

NORTHAMPTON BOROUGH COUNCIL

Licensing Committee

Your attendance is requested at a meeting to be held at the The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE on Monday, 11 February 2013 at 6:00 pm.

**D Kennedy
Chief Executive**

AGENDA

1. APOLOGIES
2. MINUTES
To approve the minutes of the meeting held on 11 December 2012 (copy herewith).
3. DEPUTATIONS / PUBLIC ADDRESSES
4. DECLARATIONS OF INTEREST
5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED
6. EARLY MORNING RESTRICTION ORDERS AND LATE NIGHT LEVY
7. STREET TRADING FEES AND CONSENTS
An additional representation received after the publication of the agenda and a revised Appendix D tabled at the meeting have been added to the agenda at pages 23 and 27 respectively.
8. REVIEW OF CAR BOOT SALE CONDITIONS AND FEES
9. REVIEW OF HACKNEY AND PRIVATE HIRE FEES
10. EXCLUSION OF PUBLIC AND PRESS
The Chair to Move:
“that the public and press be excluded from the remainder of the meeting on the grounds that there is likely to be disclosure to them of such categories of exempt information as defined by section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12a to such act.”

Public Participation

Members of the public may address the Committee on any non-procedural matter listed on this agenda. Addresses shall not last longer than three minutes. Committee members may then ask questions of the speaker. No prior notice is required prior to the commencement of the meeting of a request to address the Committee.

SUPPLEMENTARY AGENDA

Exempted Under Schedule, 12A of L.Govt Act 1972, Para No: -

11. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE (1)
12. HOUSE TO HOUSE APPLICATION (1)

Public Participation

Members of the public may address the Committee on any non-procedural matter listed on this agenda. Addresses shall not last longer than three minutes. Committee members may then ask questions of the speaker. No prior notice is required prior to the commencement of the meeting of a request to address the Committee.

LICENSING COMMITTEE

Tuesday, 11 December 2012

PRESENT: Councillor Malpas (Chair); Councillors Beardsworth, Ford, Patel, Sargeant, Strachan and Wire DL.

1. APOLOGIES

Apologies for absence were received from Councillors Capstick, Duncan, Eales and Hill.

2. MINUTES

The minutes of the meeting held on 25 September 2012 were confirmed and signed by the Chair as a true record, subject to the removal of the name of Councillor Malpas in the list of those present and moving the words "Councillor Hill took the Chair" from under apologies to under those present.

3. DEPUTATIONS / PUBLIC ADDRESSES

Messrs H Shah, K Willsher, M Jadoon, J Hills, P Bruere and S Ward were granted leave to address the Committee in respect of item 6 – Hackney Carriage and Private Hire vehicles Conditions Including Testing Criteria. Mr S Willsher was granted leave to address the Committee in respect of item 7 – Review of Hackney and Private Hire Fees.

4. DECLARATIONS OF INTEREST

There were none.

5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

There were none.

6. HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES CONDITIONS INCLUDING TESTING CRITERIA

The Senior Licensing Officer presented a report on the proposed amended Taxi and Private Hire Conditions and Vehicle Testing Arrangements. The Committee on 8 May 2012, having considered consultation results and the research undertaken, had resolved not to introduce age limits on Hackney Carriages and Private Hire Vehicles and to remove the existing three year lower age limit on Hackney Carriages, pending the introduction of conditions to ensure a good standard of Hackney Carriage and Private Hire Vehicles is maintained in the town. A Working Party had been established, with trade representatives as members, to work towards developing these conditions. There had been agreement on the majority of issues in the proposed conditions, although there were a small number of areas where agreement had not been reached with the trade representatives. Representations received after the proposed conditions had been circulated to the trade were appended to the report for Members' consideration.

The proposed conditions were appended to the report and it was estimated that, if agreed, they would commence on 1 April 2013.

Mr K Willsher (trade representative on the Working Party) addressed the Committee. He referred to the 1.6mm for tyre tread and 1.5mm for brake wear recommended in the DfT and Technical Officer Group Report (TOGR) for Hackney Carriages and Private Hire Vehicles,

whilst officers were recommending 2mm in each case. He stated that he had provided mileage figures of 30-40K miles per year for Hackney Carriage and Private Hire Vehicles and that national guidelines were for one MOT test per year for low mileages, which he suggested these were. He stated that there would be difficulties if either of the Council's MOT testing stations were out of action, say through flooding, and drivers had to use other stations since the conditions imposed more stringent measures than were legally required. He also stated that inspections of tyre tread and brake wear were inspected visually and were not actually tested.

The Senior Licensing Officer stated that the mileages of Hackney Carriage and Private Hire Vehicles had been shown in the research undertaken by him to be higher than those suggested by the trade representatives.

Mr M Jadoon (trade representative on the Working Party) addressed the Committee. He stated that the most vulnerable people in society tended to use taxis and those who could not afford to buy and run a car of their own. Increasing the costs to taxi drivers through changing conditions would affect taxi users. He stated that the national guidelines and conditions should be used rather than creating conditions for Northampton as they were based on a better understanding of the overall situation and they did not recommend 2 MOT tests per year based on the mileages the trade representatives stated were being driven by Hackney Carriage and Private Hire Vehicles in Northampton.

The Chair stated that the Committee had agreed on 8 May 2012 that the 2 MOT tests should remain. If there was substantial evidence to support one MOT only per year that could be presented to the Committee as a separate matter but no such evidence had been provided.

Mr J Hills (Secretary of the Northampton Hackney Carriage Drivers Association) addressed the Committee. He stated that as Secretary of the Hackney Carriage Association he believed he should have been a member of the Working Party, along with the Association's Chairman. He stated that he had previously spoken strongly about the abolition of the three year rule age limit on for Hackney Carriage on first plating and that this would lead to an influx of large numbers of low quality vehicles in the town. He referred to the lengthy financial obligations many drivers had in purchasing vehicles, particularly in the current economic climate, and how they would be adversely affected by this influx. He circulated a paper suggesting a compromise proposal that if the three year rule were to be abolished this should be phased in over a five year period to ease hardships on existing drivers and asked that this be considered by the Committee. He spoke of the impact the significant reduction in Hackney Carriage rank spaces at the railway station when works commenced there in January 2013 would have on drivers' livelihoods. He also referred to poor communication with officers of the Council and suggested that the Working Party's agenda should have been set by the trade representatives, rather than officers.

The Senior Licensing Officer stated that he had no evidence that removing the three year age limit would significantly increase the number of older Hackney Carriages in Northampton as the vehicles would all be subject to the MOTs and Council Inspections and Hackney Carriage drivers would have to pass Hackney Carriage Driving Tests.

Mr P Bruere (Chairman of the Northampton Hackney Carriage Drivers Association) addressed the Committee. He stated that removing the three year rule would lead to an influx of low quality vehicles into Northampton as drivers would purchase older, less expensive vehicles. He stated that the abolition proposals had never had a fair hearing. He had asked for a copy of the notes of the Committee meeting on 8 May 2012 which had considered the issue to compare against the minutes of the meeting but had not received them. He stated that there had been no transparency and that a note had been placed on

the Council's website after the 8 May 2012 meeting stating that the three year rule had been abolished. He stated that he had spoken to the officers and said they had amended the message.

The Chair stated that there had been an opportunity for anyone who disagreed with the minutes of the meeting on 8 May 2012 to raise issues at the following meeting but no one had done so.

The Senior Licensing Officer stated that after Mr Bruere had contacted him he had amended the message on the Council's website to clarify that the rule year rule was being removed pending the introduction of vehicle conditions and testing. He clarified that it was not he who inputted the information onto the website.

Mr S Ward addressed the Committee. He was satisfied with the broad sweep of the proposals but would have liked to see an upper age limit on Hackney Carriages and Private Hire Vehicles. He drew attention to some minor inconsistencies between the conditions booklet and the guidelines, particularly in relation to the size of fire extinguishers and roof signs and a number of similar issues.

The Senior Licensing Officer undertook to meet Mr Ward to resolve the inconsistencies in the documentation.

Mr H Shah (trade representative on the Woking Party) then addressed the Committee. He referred to his letter of 23 November 2012 which was appended to the agenda. He stated that the current standards in Northampton were higher than the national guidelines and that the proposals would raise them still higher. He referred to the Department of Transport's Best Practice Guidance which warned that too restrictive an approach could work against the public interest and have safety implications. The officers had not researched this area. He stated that the mileage figures provided by the officers were flawed, as set out in his letter. He suggested that officers should have examined if there had been any complaints from members of the public regarding Hackney Carriages and Private Hire Vehicles. He stated that there was no evidence of a problem and that the Council needed good reasons to diverge from the Best Practice Guidance. He stated that he had not been instructed to look at the proposed age limits but that strong feelings had been raised about them. There was a need to look at the proposed conditions and the intention in seeking to introduce them.

The Senior Licensing Officer stated that the Council's intention in introducing the proposed conditions was to maintain the Standards of Hackney Carriages and Private Hire Vehicles in Northampton. The MOT failures indicated a high failure rate, which was based on the condition of vehicles rather than their age. This was why the Committee had decided on 8 May 2012 that there was no need to introduce an age limit on vehicles. Many other local authorities operated a system of 2 MOTs per year for Hackney Carriages and Private Hire Vehicles. He was not aware of any reason why the mileage figures he had supplied to the Committee could be regarded as flawed.

The Committee considered that legal and technical advice should be sought on the issues raised by the public speakers. It was agreed that there should be a short adjournment and the Committee would reconvene in private session to receive that advice.

The Chair moved that the public and press be excluded from the meeting on the grounds that there would be disclosure to them of exempt information as defined by section 100(1) of the Local Government Act 1972 by reference to Paragraph 3of Schedule 12A to such Act. The motion was carried.

The Committee took technical advice from the Senior Licensing Officers, who then left the room. The Solicitor then provided legal advice to the Committee.

The Committee then resumed in public session.

The Chair then explained that the Senior Licensing officers had remained in the room to provide technical advice to members and then left the room. The Solicitor had remained present throughout to provide legal advice to Members.

The Committee considered that the three year age limit on Hackney Carriages should be abolished, as resolved on 8 May 2012, but that the comments raised by Messrs Hill and Bruere, regarding a phased abolition, should be taken into account, in particular the hardship caused to those committed to five year finance plans, and the abolition be phased in over a three year period.

Members stated that their paramount interest was public safety and that the 2 MOT test per year should be retained and the 2mm limits for tyre tread and brake wear. They asked the officers to discuss with Mr Ward the inconsistencies in the documentation which he had referred to in his address.

It was noted that the new conditions would take effect on 1 April 2013 (but then agreed 1 January 2013), following consultations with the 2 MOT testing stations, and that the abolition of the age limit and a number of other decisions made by the Committee on 8 May 2012, which had been pending the introduction of the new conditions, would come into effect when the conditions were implemented.

The Committee thanked all parties who had attended the Working Party and tonight's meeting. It was agreed that a communication on the Committee's decision tonight would be sent to operators for information.

RESOLVED:

1. That the abolition of the three year age limit for new Hackney Carriages to be introduced in Northampton be phased in over a three year period, taking into account the comments made to the meeting by Mr Hills and Mr Bruere. These should be as follows:
 - a. Until December 31 2013 all first plated Hackney Carriages must be less than 3 years old;
 - b. Between January 1 2014 and December 31 2014 all first plated Hackney Carriages must be less than 4 years old;
 - c. Between January 1 2015 and December 31 2015 all first plated Hackney Carriages must be less than 5 years old;
 - d. That there be no lower age limit for Hackney Carriage Vehicles from 1 January 2016.
2. That the amended Taxi and Private Hire Conditions be adopted and the Vehicle Testing Standards, both as set out in the report, be approved, including maintaining two scheduled vehicle tests per year.
3. That the resolutions made by the Committee on 8 May 2012, as set out below, are implemented from 1 January 2013:

- a. That there be no age limit imposed on Private Hire Vehicles and there be a removal of age limits on Hackney Carriages (as amended at resolution 1 above);
- b. That engine capacity restrictions be removed;
- c. That the current requirement for 2 MOT tests per year be maintained;
- d. That newly registered vehicles at the DVLA that are subsequently licensed operate for a full 12 months without the requirement to be routinely tested following their initial plating.

7. REVIEW OF HACKNEY AND PRIVATE HIRE FEES

The Senior Licensing Officer presented a report recommending that consultations take place to review the Council's licence fees applicable to Hackney Vehicles and Drivers and Private Hire Operators, Vehicles and Drivers. It was noted that although there was a legal requirement to advertise a change in some of the fees there was no legal requirement to consult. Any objections would be considered before a decision was taken regarding any increases.

The Committee on 4 November 2008 and Cabinet on 20 May 2009 had resolved that Hackney carriage and private hire licence fees should be increased with effect from 1 June 2009 to their current level and they had not been increased since that date, although administration and other Council costs had increased during that time. The process for the revision of Hackney/Private Hire fees is set out in legislation and allows local authorities to set fees intended to recover their reasonable costs but not to charge fees intended to make a profit.

Mr S Willsher addressed the Committee, stating that the proposed fees were not uniform and that the percentage increases varied considerably from a minimum of 7% to many at 33% and 50%. He stated that the increases were unfair and should be reduced, either no increase or a maximum of 5%, and should be uniformly applied. There had been no increase in Hackney Carriage fares since 2008 and if they were to be increased in May 2013 this would be for the first time in five years.

Members noted that the purpose of the report was to agree to consultation on the proposed fees and that the proposals would be looked at closely in relation to consultation responses which were received.

Mr H Shah addressed the Committee at the Chair's discretion and asked why this issue had not been considered by the Working Party at the time they had considered the Hackney Carriage and Private Hire testing criteria as this would also affect drivers' livelihoods.

In response it was stated that the two issues were covered by different legislation and the consultation periods could not be run together as they had different timescales. The issue of licence fees was also beyond the scope of a Working Party and any objections would have to be considered by the Committee itself. Any increases would be based on the recovery of costs, not on making a profit.

Mr M Jadoon addressed the Committee at the Chair's discretion and spoke of the importance of the DfT guidelines and Office of Fair Trading guidance plus the Law Commission inquiry into licensing which was currently underway.

The Chair ruled that Mr Jadoon's comments were not relevant to this item and related to the

report covered at item 6 above.

It was noted that the results of any consultation would be reported to the additional meeting of the Committee it was proposed to hold on 11 February 2013 (minute 11 below refers).

RESOLVED:

1. That, subject to the results of the consultation, with effect from 1 April 2013 the proposed above fees be revised in line with the recommendations at Appendix A to the report.
2. That the proposed increase is advertised in the local press in line with the legal requirements.
3. That consultation should take place with those who are subject to the increase, even though there is no legal requirement to do so, and that any objections should be considered before any increase is implemented.

8. REVIEW OF STREET COLLECTIONS POLICY

The Senior Licensing Officer presented a report recommending that the Council's Street and House to House Collections Conditions be revised in line with the new Charities Act 2011, which replaced the existing four Acts covering this area. The current regulations would be retained pending the change in regulations to be introduced under legislation at a later date. "Exempt Charities" (those not requiring a local authority to hold a collection) would not be affected by the new Act.

In answer to a Member's question, the Senior Licensing officer stated that the amended Council regulations stated that charities should be local or reflect a local need to be issued with a permit.

RESOLVED:

That with effect from 11 December 2012 the Council's Street and House to House Collections Conditions be revised in line with the new Charities Act 2011.

9. STREET TRADING FEES AND CONSENTS

The Senior Licensing Officer presented a report in relation to the current Street Trading position and requesting that consultation take place on proposals to increase fees and to create Standard, Premium and Town Centre categories as set out in the report. Recommendations arising from the consultation would be considered by the Committee and then reported to full Council for consideration.

Concern was expressed by some members regarding any increases in fees in the current economic climate, particularly when fees had been reduced for market traders. The Senior Licensing Officer stated that fees for street traders had not been increased since regulation had commenced in 2003 and were significantly less than those for market traders. Comments were made by members that trading on the market should be encouraged.

A Member expressed concerns about illegal street traders in the town and asked that officers liaise with Trading Standards on this issue.

RESOLVED:

That with immediate effect consultation be undertaken to:-

- (i) Approve the proposed increases in Street Trading fees for inclusion in the draft

- consultation budget and in accordance with Appendix A of the report.
- (ii) Approve consultation on the proposed amendments to include Street Trading pitches located within the town centre and parks and in accordance with Appendix A of the report.
 - (iii) Approve a consultation for the proposed three tier structure of the fees, to include a Standard, Premium and Town Centre category and in accordance with Appendix A of the report.

10. STATEMENT OF GAMBLING PRINCIPLES 2012 - 15

The Senior Licensing Officer presented the proposed Statement of Gambling Principles 2012-15 for all local authorities in Northamptonshire. The last statement, which was a statutory requirement, had come into effect on 31 January 2010 and would expire on 30 January 2013, with the new statement coming into effect on the following day. Consultation on the proposed statement had been undertaken, as set out in the report.

It was noted that the Statement of gambling principles 2012-15 would be reported to Council on 19 January 2013 for approval.

In answer to a Member's question, the Senior Licensing Officer stated that local authorities have a duty to inspect premises with gambling machines at least annually. In Northampton premises were inspected approximately six times a year in the town centre, and more frequently if complaints had been received.

RESOLVED:

That the report be noted.

11. ADDITIONAL MEETING OF THE COMMITTEE

As the Committee was not scheduled to meet again after this meeting until 19 March 2013, and there was likely to be business which would need to be considered during that period, Members were requested to consider setting a date for an extra meeting of the Committee, on Monday 11 February 2013 at 6.00pm. The Chair had been consulted on the choice of date prior to the meeting and Members had received notification before the meeting of the intention to hold an extra meeting of the Committee on that date.

It was noted that the results of the two consultations agreed at minutes 7 and 9 above would be reported to this meeting.

RESOLVED:

That an extra meeting of the Committee be held on Monday 11 February 2013 at 6.00pm.

The meeting concluded at 8:38 pm

Appendices



NORTHAMPTON
BOROUGH COUNCIL

LICENSING COMMITTEE REPORT

Report Title	EARLY MORNING RESTRICTION ORDERS & LATE NIGHT LEVY
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AGENDA STATUS: PUBLIC

Committee Meeting Date:	11/02/2013
Policy Document:	Early Morning Restriction Orders & Late Night Levy
Directorate:	Customers and Communities

1. Purpose

To advise the Licensing Committee of changes made to the Licensing Act 2003 with regard to Early Morning Restriction Orders and Late Night Levies

2. Recommendations

- 2.1 To note the contents of the report.
- 2.2 To investigate the feasibility of adopting and implementing Early Morning Restriction Orders within the Borough of Northampton.
- 2.3 To commence a full consultation process for an Early Morning Restriction Order once proposals have been agreed
- 2.4 Not to proceed with a Late Night Levy for the Borough of Northampton for the foreseeable future.

3. Issues and Choices

3.1 Report Background

3.11 The Police Reform and Social Responsibility Act 2011 (PRSA) received Royal Assent on September 2011. The Act brings about several changes to the Licensing Act 2003, mainly:

- doubling the fine for persistent underage sales to £20,000

- introducing a Late Night Levy (LNL) to help cover the cost of policing the late night economy
- increasing the flexibility of early morning alcohol restriction orders
- lowering the evidential threshold on licensing authorities
- removing the vicinity test for licensing representations to allow wider local community involvement
- reforming the system of temporary event notices (TENs)
- suspension of premises licences for non-payment of annual fees

3.12 Whilst the majority of changes took effect from April 2012, the changes to Early Morning Restriction Orders (EMROs) and the introduction of the Late Night Levy only took effect on 31 October 2012.

3.2 Early Morning Restriction Orders

3.2.1 An EMRO is a power which has been extended by the (PRSA) enabling licensing authorities to restrict the sale of alcohol where they consider that there are alcohol related crime and disorder issues in the whole or a part of their area between 12 midnight and 06.00am on all or some days.

3.2.2 This restriction would apply to premises licences, club premises certificates and temporary event notices. There are no exceptions to the type of premises that will be affected by an EMRO except for hotels who provide alcohol to residents through minibars and room service. However hotels who serve alcohol in a bar, lounge or lobby will be affected by an EMRO.

3.2.3 The licensing authority should consider evidence from Responsible Authorities, local Community Safety Partnerships, together with its own evidence to determine whether an EMRO is appropriate for the promotion of the four licensing objectives:-

- the prevention of crime and disorder (*where there is an identifiable problem*)
- public safety (*physical safety of the people using the premises*)
- the prevention of public nuisance (*eg noise, light, smells or litter*)
- the protection of children from harm (*ie moral, psychological or physical harm*)

3.2.4 It falls to the licensing authority to decide the area, days and times in relation to which the EMRO would apply. However, EMROs will not apply to any premises on New Year's Eve.

3.2.5 Licensing authorities are required to advertise their proposals on their website and in their local newspaper as well as notifying those licence holders within the proposed EMRO area. Any person wishing to make representations for, or against, the proposal will have 42 days in which to lodge their comments.

3.2.6 If representations are received then a hearing must be held to determine the outcome of the EMRO. It is not unrealistic to expect a large number of representations which could require the hearing being held over a number of

days. If it is determined appropriate that an EMRO be made, the licensing authority must be able to demonstrate an evidence based justification for its decision, or risk judicial challenge. If, following representations there are any changes to the original proposal there is a requirement that consultation on the new EMRO be undertaken.

3.2.7 Full Council would need to approve and decide on a start date for the Order, which must be no less than two months after the Order is made.

3.2.8 The licensing authority should monitor the effectiveness of the EMRO to ensure it continues to be appropriate for the promotion of the licensing objectives and periodically review whether it is appropriate to continue to apply it.

3.2.9 Licensing authorities should update their statement of licensing policy to include reference to the EMRO as soon as reasonably possible.

3.2.10 Central government has provided more information to licensing authorities in revised statutory guidance issued under section 182 of the Licensing Act 2003. This can be found at <http://www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/guidance-section-182-licensing>

3.2.11 Given the timescales involved it is anticipated that the earliest date that an EMRO could be put in place for Northampton would be June/July 2013.

3.3 Late Night Levy

3.3.1 The Late Night Levy is a power for licensing authorities to introduce a charge for premises that have an alcohol licence with a terminal hour after 12 midnight. It allows licensing authorities to charge those businesses for the extra enforcement costs that the night-time economy generates for police and local authorities. Further information is available at <http://homeoffice.gov.uk/publications/alcohol-drugs/alcohol/alcohol-supporting-guidance/late-night-levy-guidance>

3.3.2 Prior to making a decision to implement the levy, the licensing authority should have discussions with the Chief Officer of Police, the Police and Crime Commissioner (PCC) and local police to decide whether it is appropriate to introduce the levy in its area.

3.3.3 If the licensing authority considers it appropriate, it must then conduct a formal consultation with the police, the PCC, existing licence holders and any other persons, including residents, about its decision.

3.3.4 This consultation should also consider whether the licensing authority needs to apply any exemptions or discounts to the levy and how it will apportion net levy revenue between the police and the licensing authority.

3.3.5 The decision whether or not to implement a levy is left entirely to the discretion of the licensing authority.

- 3.3.6 If introduced, the levy will apply to all premises (on and off-trade) within the Borough boundary that qualify, the only exceptions being those set by central government. The levy will be collected at the same time as the annual licensing fee.
- 3.3.7 The licensing authority will decide at what time the levy will apply within an operational window that is restricted to between 12 midnight and 6am.
- 3.3.8 Premises licence holders who choose to reduce the hours on their licence would still have the ability to apply for Temporary Events Notices for 21 days a year.
- 3.3.9 The late night levy is aimed not at individual premises, as the costs caused by the night time economy are often not directly linked to any particular businesses, but instead occur as a result of the night time economy as a whole. This ensures the application of the levy across the whole licensing authority area, and that a meaningful amount is collected and is simple to adopt and administer.
- 3.3.10 If introduced, the licensing authority can deduct the costs of administering, collecting and enforcing the scheme. From the remainder, at least 70% of the net amount must be passed to the Police. Up to 30% of the total amount retained by the licensing authority is ring-fenced towards addressing issues that include tackling alcohol-related crime and disorder, and services connected to the management of the night time economy, including street cleaning. No restrictions are imposed on the use of the monies passed to the Chief Officer of Police and the PCC.
- 3.3.11 The levy paid is dependent on the rateable value of the premises and is set by central government. This is the same as the existing licence fee and annual fee system.
- 3.3.12 Provision is made for a number of discretionary exemptions and reductions in the levy.

Exemptions to the levy could be offered to:

- Premises with overnight accommodation
- Theatres and cinemas
- Bingo halls
- Community amateur sports clubs
- Community premises
- Country village pubs
- Business Improvement Districts

It is therefore in the licensing authority's discretion whether any of the exemptions should be applicable, and the criteria within which they can be triggered.

Licensing authorities also have the discretion to offer a 30% reduction from the levy to premises that are either a member of a specified best practice scheme,

such as Pubwatch, or in receipt of Small Business Rate Relief and have a rateable value of less than £12,000.

Licensing authorities can also offer an exemption to those premises which only have a late-night authorisation to supply alcohol on the premises on 1 January.

3.3.14 Members should be aware that it is possible that a significant number of the premises with late licences may decide to reduce their sale of alcohol hours by submitting a minor variation application as the cost of the levy may not be worth the continued sales of alcohol after midnight. This would obviously result in a significant reduction in the amount of potential income. (The licensing authority is required to waive the fee for those premises wishing to take advantage of this procedure).

3.4 Conclusions

3.4.1 At this time of significant change in the legislative and policy regime, consultation with interested parties on the adoption and implementation of new powers is essential both for legal requirements and to gain support for such change.

3.4.2 Informal discussions with Northamptonshire Police indicate that at this stage they have a preference for an EMRO, with consideration being given to a Late Night Levy at a later stage, but a more in-depth assessment of any evidence and further discussions are needed before any definite decision regarding applying for an EMRO can be made.

3.4.3 It may seem unjust to run a Levy or an EMRO during hours that are not problematic. e.g. If crime and disorder is an issue from 2am, why should bars which close at 1am pay a levy?

4. Implications (including financial implications)

4.1 Policy

4.1.2 The Council's Statement of Licensing Policy will be updated to reflect the changes to legislation

4.2 Resources and Risk

4.2.1 There is a potential risk of reduced income if implementing a Late Night Levy as a high proportion of premises currently have a licence to sell or supply alcohol after 12 midnight on 1 or 2 days a week; mainly to just 1am, and may well cut back their hours.

4.2.2 Not to explore the use of these two new tools in the licensing authority's suite of licensing controls could lead to challenge from both Responsible Authorities and the local community.

4.3 Legal

4.3.1 The EMRO and Late Night Levy provisions are both adoptive provisions that require consultation processes to be followed prior to a policy decision on either being made. Adopting either provision in circumstances that result in a negative impact on existing licence holders will require reliable evidential justifications in order to withstand the rigours of potential judicial challenge.

4.4 Equality

4.4.1 Any proposed changes will apply equally to all groups within the community and no particular group(s) will be disadvantaged.

4.5 Resources and Risk

4.5.1 None related to any consultation process that may be undertaken, but there will be some financial implications for Council in their administration of any adopted scheme in the future.

4.6 Consultees (Internal and External)

Leader of the Council
Director of Customers & Communities
Head of Public Protection
NBC Finance
NBC Legal Services
NBC Senior Licensing Officers

4.7 Background Papers

The Licensing Act 2003
The Police Reform and Social Responsibility Act 2011
Home Office Guidance Early Morning Restriction Orders
Home Office Guidance Late Night Levies

Report Author: Debbie Ferguson
Ext 8371

Appendices:
4



NORTHAMPTON
BOROUGH COUNCIL

LICENSING COMMITTEE REPORT

Report Title	Street Trading Fees and Consents.
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AGENDA STATUS: PUBLIC

Committee Meeting Date:	11 February 2013
Policy Document:	Street Trading
Directorate:	Customers and Communities

1. Purpose

- 1.1 This report updates Committee on the consultation regarding the proposed increase in street trading fees and amendments to the street trading consent locations.
- 1.2 Committee is required to consider the two objections received in respect of these proposals.

2. Recommendations

- 2.1 Subject to due consideration of the objections detailed in Appendix A, to approve the following:-
- 2.2 Approve the three tier structure of the fees, to include a Standard, Premium and Town Centre category, in accordance with paragraph 3.1.17.
- 2.3 Approve the proposed increases in street trading fees for inclusion in the draft consultation budget, in accordance with paragraph 3.1.17.

3. Issues and Choices

3.1 Report Background

- 3.1.1 At its meeting of 11 December 2012, Licensing Committee agreed to consult on proposed increases in street trading fees and setting a new three tier structure.

- 3.1.2 All street traders were notified in writing with regard to the proposed increases and the statutory advertisement was placed in the local press and on the council website setting out the proposed increases and new fee structure.
- 3.1.3 Committee also agreed to consult on proposals to adopt street trading pitches within the town centre; this is still pending further analysis to determine suitable locations and periods of trading, etc. This will be presented to Committee, once analysis and consultation has been completed. However, the proposed fee for a town centre premium pitch can be adopted now.
- 3.1.4 Street trading consents are regulated under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 (LGMPA) and authorise the selling, or offering for sale, of any article in a street. The term 'street' includes any road, footway or other area to which the public has access without payment.
- This includes all hot and cold food vendors, for example:
- All vendors of burgers, kebabs, doughnuts, ice cream, etc.
- It also includes:
- All vendors of non-food products who trade on static pitches from any vehicle, stall, barrow, trailer, or any other moveable construction.
- 3.1.5 The granting of street trading consent is a matter within the general discretion of the local authority.
- 3.1.6 All streets within Northampton Borough are prohibited streets, with specified pitches granted a street trading consent. There are currently 24 street trading pitches within the Borough, as detailed in Appendix B. At present 21 locations are occupied, with 3 pending occupation.
- 3.1.7 No street trading pitches exist within the immediate vicinity of the town centre.
- 3.1.8 Each street trading pitch is currently charged the same fee regardless of the location, calculated at a rate of £100 per annum for each day of the week of trading. For example a trader operating for 5 days per week would be calculated at $5 \times £100 = £500$ per annum.
- 3.1.9 Street traders are billed annually around September/October in time for renewal on the 1 November, with a small percentage opting to pay by two instalments, part due in September/October with the balance payable in April/May, incurring a supplement of £25 on each instalment.
- 3.1.10 The current annual income calculations are made up as follows:-

Trading Days Per Week	Annual Fee £	Number of Pitches	Calculation	Annual Total Income £
1 x 100	100	1	100 x 1	100
5 x 100	500	15	500 x 15	7,500
6 x 100	600	2	600 x 2	1,200
7 x 100	700	3	700 x 3	2,100
Total Income				10,900

3.1.11 Street trading fees have not been increased since regulation commenced in 2003.

3.1.12 It has been identified that under Schedule 4 of the LGMPA the Council could consider setting a different fee for premium areas, this being the fee structure adopted by many other towns and cities as indicated in the benchmarking exercise at Appendix C.

3.1.13 Therefore, in addition to increasing the current standard fees, it is proposed to adopt three different fee areas, creating a higher fee for pitches located within areas that have a higher footfall. The different fee areas are defined by the following categories:-

3.1.14 **Standard Fees** – Applicable to those pitches trading outside of the town centre premium area and falling within 15 metres of the public highway.

3.1.15 **Premium Fees** – To include any public park maintained by the local authority and any other street, road or highway or area falling within 15 metres of that street, road or highway located in the Borough of Northampton and deemed to be a premium pitch.

3.1.16 **Town Centre Premium Fees** – Suggested town centre pitches will be at specified locations on Abington Street, Mercers Row, George Row, Bridge Street, Gold Street, St Giles Street, Deragate, Wood Hill, and The Drapery.

3.1.17 It is proposed to increase street trading fees in the next financial year by 100%, with a further phased increase over the following two years and to introduce two new premium rates as detailed in the table below.

Annual Fee for each day of trading	2012/13 £	2013/14 £	2014/15 £	2015/16 £
Standard area	100	200	225	250
Premium Park Location	N/A	300	400	500

Daily Fee for each day of trading	2012/13 £	2013/14 £	2014/15 £	2015/16 £
Premium Town Centre Location	N/A	30	35	40

3.1.18 The projected fees based on the new fee structure would bring in an annual revenue income for the next three years as detailed in the tables below, assuming the number of traders and the amount of trading days remains the same.

2013/14

Trading Days Per Week	Annual Fee £	Number of Pitches	Calculation	Total Income £
1 X 200	200	1	200 x 1	200
5 X 200	1000	15	1,000 x 15	15,000
6 X 200	1,200	2	1,200 x 2	2,400
7 X 200	1,400	1	1,400 x 1	1,400
Premium Park Location 7 X 300	2,100	2	2,100 x 2	4,200
Premium Town Centre Location		TBC	TBC	TBC
Total Income				23,200

2014/15

Trading Days Per Week	Annual Fee £	Number of Pitches	Calculation	Total Income £
1 x 225	225	1	225 x 1	225
5 x 225	1,125	15	1,125 x 15	16,875
6 x 225	1,350	2	1,350 x 2	2,700
7 x 225	1,575	1	1,575 x 1	1,575
Premium Park Location 7 x 400	2,800	2	2,800 x 2	5,600
Premium Town Centre Location		TBC	TBC	TBC
Total Income				26,975

2015/16

Trading Days Per Week	Annual Fee £	Number of Pitches	Calculation	2015/16 Annual Total £
1 x 250	250	1	250 x 1	250
5 x 250	1,250	15	1,250 x 15	18,750
6 x 250	1,500	2	3,000 x 2	6,000
7 x 250	1,750	1	1,400 x 1	1,400
Premium Park Location 7 x 500	3,500	2	3,500 x 2	7,000
Premium Town Centre Location		TBC	TBC	TBC
Total Income				33,400

- 3.1.18 **Benchmarking** – The fee structure and regulation of trading varies considerably across authorities. This may be due to the different characteristics of the town or city centre.
- 3.1.19 The fees identified as higher than Northampton are primarily due to the location of street trading pitches, with higher fees being reflected in those towns or cities that have town centre pitches, or locations with a higher footfall.
- 3.1.20 Example 1 - Norwich has defined street trading areas within the town centre, alongside the permanent market stalls. These are charged at a premium fee, with the fee for some pitches including the use of the stall and electricity. A lower fee is charged for those traders who operate typically on industrial estates.
- 3.1.21 Example 2 - South Northamptonshire has stalls mostly in lay-bys or on industrial estates.
- 3.1.22 Example 3 - Bristol has a variety of street trading consents within the town centre location, defined by wards that are charged a premium of £20 per day. Burger vans and similar types of street trading on the city outskirts are charged at £10 per day. Bristol also allows mobile ice cream sellers in the city centre at a flat fee of £415 per annum; these are allowed in certain consent streets and with the permission of any land owners, etc.
- 3.1.23 The proposed premium street trading fees around the parks are comparable to the lease fees currently charged in the region of £3,000 by Northampton Borough Council's Asset Management Department, for similar type of vendors currently operating in park locations.
- 3.1.24 A summary of the benchmarking findings is detailed in Appendix C.
- 3.1.25 A recent income/expenditure analysis carried out with the finance department is attached at Appendix D.
- 3.1.26 Implementation is planned for 1 April 2013 and it is proposed that increases will first apply to those traders who usually pay twice yearly on their next invoice around April/May 2013 and those traders who pay annually will see the increase in their invoices due around September/October of 2013.

3.2 Issues

There are two existing traders located on Park Avenue South, who will fall into the premium fee category and who will face a higher increase than other existing traders. This might result in a legal challenge and negative publicity.

3.3 Choices (Options)

- 3.3.1 Agree the increase in fees and a different fee structure for the premium areas.

- 3.3.2 Agree the increase in fees for standard areas to apply across the town, regardless of location and not adopt a different fee for premium areas.
- 3.3.3 Agree an increase in fees different to that proposed.
- 3.3.4 Take no action and leave the fees at current rates.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 There would be no change to the existing street trading policy regarding the prohibited streets and consent locations. There will be a change to the existing fee structure. The fee structure has not been increased since Street Trading Consents were introduced in 2003.

4.2 Resources and Risk

- 4.2.1 In the current economic climate and with some traders already deciding to reduce the number of days trading, it is a high possibility that the increase in fees will result in a decrease in the number of financially viable locations. This could impact in the estimated income detailed above.
- 4.2.2 Not increasing fees now may result in Northampton Borough Council falling lower in future comparable reports, creating a bigger differential in the future to bring fees in line with other authorities.
- 4.2.3 Not Increasing the current fees would retain the burden on the council tax payer at this time amounting to £17000.00. An increased income from £10900.00 to £15266.00 could be achieved in the current financial year from those traders electing to pay by instalment. (Appendix D)

4.3 Legal

- 4.3.1 The designation of streets / roads as consented streets is lawful within the meaning of the LGMPA Schedule 4 Section 2 (1) (c).
- 4.3.2 The legislation under Schedule 4 of the LGMPA clearly states that the levying of fees must be reasonable and therefore in order to justify these increases and to minimise the legal challenge, a detailed rationale must be undertaken with finance to corroborate the basis of the increase, which is to optimise recovery of direct and indirect costs in delivering the street trading function.
- 4.3.3 It will be the Council's duty to consider any representations and take account of these when making the final decision, this decision must be reasonable/rational within the Wednesbury reasonableness principle;

“It applies to a decision which is so outrageous in its defiance of logic or of accepted moral standards that no sensible person who had applied his mind to the question to be decided could have arrived at it”.

4.4 Equality

4.4.1 There are no known equality and diversity issues resulting from these proposals.

4.5 Consultees (Internal and External)

4.5.1 Street Traders, Finance, Legal

4.6 Other Implications

4.6.1 N/A

5. Background Papers

5.1 Local Government (Miscellaneous Provisions) Act 1982

5.2 Northampton Borough Council Street Trading Policy

Report Author Louise Faulkner
Title Senior Licensing officer
Ext: 8393

NATIONAL AWARDS FOR ICE CREAM

SILVER MEDAL 1970
BRONZE MEDAL 1971
INTERNATIONAL AWARD 1974
SILVER MEDAL 1978
SILVER MEDAL 1980
SILVER MEDAL 1985
BRONZE MEDAL 1985
SILVER CHALLENGE CUP 1986
SILVER CHALLENGE CUP 2000

SILVER MEDAL 1987
SILVER MEDAL 1988
SILVER MEDAL 1991
SILVER MEDAL 1994
SILVER CHALLENGE CUP 1995
SILVER CHALLENGE CUP 1996
BRONZE MEDAL 1996
SECOND PRIZE 1997
BRONZE MEDAL 2001

COMPANY No. 680619 ENGLAND

Appendix 1

E Gallone Ltd

ICE-CREAM MANUFACTURERS

VAT No:119-6824-49

Company Directors : A. Gallone, G. Gallone
L. Gallone

COMPANY No: 680619

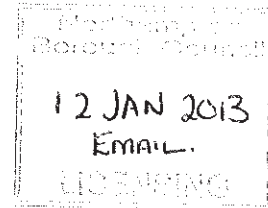
REG. ADDRESS:

8 Welford Road, Northampton, NN2 8AG

Telephone: 01604/715371 Fax: 01604/721482

9th Jan 2013

Northampton Borough Council
Licensing
The Guildhall
Northampton



Ref: Licence Fee Increase Objection

Dear Sir / Madam,

We have been trading at the Abington site for at least eighty years. During this time we have had no real cause for concern over the council's policy or licensing fee. In the past year, this has changed somewhat. Firstly trying to move us from our normal position, where we have always been, on the basis of road safety. Where after obtaining the relevant information from the county council it was found, that there had been no road traffic accidents of minor or major incidents, or injuries to third, party's or pedestrian since all records began!

Now the license fee policy has been changed. In a time of austerity measures, we understand that the council have to look at all aspects of revenue including license fee, but a 600% increase over 3years does seem a bit of a knee jerk reaction. We are aware that the fee has not changed for some time and a review is necessary, but in moderation!
Our pricing at the park is reflected in the licensing fee. It is by far the most modest price for Ice Cream in the midlands, for a Premier Site. Whereas Warwickshire Combe Abbey charge, £1.80 for a small cone, and Abbey Park in Leicester £1.70 we charge £1.00 for the same product; any changes in the license fee will only have to be reflected in our pricing structure.

We are willing to accept the initial increase proposed of £300.00 and then for this to be increased, at the same rate as other license fees i.e. taxi. For this though we would like our existing positions marked on the road similar to which has been done outside Matalan. We have requested this on numerous occasions but seem to fall on deaf ears.

This would then stop the unnecessary attention from a certain counsellor, and alleviate any traffic concerns that have been over exaggerated.

We would like to discuss this matter further with you at your next committee meeting.

Yours Sincerely

A. Gallone
Director

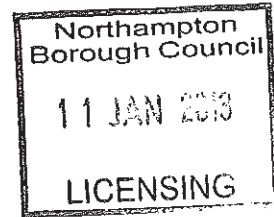
9th January 2013

Mr J.P. O'Boyle
T/A Job's Mobile Catering
6 Thornton Road
Kingsthorpe
Northampton
NN2 6LS

Licensing.

Northampton Borough Council

The Guildhall
St Giles Square
Northampton
NN1 1DE.



Dear Sir/Madam

I am writing regarding the concerns

I have with regard to your notification of a 100% increase to our license fees due to be implemented this year, with further increases over the following two years. What you are asking for is really not viable in the current economic climate. I myself have already had to drop trading from six days a week to five as there is not enough trade on a Saturday to warrant the extra £100.00 that it currently stands at. My fear is you will put a lot of traders out of business with these proposed increases. We are already struggling with increased costs across the board and a loss in turnover as people do not have the money to spend like they used to. I am asking you to reconsider your intentions until the economic climate considerably improves. Otherwise you could end up receiving less in revenue due to people going out of business than you already receive.

Yours Sincerely,

22

J.P. O'Boyle
John O'Boyle, Proprietor

MARIOS ICE CREAM
68 Harborough Rd North
Northampton
NN2 8LZ

NORTHAMPTON BOROUGH COUNCIL
LICENSING

Dear Sir/madam,

RE LICENSING ARRANGEMENTS FOR ABINGTON PARK PITCH

As I have no doubt you are aware the provision of ice cream and refreshments has been a facility that both MARIOS and our competitor GALLONES (both local firms providing local jobs) have been providing for many decades and in the same area of the park.

I understand that in these days of cuts to local Government grants that local authorities have to maximise the potential income from such sites. That said we all face uncertain economic times with disposable income being very stretched and in our business disposable income is what we rely onto run our business.

It was with concern therefore that I read with some trepidation that you were considering both moving our pitch site at ABINGTON PARK and of increasing our license by 600% over three years.

My understanding from county council records is that there is no evidence that the current site poses either a danger to road users and our customers. Our current site allows easy access for the park users and passing customers who come by especially to stop and have one of our ice-creams. Indeed it could be argued that moving from that site to another area could cause problems in that children and their parents will have to move and or go some distance to obtain their ice creams.

In addition to this the proposed 600% increase in our license fee will no doubt have an effect on prices that we charge, how can it not ? Northampton Abington Park currently enjoys a competitive environment whereby both we, and our competitors strive to provide both quality and value for money,we understand that an increase in license fees would be inevitable due to the current climate but our license fee is reflected in our prices we currently only charge £1.00 for a small cone and our cheapest lolly is 50p. This in turn facilitates the enjoyment of the park by the local population. Such a jump in license fees will increase our prices dramatically.

In the circumstances while we obviously intend to take up the new licensing structure we would respectfully request that the road markings are adjusted to make it clear that the pitches are for ' ICE CREAM VAN ONLY ' or similar AND that future provision of the licensing structure and any increases are more reflective of the economy as a whole(including disposable income) and that of the rate of inflation.

We would like to continue to provide first class quality and value for the citizens of Northampton and to keep local products and local jobs.

Yours Faithfully

P.G Brindisi

Location of Existing Street Trading Pitches

1		Tweed Road
2		Rhossili Road
3	*	Abington Park, Park Avenue South
4		Rhossili Road
5		Tyne Road
6		Lodge Way, Lodge Farm Ind Estate
7		Stone Circle Rd, Round Spinney
8		Deer Park Road
9		Lower Farm Road, Lodge Farm
10		St Gregory's Road
11		St James Mill Road
12		Quarry Park Close
13	**	Lilliput Road, Brackmills
14		Salthouse Road, Brackmills
15		Fairground Way
16	*	Park Avenue South
17		Lodge Way
18		Gambrel Road
19		Gowerton Road, Brackmills
20		Crow Lane/Ravens Way
21	**	Bunting Road
22		Heathfield Way Gladstone Road
23		Bedford Rd Near Gt Houghton Turn
24	**	A45 Sandy Lane Upton

*Yellow = Existing Trading Locations falling into Premium Fees

**Grey = Pending New Trader Occupation

Benchmarking

Report Title	Street Trading Fees and Consents.				
Town/City	Charges Levied Per Day £	Charges Levied Per Annum £	Town Centre Fees Per Annum £	Out of Town Centre Fees Per Annum £	Additional Comments
Northampton	N/A	700.00	N/A	700.00	
Peterborough	8.80 – 15.80 Day 70.00 Night	Average 6,000.00	N/K	N/K	mobile ice cream traders £655.00 per annum
Norwich	10.00 – 15.00	Average 1,500.00	Average 5,500.00	Average 1,500.00	some pitches include cost of staff and electricity
North West Leicestershire	N/A	375.00	N/A	N/A	
Nuneaton	Average 40.00	N/A	4,000	N/A	
Bristol	10.00 – 20.00	N/A	Average 7 days trading 7,300.00	Average 3 days trading 1,400.00	allow mobile ice cream sellers, for example on tricycles in town centre locations at flat fee of 415.00
South Northants DC	N/A	900.00	900.00	900.00	
Corby	25.00	1,000.00	1,000.00	1,000.00	

Street Trading Expenditure & Income

		2013/14 Budget £
<u>Expenditure</u>		
0820A	Licensing Administration	
	Employees 5%	10,250
	Management On Costs	19,235
	Software	800
	Advertising	0
	Support Services	1,988
	Total Admin costs	<u>32,273</u>
<u>Income</u>		
08228	Street Trading Consents	-15,226
	Total	<u><u>17,046.98</u></u>

Street Trading Expenditure & Income

Appendix 1.

		2013/14	2014/15	2015/16	
		Budget	Budget	Budget	
		£			
Expenditure					
0820A	Licensing Administration				
	Employees 5%	10,250	10,500	10,750	
	Management On Costs	19,235	19,338	19,430	
	Software	800	821	843	2.70%
	Advertising	0	0	0	
	Support Services	1,988	1,988	1,988	Cost of Increase in Support Services N/K
	Total Admin costs	32,273	32,647	33,011	
<u>Income</u>					
08228	Street Trading Consents		-26,975	-33,400	
		-23,200			
	Total	9,072.98	5,672	-389	

Appendices:
2



NORTHAMPTON
BOROUGH COUNCIL

LICENSING COMMITTEE REPORT

Report Title	Review of Car Boot Sale fees and conditions.
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AGENDA STATUS: PUBLIC

Committee Meeting Date:	11 February 2013
Policy Document:	Car Boot Sales
Directorate:	Customers and Communities

1. Purpose

That the Committee formally review Car Boot Sale fees and conditions.

2. Recommendations

2.1 That with effect from 1st March 2013.

- (i). fees be increased in line with Appendix A
- (ii) that following requests from the organisers of such events, the existing Car Boot Sale Conditions (1) and (3) for the Borough be amended to read:

(1) Frequency, Size and number of events

No more than 12 car boot sales or similar events (“events”) may be held on any one site per year, with at least 14 days between each event. Organisers should ascertain whether planning permission is required. Each event shall be limited to not more than 200 pitches.

(3) Duration of Events

Events in residential areas shall not commence before 8.00am and shall finish no later than 4.00pm with a maximum duration of four hours.

2.2. The Car Boor Sale conditions were introduced in 1998 and amended in July 2002.

3. Issues and Choices

3.1 Report Background

3.1.1. Northampton Borough Council, as holder of the market franchise, requires all car boot sales and similar events held within 6 $\frac{1}{2}$ miles of Northampton Market Square to be registered with the Council and operate under a permit issued by the Council.

3.1.2. Permits are granted for a period not exceeding 12 months and will expire on 31 December each year. They will only be issued to charities or non-profit making philanthropic bodies. Traders are not allowed to trade at these events.

3.2 Issues

3.2.1. Although fees have not been increased since 2003 permits are only granted to recognised charities and/or philanthropic bodies (eg. the local football club or playing field to raise money for equipment or team kit) some of those bodies rely on the event to raise additional funds to run the club.

3.3 Choices (Options)

3.3.1 To adopt the new fee structure as recommended.

3.3.2 To reject the new fee structure.

3.3.3 To introduce an alternative fee structure

3.3.4 To amend Conditions (1) and (3) as recommended.

3.3.5 To refuse the recommended amendments to conditions and allow conditions to remain unchanged.

3.3.6 To introduce alternative amendments.

4. Implications (including financial implications)

4.1 Policy

4.1.1 Save for the recommended changes, there would be no other change to the existing policy.

4.2 Resources and Risk

4.2.1 There is a fee payable to the authority from the organisers of Car Boot Sales that contributes towards the cost of administration and enforcement of the service.

4.2.2 There is a risk that charities may be adversely affected by a reduction in income.

4.3 Legal

4.4 Equality

4.4.1 There are no equality issues to be addressed; any issues relating to public safety have been addressed within the existing policy.

4.5 Consultees (Internal and External)

Legal.
Finance.

4.6 Other Implications

4.6.1 N/A

5. Background Papers

- 5.1 Car Boot Sales Policy and Conditions.
- 5.2 Northampton Markets Charter

Report Author: Philip Bayliss
Title Senior: Licensing officer
Ext: 7099

Table of fees for Car Boot Sales.

Number of Pitches	Fees 2012	Fees 2013
1-20 Registration fee	£10.00	£10.00
Fee per event	No fee	No Fee
21-50 Registration fee	£10.00	£10.00
Fee per event	£10.00	£15.00
51-75 Registration fee	£20.00	£25.00
Fee per event	£15.00	£20.00
76-100 Registration fee	£20.00	£30.00
Fee per event	£20.00	£25.00

Should the committee agree to the recommendations with regard to Conditions (1) and (3) of the Car Boot Sale Policy the following table of fees are in line with those above.

Number of Pitches	New Fee 2013
101-125 Registration fee	£35.00
Fee per event	£30.00
125-150 Registration fee	£40.00
Fee per event	£35.00
151-175 Registration fee	£45.00
Fee per event	£40.00
176-200(Max) Registration fee	£50.00
Fee per event	£45.00

NORTHAMPTON BOROUGH COUNCIL

CAR BOOT SALES POLICY

to operate from 1st January 1998

(1) **Frequency, Size and number of events**

No more than 10 car boot sales or similar events (“events”) may be held on any one site per year, with at least 20 days between each event. Organisers should ascertain whether planning permission is required. Each event shall be limited to not more than 100 pitches.

(amended July 2002)

(2) **Notification**

The Council shall be notified at least 14 days in advance that an event is to take place by the charity, charities or philanthropic non-profit making bodies by whom the event is to be held.

(3) **Duration of Events**

Events in residential areas shall not commence before 10.00am and shall finish no later than 6.00pm with a maximum duration of four hours.

(4) **Advertising of Events**

Where events are to be advertised (by press notices, posters or leaflets for example) there shall be stated in such statements “No traders allowed” (to make it clear that the events are for the public and that traders are excluded) and the name or names of the charity, charities or philanthropic non-profit making bodies organise the event.

(5) **Parking**

Organisers shall ensure that people attending the event park within the site and/or arrange for convenient off street parking elsewhere. In addition, there shall be stewards to supervise parking.

(6) **On Site Notices**

On site notices shall be displayed at the entrance to the event with the words “No traders allowed” and the name or names of the charity, charities or philanthropic non-profit making bodies organising the event.

(7) Person Responsible

There shall be at least two people, readily identifiable, on the site at all times during an event to liaise with Council officers and others if necessary.

(8) Compliance with Statutory Provisions

Organisers and landowners shall comply with all relevant statutory provisions and in particular ensure that no flyposting takes place and remove any advertisements and signage immediately after the event including any that appear in breach of this condition.

(9) Insurance

Organisers shall hold public liability insurance in the sum of at least £2,000,000 and produce the policy and receipt for inspection to Council officers on demand.

(10) Commercial Traders

Sales shall be limited to second hand goods no longer required by the private seller. Commercial and other traders shall not be allowed to take part. A trader is a person who buys goods for resale. One commercial refreshment stand per 50 pitches is permitted solely to provide refreshments for persons attending the event to consume on site.

(11) Proceeds

All proceeds, other than expenses not exceeding a maximum of 25% of the gross income from the event, shall be used for charitable or other philanthropic purposes.

(12) Form of Account

Organisers shall return the Form of Account (supplied by the Council) duly completed to the Council within 28 days of each event.

(13) Inspection of Accounts

Organisers shall make all accounts available for inspection by Council officers on demand.

(14) Emergency Access

Adequate access to and within the site shall be maintained for use by emergency services vehicles.

(15) Entry by Officers

All authorised officers of the Council shall be permitted to enter the site free of charge during events for inspection purposes.

Failure to comply with the above conditions may result in prosecution for being in breach of the Markets Charter held by Northampton Borough Council.

Appendices:

4



NORTHAMPTON
BOROUGH COUNCIL

LICENSING COMMITTEE REPORT

Report Title	Review of Hackney and Private Hire Fees
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AGENDA STATUS: PUBLIC

Committee Meeting Date:	11 February 2013
Policy Document:	Hackney/Private Hire Licence Fees
Directorate:	Customers and Communities

1. Purpose

1.1 To consider the objections received by the Licensing Department to the proposed increase in the Hackney, Private Hire and Operator licence fees.

2. Recommendations

2.1 That with effect from 1 April 2013 the above fees be revised in line with the recommendations at Appendix A.

2.2 Following the advertising in the press of the proposed increases in line with legal requirements, objections must be considered. (Appendix C.)

3. Issues and Choices

3.1 Report Background

3.1.1. The Licensing Committee of 4 November 2008 and Cabinet of 20 May 2009 resolved that hackney carriage and private hire licence fees should be increased with effect from 1 June 2009 to their current level. They have not been increased since that date.

3.1.2. At the time of this report the current number of drivers, vehicles and operators licensed by Northampton Borough Council is.

Hackney/Private Hire Drivers	935
------------------------------	-----

Hackney/Private Hire Vehicles	700
Private Hire Operators	56

- 3.1.3. Application and renewal fees for the above will not have seen any increase for 4 years but during this period the cost of administration, compliance checks, computer software, manufacture of plates and badges, and officer time involved has increased.
- 3.1.4. The fees that may be charged for licenses are governed by legislation which requires that the Council sets fees intended to recover up to its reasonable costs and does not charge a fee which is intended to make a profit. The Council may therefore seek to charge less than cost, but not seek to charge more than cost.
- 3.1.5. All Operators were notified with regard to the proposed increases and were asked to cascade that information to all drivers within their company. This gave those most affected by the increases the opportunity to make their objections. An advertisement was also placed in the local press setting out the new fee structure the same information was also available on the Council website.
- 3.1.6. This consultation took place with those who are subject to the increase even though there was no legal requirement to do so. The Council is only legally required to advertise in the local press. By consulting with those subject to the increase the Council has gone above and beyond its legal requirement.
- 3.1.7. Having advertised the fee increases any objections must be considered before that or an alternative increase is implemented.

4.1 Choices (Options)

4.1.1. Allow fees to remain unchanged.

This would not take into account the increasing cost of administration, enforcement, computer software and the cost of the materials used in making the plates and badges. This would mean that the Council Tax Payer meets a greater part of the costs that would be the case if these charges are raised now.

4.1.2 Recommend an increase in fees by less.

This would not take into account the increasing cost of administration, enforcement, computer software and the cost of the materials used in making the plates and badges. This would mean that Council Tax payers meet a greater part of the costs than would be the case if these charges are raised.

4.1.3. Recommend different increases.

It would be possible to vary the charges for individual elements in other ways, and it is suggested that a review of fees will need to look closely at what costs are actually attributable to what class of license. However the information needed to vary the pattern of charges is not yet available.

4.1.4.Recommend the proposed increases.

Thereby reducing the burden on Council Tax Payers.

4.1.5.It is not possible to implement charges which would create a surplus.

5. Implications (including financial implications)

5.1 Policy (Hackney and Private Hire Licensing)

There are no new policy implications.

5.2 Resources and Risk

5.2.1 The estimated increase in revenue if these proposals are adopted will pay in part for the increase in costs in both administration and compliance.

5.2.2 The increase in management on costs is due to the reorganisation of the licensing department following the recent restructure and includes an additional member of the team, and a proportional contribution to the service by the Director, Head of Service and Manager.

5.2.3 A recent income/expenditure analysis carried out by the finance department shows that the service is subsidised at this time. (Appendix D.)

5.3 Legal

5.3.1 The Local Government (Miscellaneous Provisions) Act 1976, S53 (2) allows the Local Authority to set fees in respect of drivers licences for both Hackney Carriages and Private Hire Vehicles.

5.3.2 S70 of the same act allows a local authority to set fees in respect of Hackney Carriage proprietor's licences, Private Hire Vehicle licences and Private Hire Operator's licences.

5.3.3 The cost of a licence has to be related to the cost of the licensing scheme itself, and can be set to be subsidised by the Council but cannot be set to make a surplus.

5.4 Equality

5.4.1. An equality impact assessment has been undertaken and the key equalities factor was identified as being a negative financial impact on the trade if the increase in fees is introduced. (Appendix B)

5.4.2 There will be no change in the fees associated with vehicle testing.

5.5. Resources and Risk

5.5.1. There is no recognised financial risk, the Licensing Team will continue to administer and enforce the issue of Hackney and Private Hire Licenses.

5.5.2.The estimated increase in revenue if these proposals are adopted will help to pay for the increased costs in both administration and compliance.

5.5.3.This will reduce the amount the service is subsidised by other resources.
(i.e The Council Tax payer).

5.6. Consultees (Internal and External)

5.6.1.Legal

5.6.2.Finance.

5.7. Background Papers

5.7.1.Local Government (Miscellaneous Provisions) Act 1976. (Relating to Hackney and Private Hire fees).

5.7.2.Taxis-Licensing Law and Practice – James Button.

**Report Author: Philip Bayliss .
Senior Licensing officer
X7099**

APPENDIX A

LICENCE		2012/13	2013/14
New Grant/ Renewal		45.50	50.00
Renewal of licence with CRB		91.50	101.00
Failure to attend Appointment		10.00	15.00
Combined New Grant / Renewal		57.00	63.00
Hackney Carriage written Test		50.00	55.00
Replacement HC or PH Badge		15.00	20.00
Replacement HC or PH Licence		20.00	25.00
Temporary Private Hire/ Hackney Badge		10.00	15.00
New Private Hire/Hackney Application (inc bracket)		90.00	99.00
Vehicle Licence every 6 months		85.00	93.00
Transfer of vehicle		10.00	12.00
Replacement Vehicle Plate		15.00	16.00
Replacement Vehicle Licence		20.00	22.00
Replacement Platform Plate		10.00	15.00
Replacement Condition Booklet		5.00	6.00
Replacement Fixing Bracket		10.00	15.00
	Vehicles		
New Private Hire Operators Licence		300.00	330.00
Operator Number of Vehicles	1	200.00	220.00
	2-5	300.00	330.00
	6-9	400.00	440.00
	20-29	500.00	550.00
	30-39	600.00	660.00
	40-49	700.00	770.00
	50-59	800.00	880.00
	60-69	900.00	990.00
	70-99	1000.00	1100.00
	100-149		1300.00*
	150-199		1500.00*
	200+		1800.00*
Notification – Change of operator		200.00	220.00
Driver Induction Course		350.00	370.00
Recovery of monies, cheque not honoured		30.00	35.00

*These new fees have been introduced in order that cost can relate more to the size of our current Private Hire Operators. Over recent years companies have increased the number of vehicles that they operate and a fee has been introduced to account for the increased work load that this entails.

Equality Impact Assessment

Part 1: Screening

When reviewing, planning or providing services Northampton Borough Council needs to assess the impacts on people. Both residents and staff, of how it works - or is planning to – work (in relation to things like disability). It has to take steps to remove/minimise any harm it identifies. It has to help people to participate in its services and public life. “**Equality Impact Assessments**” (EIAs) prompt people to think things through, considering people’s different needs in relation to the law on equalities. The first stage of the process is known as ‘screening’ and is used to come to a decision about whether and why further analysis is – or is not – required. EIAs are published in line with transparency requirements.

A helpful guide to equalities law is available at: www.northampton.gov.uk/equality. A few notes about the laws that need to be considered are included at the end of this document. Helpful questions are provided as prompts throughout the form.

1 Name of policy/activity/project/practice	This is a proposal to increase the fees for Hackney and Private Hire Vehicles, Drivers and Operators.
---	---

2. Screening undertaken (please complete as appropriate)	
Director or Head of Service	Steve Elsey
Lead Officer for developing the policy/activity/practice	Philip Bayliss
Other people involved in the screening (this may be people who work for NBC or a related service or people outside NBC)	Steve Elsey, Debbie Ferguson, Licensing Legal Team, Silvina Katz, Communications Team.

3. Brief description of policy/activity/project/practice: including its main purpose, aims, objectives and projected outcomes, and how these fit in with the wider aims of the organisation.

Please note that the increase relates to both Hackney Carriages and Private Hire Vehicles and Operators.

- To request that the Licensing committee determine whether an increase in fees relating to Hackney and Private Hire vehicles and drivers and Operators are appropriate and justified at this time. We will be advertising the proposed increases in a local newspaper and consulting with stakeholders to identify issues and consider any objections to the proposed increases.

The Local Government (Miscellaneous Provisions) Act 1976, S53 (2) allows the Local Authority to set fees in respect of drivers licences for both Hackney Carriages and Private Hire vehicles.

In adopting the Local Government (Miscellaneous Provisions) Act 1976 The Local Authority is able to levy fees in respect of driver's licences for both Hackney Carriages and Private Hire drivers (sec 53(2)) and Hackney Carriage Proprietor licenses and Private Hire vehicle and Operator licenses (sec 70).

The authority does not have the discretion to charge whatever it likes for a licence. The cost of the licence has to be related to the cost of the scheme itself.

4 Relevance to Equality and Diversity Duties

- By increasing the licence fees for hackney carriages, private hire vehicles, drivers and operators all licence holders will be subject to the increase. All groups identified as being affected will be affected equally.
- The consultation when carried out will establish whether there are valid objections to any increase in fees.
- The consultation itself will provide evidence of any significant impact on any group and whether the increase would create financial hardship.
- Any decision must be made taking into consideration the current financial climate.
- There would also be an indirect effect on the paying public as increased costs to the trade would be passed on to customers.

If you have indicated there is a negative impact on any group, is that impact:

Legal?

Yes
No

Please explain: We are consulting with all interested parties including those owners

who may be affected by the proposals.

There is no intention for the proposal to have a negative impact on any particular group. The proposal is aimed at recovering the cost of the licensing service to the council. If this is not achieved the service will run at a deficit.

5 Evidence Base for Screening

Equality Human Rights Commission

<http://www.equalityhumanrights.com/resources/case-studies-of-how-organisations-are-using-the-duties/case-studies-equality-impact-assessments/>

Vehicle Owner Ethnicity - NBC Licensing Records.

6 Requirements of the equality duties:

(remember there's a note to remind you what they are at the end of this form and more detailed information at www.northampton.gov.uk/equality)

Will there be/has there been consultation with all interested parties?

No but it is intended

Initial consultation has taken place internally with both legal and finance to ensure we are proceeding with this process in the correct way.

Once the increase has been advertised in a local newspaper there will be a 28 period for any person to make their objections.

Any objections received will then be considered by the Licensing Committee.

Are proposed actions necessary and proportionate to the desired outcomes?

Yes

We are required to advertise the proposed increase in fees and give a reasonable time for any objections to be made. We are aware of the potential impact and are therefore not predetermining any decision. We feel that the introduction of these proposals are reasonable to assess our desired outcomes of cost recovery.

Where appropriate, will there be scope for prompt, independent reviews and appeals against decisions arising from the proposed policy/practice/activity?

Yes

Any decision taken by the Licensing Committee can be appealed through the Magistrates Court and by Judicial review

Does the proposed policy/practice/activity have the ability to be tailored to fit different individual circumstances?

No

An increase in fees will apply to the whole of the trade.

Where appropriate, can the policy/practice/activity exceed the minimum legal equality and human rights requirements, rather than merely complying with them?

From the evidence you have and strategic thinking, what are the key risks (the harm or ‘adverse impacts’) and opportunities (benefits and opportunities to promote equality) this policy/practice/activity might present?

	Risks (Negative)	Opportunities (Positive)
Race	<p>There would not be a disproportionate negative impact on drivers/owners from minority backgrounds.</p> <p>However any increase in fees could result in an increase in fares or a reduction in the number of vehicles available.</p>	
Disability	<p>The introduction of the proposals should not result in a reduction of wheelchair accessible vehicles. Fees will apply to all vehicles.</p> <p>However any increase in fees could result in an increase in fares or a reduction in the number of vehicles available.</p>	
Gender or Gender Identity/Gender Assignment	<p>No risks have been identified at this stage.</p> <p>However any increase in fees could result in an increase in fares or a reduction in the number of vehicles available.</p>	
Pregnancy and Maternity (including breastfeeding)	<p>No risks have been identified at this stage.</p> <p>However any increase in</p>	

	fees could result in an increase in fares or a reduction in the number of vehicles available.	
Sexual Orientation	No risks have been identified at this stage. However any increase in fees could result in an increase in fares or a reduction in the number of vehicles available.	
Age (including children, youth, midlife and older people)	No risks have been identified at this stage. However any increase in fees could result in an increase in fares or a reduction in the number of vehicles available.	
Religion, Faith and Belief	No risks have been identified at this stage. However any increase in fees could result in an increase in fares or a reduction in the number of vehicles available.	
Human Rights	No risks to Human rights have been identified at this stage. However any increase in fees could result in an increase in fares or a reduction in the number of vehicles available.	

7 Proportionality

The objection period will attempt to ensure that all groups have an opportunity to input into this process.

All drivers and owners will be contacted and provided with the information they need.

There could be a negative response from the trade as would be expected having regard to the current financial climate.

8 Decision

Set out the rationale for deciding whether or not to proceed to full impact assessment

Date of Decision: .../.../20...

EITHER: We judge that a full impact assessment is not necessary since:

OR: We judge that a full impact assessment is necessary since:

1. Equality Duties to be taken into account in this screening include:

Prohibited Conduct under The Equality Act 2010 including:

Direct discrimination (including by association and perception e.g. carers); Indirect discrimination; Pregnancy and maternity discrimination; Harassment; third party harassment; discrimination arising from disability.

Public Sector Duties (Section 149) of the Equality Act 2010 for NBC and services provided on its behalf: (due to be effective from 4 April 2011)

NBC and services providing public functions must in providing services have due regard to the need to: **eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between different groups.** 'Positive action' permits proportionate action to overcome disadvantage, meet needs and tackle under-representation.

Rights apply to people in terms of their "Protected Characteristics":

Age; Gender; Gender Assignment; Sexual Orientation; Disability; Race; Religion and Belief; Pregnancy; Maternity. But Marriage and Civil Partnership do not apply to the public sector duties.

Duty to "advance equality of opportunity":

The need, when reviewing, planning or providing services/policies/practices to assess the impacts of services on people in relation to their 'protected characteristics', take steps to remove/minimise any negative impacts identified and help everyone to participate in our services and public life. **Equality Impact Assessments** remain best practice to be used. Sometimes **people have particular needs** e.g. due to gender, race, faith or disability that need to be addressed, not ignored. NBC must have due regard to the **duty to make reasonable adjustments** for people with disabilities. NBC must **encourage people who share a protected characteristic to participate in public life** or any other activity in which their participation is too low.

Duty to 'foster good relations between people'

This means having due regard to the need to **tackle prejudice** (e.g. where people are picked on or stereotyped by customers or colleagues because of their ethnicity, disability, sexual orientation, etc) and **promote understanding**.

Lawful Exceptions to general rules: can happen where action is proportionate to achieve a legitimate aim and not otherwise prohibited by anything under the Equality Act 2010. There are some special situations (see Ch 12 and 13 of the Equality Act 2010 Statutory Code of Practice – Services, Public Functions and Associations).

2. National Adult Autism Strategy (Autism Act 2009; statutory guidelines) including:

3. to improve how services identify and meet needs of adults with autism and their families.

4. Human Rights include:

5. Rights under the European Convention include not to be subjected to degrading **treatment**; **right to a fair trial** (civil and criminal issues); **right to privacy** (subject to certain exceptions e.g. national security/public safety, or certain other specific situations); **freedom of conscience** (including religion and belief and rights to manifest these limited only by law and as necessary for public safety, public order, protection of rights of others and other specified situations); **freedom of expression** (subject to certain exceptions); **freedom of peaceful assembly and to join trade unions** (subject to certain exceptions); **right not to be subject to unlawful discrimination** (e.g. sex, race, colour, language, religion, political opinion, national or social origin); **right to peaceful enjoyment of own possessions** (subject to certain exceptions e.g. to secure payment of taxes or other contributions or penalties); **right to an education**; **right to hold free elections by secret ballot**. The European Convention is given effect in UK law by the Human Rights Act 1998.

Julie Seddon
Director of Environment & Culture



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Mr Dean Harris
7 Bective View
Northampton
NN2 7FE

Our Ref:

Your Ref:

Please Contact: Philip Bayliss

Ext/Direct Line 01604 837099

Date: 2nd January 2013

E-mail: pbayliss@northampton.gov.uk

Dear Mr Harris

Re: Increase to existing Hackney Carriage & Private Hire Licensing Fees

I write with reference to the above and further to your letter dated 24th December 2013 raising objections to the increase in fees relating to Hackney Carriages and Private Hire drivers, vehicles and operators.

Your reference to the Local Authority holding a monopoly on the above licensing function is somewhat misleading as this is an obligation placed on the Local Authority by Central Government and as such is not dissimilar to the function undertaken by the Driver and Vehicle Licensing Agency and is similarly controlled by Primary Legislation.

The Local Authority can only levy fees designed to recover the cost of administering the service and, as can be appreciated, these costs have risen significantly during the last 4 years (2009), the last time the fees were increased. The current cost of the service is heavily subsidised by the Council Tax payer.

I believe you have notified the Enforcement Officer with regard to the existence of so-called 'rogue drivers'. We have established that in at least one case the 'operator' was not operating within the borough of Northampton and, although we were not able to take action ourselves, we passed that information to South Northamptonshire District Council and a successful prosecution ensued. Any further information provided will be investigated, although I have to emphasise that, the Licensing Department are subject to the same 'burden of proof' as any prosecuting authority.

If I can refer to your understanding of the penalties imposed by the courts, a driver Convicted of Illegally Plying for Hire (maximum fine of £2500.00) would also be prosecuted for 'driving without insurance' and as such would be subject to a maximum fine of £5000.00 plus 6-8 points on their DVLA driving licence. As a professional driver the court would tend to impose the maximum 8 points.

With regard to the Local Authority limiting the number of Private Hire drivers or vehicles it licences. The legislation prohibits the authority from restricting numbers, the Government's view is that each area will reach a 'mean' number of licensed vehicles each community can support.

I now come to the penultimate paragraph regarding your objection and can confirm that following any successful operation, whether it is an 'illegal plying for hire' ('flagging') operation or a 'multi-agency check' a press release is prepared and dispersed to all locally circulated newspapers. We have no control as to whether an individual editor will include this within their newspaper.

The licensing team also make annual visits to the various campus locations in Northampton and address all new intake students with regard to the dangers of using a vehicle not pre-booked to make their way home after a night out in the town centre.

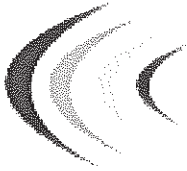
There is a list of all drivers and vehicles licensed by the Local Authority available on the Council website.

The aim of the Council is to ensure that all Hackney and Private Hire drivers are acting lawfully, if you can provide a definitive list of those you believe to be acting illegally I will be happy to make the necessary enquiries to establish if that is the case.

For your information any objections to the increase in fees will be heard at the meeting of the Licensing Committee on 11th February 2013 at 6.00pm at the Guildhall.

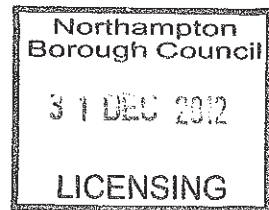
Yours sincerely

P Bayliss
Senior Licensing Officer



● **Voyager UK** ●

UK & AIRPORT TRANSFER SPECIALISTS



Licensing Department,
Northampton Borough Council
St Giles Square
Northampton
NN1 1DE

Monday 24th December 2012

Reference: Objection to increase of Private Hire Fees 2013

To whom it may concern,

I wish to inform you of my objections towards the announced fee increase for Private Hire Vehicles.

My objections include the fact that NBC hold a monopoly on Licensing PH vehicles, drivers and companies and, therefore, can increase their costs as and when decided where the only option available for an objectionable driver is to not licence themselves or vehicles. I have noted a recent increase in drivers operating illegally in the Borough for numerous reasons and feel that any increases in this current financial climate will create additional 'rogue drivers' with them safe in the knowledge that if they are caught without licences or insurance then the maximum fine is only £1,500 and is less than 12 months PH insurance.

I also feel that the time has arrived for NBC to restrict and limit the number of PH drivers in the town as the increase in drivers and companies starting up over the past few years has caused a battle for local business in an already struggling climate.

I feel very strongly that the licensed operator is an easy target for regular inspections, checks and fee increases whilst the 'rogue drivers' continue to operate freely 'under the radar'. There needs to be some kind of publicity increase concerning what a passenger or customer needs to look for to ensure their PH vehicle is licensed and also a list of licensed vehicles, drivers and companies should be readily available online for anyone to be able to access at any time.

I currently pay over £2,000 per year to keep myself, my business and my vehicle operating legally and the thought of this increasing when a fine is only £1,500 maximum does not look like an appealing option and one I am sure many people will be interested to hear, obviously if someone can operate without licences for at least 12 months (and I am aware of people having operated illegally for much longer) then the costs against fines is certainly arguable.

Many thanks for your time in this matter and I look forward to hearing from you once a date for discussion has been arranged.

Best Wishes,

Mr Dean Harris

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NN2 7TE

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Hackney and Private Hire Vehicles Expenditure & Income

A comparison has been undertaken between the figures provided in the 2009/10 cabinet report, and the 2013/14 budgets.

The summarised findings are as follows:-

	2013/14 Budgets	2009/10 Budgets	% Increase
	£	£	
Total Expenditure	277,603	206,530	34%
Total Income	-225,741	-201,688	12%
Net Expenditure/(Income)	51,862	4,842	
	£	£	
Employee Costs in total	194,712	111,118	75.23%
Employee costs excluding management on costs	142,576	111,118	28.31%

Agenda Item 11

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Agenda Item 12

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