health and Licensing Manager/ Licensing Officer that that person is a fit and proper person to hold a licence, a licence will not be granted where the applicant has a conviction for an offence related to the supply or possession of drugs and has not been free of conviction for 5 years.

11.3 An application from an applicant who has an isolated conviction for an offence related to the possession of drugs within the last 3-5 years may be granted a licence, but consideration should be given to the nature and quantity of the drugs.

11.4 If there is evidence of persistent drugs use, misuse or dependency a specialist medical examination (in accordance with DVLA Group 2 medical standards) may be required before the licence is granted. If the applicant was an addict then they will be required to show evidence of 5 years free from drug taking after detoxification treatment.

12 Driving offences involving the loss of life

12.1 A very serious view is to be taken of any applicant who has been convicted of a driving offence that resulted in the loss of life.

12.2 The following will apply to a licence applicant or an existing licence holder unless there are exceptional circumstances to indicate to the Environmental Health and Licensing Manager/Licensing Officer that that person is a fit and proper person to hold a licence.

12.3 Unless there are exceptional circumstances a licence will not normally be granted where the applicant has a conviction for an offence such as:

- Causing death by dangerous driving
- Causing death by careless driving whilst under the influence of drink or drugs
- Causing death by driving: unlicensed, disqualified or uninsured drivers
- or any similar offences

13 Drink driving/driving under the influence of drugs

13.1 As licensees are professional vocational drivers, a serious view is taken of convictions for driving, or being in charge of a vehicle while under the influence of drink or drugs. An isolated incident would not necessarily debar an applicant from proceeding on the restoration of his DVLA driving licence but he should be warned as to the significant risk to his licence status in the event of re-offending. More than one conviction for these offences raises significant doubts as to the applicant's fitness to drive the public. At least 3 years, after the restoration of the driving licence following a drink drive conviction should elapse before an application will be considered. If there is any suggestion that the applicant is alcohol or drug dependent, a satisfactory special medical report must be provided before the application can be allowed to proceed.

14 Insurance offences

14.1 A serious view will be taken of convictions of driving or being in charge of a vehicle without insurance. An isolated incident in the past will not necessarily stop a licence being granted provided he/she has been free of conviction for 3 years; however strict warning should be given as to future behaviour. More than one conviction for these offences would normally prevent a licence being granted or renewed.

14.2 At least three years should elapse (after the restoration of the DVLA driving licence), before a licence would normally be granted for a hackney carriage or private hire drivers licence. An operator found guilty of aiding and abetting the driving passengers for hire and reward whilst without insurance will have his operators' licence revoked immediately and prevented from holding a licence for three years.

15 Other Motoring Offences

15.1 There may be occasions where an applicant has accrued sufficient points under totting up for the Court to consider disqualification, but successfully argues that exceptional hardship should apply and the Court has not, therefore, imposed a disqualification. In these circumstances the Council expects the individual to supply full details of each of the matters, which led to the totting up. The Council will take those matters into account when deciding whether to grant or refuse an application or whether to take action against an existing licence. Should the individual not supply full details of each

of those matters then the Council will take the failure to supply such information into account when deciding whether to take any such action.

16 Licensing offences

- 16.1 Certain offences under taxi legislation such as plying for hire, overcharging and refusing to carry disabled persons would normally prevent a licence being granted or renewed until a period of 3 years has passed.

17 Outstanding charges or summonses

- 17.1 If the individual is the subject of an outstanding charge or summons their application can continue to be processed, but the application will need to be reviewed at the conclusion of proceedings. Where information is received through the Common Law Police Disclosure on existing licence holders, consideration will be made by the Environmental Health and Licensing manager/ Licensing Officer.
- 17.2 If the outstanding charge or summons involves a serious offence and the individual's conviction history indicates a possible pattern of unlawful behaviour or character trait, then in the interests of public safety the application may be put on hold until proceedings are concluded or the licence may be refused.
- 17.3 A suspension or revocation of the licence of a driver takes effect at the end of the period of 21 days beginning with the day on which notice is given to the driver. If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver includes a statement that is so and an explanation why, the suspension or revocation takes effect when the notice is given to the driver. [Road Safety Act 2006, s 52, 2A&2B]

18 Non-conviction information

- 18.1 If an applicant has, on more than one occasion, been arrested or charged, but not convicted, for a serious offence which suggests he could be a danger to the public, consideration should be given to refusing the application. Such offences would include serious violent offences and serious sex offences.
- 18.2 In assessing the action to take, the safety of the travelling public must be the paramount concern.

19 Cautions

- 19.1 Admission of guilt is required before a caution can be issued. Every case will be considered on its own merits including the details and nature of the offence.

20 Overseas residents

- 20.1 If a private hire operator applicant has spent six continuous months or more overseas the licensing authority will require to see evidence of a criminal record check from the country/countries covering the period.

21 Licences issued by other licensing authorities

- 21.1 Applicants who hold a licence with one licensing authority should not automatically assume that their application will be granted by another. Each case will be decided on its own merits.

22 Summary

- 22.1 To summarise, a criminal history in itself may not automatically result in refusal and a current conviction for a serious crime need not bar an applicant permanently from becoming licensed. As the preceding paragraphs indicate, in most cases, an applicant would be expected to remain free from conviction for 3 to 10 years, according to circumstances, before an application can be considered. However, there may be occasions when an application can be allowed before 3 years free from conviction have elapsed.
- 22.2 Any person who has committed an offence and has to wait before an application is positively considered is more likely to value their licence and act accordingly.
- 22.3 While it is possible that an applicant may have a number of convictions that, individually, meet the above guidelines, the overall offending history must be considered when assessing an applicant's suitability to be licensed. A series of offences over a period of time is more likely to give cause for concern than an isolated minor conviction. Obviously some discretion can be afforded if an offence disclosed is isolated and there are mitigating circumstances, but the overriding consideration is the protection of the public.

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Report to Licensing Committee

24th November 2015

By the Environmental Health and Licensing Manager

DECISION REQUIRED



Not Exempt

ENVIRONMENTAL HEALTH AND LICENSING – LICENCE FEES FOR 2016/2017

Executive Summary

Set out at Appendix 2 to this report are the proposed fees for 2016/2017 for the various licences issued by the Environmental Health and Licensing Department. The agreed fees will take effect on 1st April 2016.

Recommendations

The Committee is recommended:

- i) To approve the fees set out at Appendix 2 to this report to take effect from 1st April 2016

Reasons for Recommendations

- i) The setting of fees for licences is the responsibility of the Licensing Committee, and
- ii) To ensure openness and transparency in decision making.

Background Papers: Budget Working Papers

Wards affected: All

Contact: John Batchelor, Environmental Health & Licensing Manager, ext 5417

Background Information

1 Introduction and Background

- 1.1 Set out at Appendix 2 to this report, for the Committee's consideration, are the proposed fees for 2016/2017 for Licences issued by the Environmental Health and Licensing Department. The new fees once approved will take effect from 1st April 2016. The individual licence fees are calculated to recover the cost of issuing the licence and ensuring compliance with the requirements of the legislation. Taxi and Private Hire fees were the subject of another Report and have been set until 30th March 2018. There are other Licences issued by the Environmental Health and Licensing Department where the fees are set by statute and these cannot be changed.

2 Relevant Council policy

- 2.1 The Council's policy is to set fees to recover the costs of services provided, where appropriate. As such the Environmental Health and Licensing Department seeks to recover from applicants the cost of issuing the licence and ensuring compliance with the licence conditions so that these costs do not fall on the general charge payer.

3 Details

- 3.1 The fees are calculated taking into account officer time, transport and any external costs that the Council incurs. The fees and charges have been increased by 1.5% for the financial year commencing 1st April 2016 to allow for inflation and increased costs.
- 3.2 In setting licence fees local authorities must have regard to any guidance issued by the government and with all licence fees the European Court Directive is clear they must be based on cost recovery of the process and cannot be set to make surplus for the authority. An important point arising out of the recent *Hemming v Westminster* case is that licence fees received by a local authority must only be used to administer the licensing process and to monitor compliance by licensed operatives. It cannot be used to pay for enforcement against unlicensed premises or operatives.

4 Next Steps

- 4.1 The Committee are recommended to agree the various licence fees set out at Appendix 2 to this report to take effect on 1st April 2016.

5 Outcome of Consultations

- 5.1 The Monitoring Officer advises that where the Council has discretion to set fees and charges for licensing that function is delegated to Licensing Committee.

6 Other Courses of Action Considered but Rejected

- 6.1 None

7 Financial Consequences

- 7.1 The financial consequences of the review of fees and charges have been incorporated into the budgets for 2015 / 2016.

8 Legal Consequences

- 8.1 The legal implications are contained within the body of the report.

9 Staffing Consequences

- 9.1 None

10 Risk Assessment

- 10.1 Not to increase the fees to cover the cost of administering the licensing regimes and ensuring compliance would mean the extra costs being met by the general charge payer.

Appendix 1

Consequences of the Proposed Action

| | |
|---|--|
| How will the proposal help to reduce Crime and Disorder? | The fees and charges set out in Appendix 2 seek to recover the Council's legitimate costs in ensuring compliance with the licence conditions. |
| How will the proposal help to promote Human Rights? | The proposal has no specific implications for human rights |
| What is the impact of the proposal on Equality and Diversity? | There would be no negative impacts on those groups with protected characteristics under the Equality Act 2010 if the recommendations in this report are approved |
| How will the proposal help to promote Sustainability? | The fees and charges set out in Appendix 2 seek to recover the Council's legitimate costs in providing these services. |

Proposed Fees and charges 2016/17

| | 2015/2016 Fee | 2016/2017 Proposed Fee |
|--|-------------------------------|-----------------------------------|
| Riding Establishments Act 1964 | | |
| Less than 5 horses | £255.00 | £259.00 |
| 5 – 15 horses | £305.00 | £310.00 |
| More than 15 horses | £393.00 | £399.00 |
| Animal Boarding Establishments Act 1963 | | |
| | £112.00 | £114.00 |
| Pet Animals Act 1950 | | |
| | £112.00 + Vet if necessary | £114.00 + Vet if necessary |
| Dangerous Wild Animals Act 1976 | | |
| | £461.00 | £468.00 |
| Breeding of Dogs Act 1973 | | |
| New licence | £273.00 | £277.00 |
| Renewal | £112.00 + Vet if necessary | £114.00 + Vet if necessary |
| Street Trading | | |
| Annual Consent | £745.00 | £756.00 |
| Consent for special occasions | £46.00 | £47.00 |
| Sex Establishments | | |
| Application fee | £3563.00 | £3616.00 |
| Renewal | £3563.00 | £3616.00 |
| Transfer | £3563.00 | £3616.00 |
| Acupuncture, Tattooing, Ear Piercing and Electrolysis | | |
| Premise plus Operatives | £112.00 | £114.00 |
| New/Additional Operatives | £31.00 | 32.00 |
| Scrap Metal Dealers | | |
| Site licence application | £352.00 | 357.00 |
| Site licence renewal | £352.00 | 357.00 |
| Site licence variation | £77.00 | £78.00 |
| Collector's licence application | £250.00 | £254.00 |
| Collector's licence renewal | £250.00 | £254.00 |
| Collector's licence variation | £77.00 | £78.00 |

| Caravan sites 2015/16 | Band | | | |
|---|--|----------------------|-----------------------|--------------------|
| Number of units on site | A (1 – 5) | B (6 - 24) | C (25 - 99) | D (100+) |
| New Application for Site Licence | £264 (single sites exempt) | £386 | £435 | £494 |
| Transfer of Site Licence | £58 | £137 | £137 | £137 |
| Variation of Site Licence | £58 | £137 | £137 | £137 |
| Annual Fee | £115 (single sites and family sites exempt) | £145 | £165 | £253 |
| Deposit of Park Rules with Local Authority | £67 | £67 | £67 | £67 |

| Caravan sites 2016/17 | Band | | | |
|---|---|----------------------|-----------------------|--------------------|
| Number of units on site | A (1 – 5) | B (6 - 24) | C (25 - 99) | D (100+) |
| New Application for Site Licence | £268.00 (single sites exempt) | £392.00 | £442.00 | £501.00 |
| Transfer of Site Licence | £59.00 | £139.00 | £139.00 | £139.00 |
| Variation of Site Licence | £59.00 | £139.00 | £139.00 | £139.00 |
| Annual Fee | £117.00 (single sites and family sites exempt) | £147.00 | £167.00 | £257.00 |
| Deposit of Park Rules with Local Authority | £68.00 | £68.00 | £68.00 | £68.00 |

