



**GREAT YARMOUTH**  
BOROUGH COUNCIL

## Licensing Committee

**Date:** Monday, 15 February 2016  
**Time:** 18:30  
**Venue:** Council Chamber  
**Address:** Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

### AGENDA

Open to Public and Press

#### DECLARATIONS OF INTEREST

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.

You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest arises, so that it can be included in the minutes.

#### APOLOGIES FOR ABSENCE

To receive any apologies for absence.

**MINUTES - PUBLIC**

**3 - 4**

To confirm the Public Minutes of the meeting held 1 February 2016.

**TAXI FEES**

**5 - 12**

Report attached.

**ANY OTHER BUSINESS**

To consider any other business as may be determined by the Chairman of the meeting as being of sufficient urgency to warrant consideration.

**EXCLUSION OF PUBLIC**

In the event of the Committee wishing to exclude the public from the meeting, the following resolution will be moved:-

"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12(A) of the said Act."

**MINUTES**

Details

# Licensing Committee

## Minutes

Monday, 01 February 2016 at 18:30

PRESENT :

Councillor Jermany (In the Chair); Councillors Coleman, Fairhead, Grant, Lawn, Robinson-Payne, Stenhouse, Wainwright and Wright.

Mr D Lowens (Solicitor, nplaw)

Mrs D Wilby (Licensing and Elections Manager) and Mrs S Wintle (Members Services Officer)

Mr R Barnard (Applicant)

### **1 DECLARATIONS OF INTEREST**

Councillor Coleman declared a Personal Interest in relation to item 5 but was allowed to discuss and vote on this matter.

Councillor Robinson-Payne declared a Personal Interest in relation to item 5 but was allowed to discuss and vote on this matter.

### **2 APOLOGIES FOR ABSENCE**

It was noted that apologies for absence has been received from Councillor Connell.

### **3 EXCLUSION OF PUBLIC**

### **4 MINUTES**

### **5 APPLICATION FOR A FIRST CLASS HACKNEY CARRIAGE DRIVER'S LICENCE**

### **6 APPOINTMENT OF VICE CHAIRMAN**

RESOLVED :

That Councillor Robinson-Payne be appointed as Vice Chairman for the remainder of

the municipal year 2015/16.

**7 SPECIAL MEETING OF LICENSING - 15th FEBRUARY 2016**

Members were advised that a special meeting will be held on Monday 15th February at 18:30 to determine Taxi Fees for 2016/17.

**8 ANY OTHER BUSINESS**

The Chairman reported that there was no other business as being of sufficient urgency to warrant consideration.

The meeting ended at: 19:00

Subject: Taxi Fees -

Report to: Licensing Committee  
Council

Date: 15 February 2016  
Date: 24 February 2016

Report by: Licensing and Elections Manager

**SUBJECT MATTER AND DECISIONS REQUIRED:**

**This report informs Members of the changes to taxi legislation following the Deregulation Act 2015. This act introduces changes to taxi legislation which include the requirement that driver's licences should last for three years and operator's licences for five years. In light of these changes a review of the taxi licensing policy and licence fees has been undertaken.**

**1. Background**

- 1.1. The Deregulation Act 2015 amends the Local Government (Miscellaneous Provisions) Act 1976 to extend the length of time a Combined Hackney Carriage/Private Hire Driver and Private Hire Operator licence remains valid for. The change aims to reduce the administrative burden placed upon the taxi trade, by reducing the amount of time spent on completing applications.
- 1.2. In light of these changes a review of both the taxi licensing policy and licence fees has been undertaken.

**2 Taxi Licence Fees**

- 2.1 Table 1, below, highlights Great Yarmouth's licence durations pre and post Deregulation Act 2015.

**Table 1**

<b>Licence Type</b>	<b>Prior Deregulation Act 2015</b>	<b>Post Deregulation Act 2015</b>
Combined Hackney Carriage/Private Hire Drivers	Annual licence	3 year licence
Private Hire Operators	2 year licence	5 year licence

- 2.2 As a result of the change, it was agreed that a review of the licensing fees for the above two licence types would be undertaken to ensure that the cost of administration is reflective of the service provided. A breakdown of costs is attached. Table 2 shows the current and proposed fee.

**Table 2**

<b>Licence Type</b>	<b>Current Fee</b>	<b>Proposed Fee</b>
Combined Hackney Carriage/Private Hire Drivers	£60 - annual fee	£150 – 3 year licence
Private Hire Operators	£230 – 2 year licence	£300 - 5 year licence

- 2.3 The Local Government (Miscellaneous Provisions) Act 1976 requires Local Authorities to consult upon amendments to fees for 28 days. This consultation period expired on 5 February 2016.
- 2.4 Several comments were received following the consultation and these are attached, together with officer comments.
- 2.5 The Deregulation Act 2015, states that the Council may grant a licence for a lesser period depending upon the circumstances of the case. In this respect it may be possible to grant an annual licence in certain circumstances. For example it may be reasonable for a one year licence to be granted to drivers who require a medical annually. Currently this applies to drivers once they reach 65 years of age.
- 2.6 The proposed fee is reflective of the cost to issue the licence so a reduction in cost for an annual licence would be minimal. See Table 3.

**Table 3**

<b>Licence Type</b>	<b>Suggested Fee for 1 year</b>	<b>Proposed Fee for 3 years</b>
Combined Hackney Carriage/Private Hire Drivers	£95	£150

### 3. RECOMMENDATIONS

- 3.1 To approve the option of an annual licence in certain circumstances as detailed in paragraph 2.5
- 3.2 That the proposed fees in Table 3 be approved in order for them to be considered by council and take effect from 1 April 2016.

**LEGAL IMPLICATIONS:**

Statutory requirements

**FINANCIAL IMPLICATIONS:**

Fees have been reviewed to cover council costs

**EXECUTIVE BOARD OR DIRECTOR CONSULTATION:**

Director of Customer Services

Does this report raise any legal, financial, sustainability, equality, crime and disorder or human rights issues and, if so, have they been considered?	Issues	
	Legal	Yes
	Financial	Yes
	Sustainability	
	Equality	
	Crime and Disorder	
	Human Rights	
	Risk Considerations	Yes

## Licence fee calculations

<b>Direct Costs – Driver Application</b>	
Staff Time <ul style="list-style-type: none"> <li>• Process application</li> <li>• Monitoring</li> </ul> Overheads <ul style="list-style-type: none"> <li>• Legal</li> <li>• IT</li> <li>• HR</li> <li>• Accommodation</li> <li>• Accountancy</li> <li>• Customer services</li> </ul> <b>Total Time 2.5 hours</b>	£141.70
Material cost <ul style="list-style-type: none"> <li>• ID badge</li> <li>• Printing and postage</li> <li>• Licensing software</li> </ul>	£10.20
<b>Total</b>	<b>£151.90</b>

<b>Direct costs – Operators Licence</b>	
Staff time <ul style="list-style-type: none"> <li>• Processing application</li> <li>• Enforcement</li> </ul> Overheads <ul style="list-style-type: none"> <li>• Legal</li> <li>• IT</li> <li>• HR</li> <li>• Accommodation</li> <li>• Accountancy</li> <li>• Customer services</li> </ul> <b>Total time 5.25 hours</b>	£296.71
Material costs <ul style="list-style-type: none"> <li>• Printing and postage</li> <li>• Licensing software</li> </ul>	£7.20
<b>Total</b>	<b>£303.91</b>

Comments received on Variation of fees

No.	Organisation	Comments	Officer Comments
1	Simon Kitchen – Albies Taxis	<p><b>New Drivers:</b> With the implementation of the three year licence. I would suggest the idea of possibly introducing a 1 year licence for new drivers. As no matter how you explain and show potential new drivers there is no way to show them exactly what the job entails, until they have the licence and are picking up passengers of all different walks of life. As a large company within the town we see a number of people each year obtain a licence but the job isn't for them so they never use or renew just weeks after obtaining and being able to drive a hackney or private hire within the borough.</p> <p><b>Payment:</b> With the yearly licence changing to three years and knowing how some drivers panic at the last minute with regards to finding the funding to renew their licence. Would there be any sort of payment plan where drivers if they wish can still pay yearly but renewal is still every three?</p> <p><b>School drivers:</b> As you are well aware many of us operators conduct school runs for Norfolk and Suffolk county council. This requires only a couple of hours work each morning and afternoon, as most schools start and finish at approx the same times it is very hard to keep people busy for any times past these hours. With this in mind the majority of people that opt for this sort of work is people who are either retired and want to keep busy or only wanting part time work due to other commitments, therefore these sorts of employees are not interested in any other work and are happy to do the school run each day and nothing else. With this in mind I think it would be an idea for an additional licence that entitles them to drive a private hire (or school plated) vehicle for this sole purpose. As the Knowledge test does not apply to many of these people due to the school run being a daily service picking up and dropping on a regular route daily. Obviously the standard ncc disclosure that all school workers undertake would still apply. I know that Uttlesford District council do just this and many people work with vehicles registered there but in fact work on a Norfolk school run with ncc disclosure. But a Uttlesford private hire drivers badge which was obtained with no local knowledge of the Uttlesford area</p>	<p>Legislation provides that a lesser term should only be given in exceptional circumstances.</p> <p>There is no provision for a yearly payment plan</p> <p>The cost of the licence has been calculated to reflect the actual service cost of issuing a licence. There is no provision for a restricted or part time licence.</p>
2.	David Colman	<p>The new proposed Drivers licence of £150.00 for 3 years I object to I wish to pay yearly , for the simple fact I'm 69 coming on 70 and I have to have a medical each year so that would make it expensive for me to lay out that kind of money just to be able to go to work . Also I don't know</p>	<p>Legislation states that all drivers' licences shall be granted for 3 years. A lesser term may be given in exceptional circumstances. These</p>



		if I will be doing this for the next 3 years so why should I have to pay for something that might not benefit me . NO I DON'T APPROVE OF THE NEW PROPOSAL .	comments will be addressed at Licensing committee.
3.	Malcolm Bloomfield	<p>Please find my objections to this proposal below.</p> <p>1. Why are you changing it every 3 years you have not given any reason.</p> <p>2. It does not benefit me by not paying every year.</p> <p>3. What happens if I want to retire or become ill in the first year the licence is non refundable so i am losing 2 years payments.</p> <p>4.This is being introduced at the wrong time because we are all experiencing hard times due to the lack of work through the downward trend in the oil and gas industry in this town and the increase in the amount of taxi drivers.</p> <p>I am quite happy to attend any meeting concerning my objections.</p>	<p>S10(2) of the Deregulation Act 2014 amends S53 of the Local Government (Miscellaneous Provisions) Act 1976, to provide that a hackney carriage and private hire driver licence <b>shall</b> remain in force for three years or for such lesser period, as the district council thinks appropriate in the circumstances of the case.</p> <p>These comments will be addressed at Licensing committee</p>
4.	Simon Bellas	<p>I am opposed to the proposed change of £150 for 3 years because I may not be doing taxiing for the next 3 years so if I stop I will be out of pocket!!!</p> <p>Also, I cannot afford a lump sum of £150 in one go</p>	Legislation has stated that all drivers licences will be granted for 3 years
5.	Simon Leach	If the new proposals are implemented will there be a refund for drivers retiring within the 3 year period? If not then I would oppose the changes	There are no grounds for a refund.
6	C J Kelly	My existing licence finishes on 31/12/16 and I plan to retire 31/12/17 that would mean that under the proposed scheme I would be paying for 2 years licence fees that I would not use, therefore I would be against this proposal.	This will be addressed at Licensing Committee
7.	Anthony Paul	<p>At the age of 67 I doubt whether I shall continue driving taxis much beyond the end of this year, certainly no later than the end of 2017.</p> <p>Therefore your proposed changes would force drivers in my age group to pay for a licence that only could be partially used.</p> <p>I believe you should also consider the situation for all drivers in these economically uncertain times who could find themselves unemployed</p>	<p>This will be addressed at Licensing Committee.</p> <p>Although the new proposals are due to take effect from 1 April, your current renewal date will remain the same.</p>

		<p>after paying a relatively large amount of money for a licence they can not use.</p> <p>Your letter also implies that you are proposing to bring forward the licence renewal date to the 1 April. Could you please clarify if this is the case. I hope that after reading this and other letters, you will make suitable allowances for age and economic uncertainty and allow the continuation of yearly licences.</p>	
8.	Andrew Smith	<p>Absolute rubbish and I don't know who you are but stop keep thinking up all these silly ideas of how to keep getting extra money out of us ... that's what council tax is for lol.</p>	Comment noted
9.	G Bone	<p>I am writing to object to a variation in fees while it looks on paper we are making a saving of £15 over 3 years for our badge renewal I would like to know what the council would propose and promise to keep in future years as next year there won't be any cash injection into the coffers. Would this mean in three years' time we have to pay exorbitant fees to cover losses and is this just the way of introducing increases to our badge renewal when inflation is at an all time low.</p> <p>Also who is going to check and enforce over the 3 years that drivers are adhering to the rules of licensing since we no longer submit a yearly renewal of up to date information i.e driving convictions.</p>	<p>The cost of the licence has been calculated to reflect the actual service cost of issuing a licence.</p> <p>Monitoring of drivers will remain on an annual basis.</p>
10.	Mr M Harwood	<p>I would prefer to keep my license to a yearly fee, as I only drive part time as a school driver. Also as I am a pensioner it's easier on my budget. I am not a taxi driver any other time.</p>	<p>Legislation states that all drivers' licences shall be granted for 3 years. A lesser term may be given in exceptional circumstances. These circumstances will be addressed at Licensing Committee</p>
11.	Mr M Brine	<p>I do object to a 3 year licence on an age basis. For younger drivers it's probably ok but for any over the age of say 60 it is not a good idea as they may not be able to pass a medical 3 years on. So far this age group I think it should stay yearly.</p>	<p>This will be addressed at Licensing Committee</p>
12.	Mr D Jewell	<p>I object to paying the one off payment of £150.00 for a three year period, even though this offers a saving of £30.00. times are difficult in the town at the present time and with a number of taxis after the same fares, takings are scarce. Although this obviously saves on administration for the council, I would find it</p>	<p>There is no provision for a yearly payment plan</p>

		extremely difficult to make this much larger one off payment. Therefore, I would prefer to continue to pay the yearly fee of £60.00 which I find more affordable. The only other option I would find acceptable is if the Council offer affordable monthly payment terms.	
13.	Mr Hunt	<p>I am writing to you about the new proposed payment for the Hackney carriage licence. I would like to start by saying that I do not agree with the proposal and would like it to stay as it is. Last year a new £6 fee was brought in for yourselves to check our licence online and now 12 months later you are wanting to change it again, what is to say it will not change next year. My worry is once a 3 year licence is brought in, you (Great Yarmouth borough council) will not be having the money coming in from us taxi drivers for that period of time so and there is then room for you to decide that you could get some money from us by having us pay a fee in each of those years to renew the picture on our licence etc etc.</p> <p>I think that a option for us drivers would be a better move for you to take by ie 1 year licence at current price or 3 year licence at new proposed price, I don't find it fair that you are not giving us a choice and in a way saying like it or lump it. It is not fair on those older drivers that maybe want to retire in a year or so and to those that do not want to do this long term hence the 1 year or 3 year option. If the 3 year will be the only option those drivers who finish after a period of let's say 12 months will the difference (£100) be refunded?</p> <p>Thank you for taking the time to read this and a reply of acknowledgment would be appreciated. Just to clarify I do NOT agree with the new proposal</p>	<p>Legislation has stated that all drivers licences will be granted for 3 years. A lesser term may only be given in exceptional circumstances.</p> <p>There is no provision for a yearly payment plan.</p>
14	Kevin Boyne	<p>I wish to object to the proposed increase in the Driver's licence fee for Hackney Carriage &amp; Private Hire License ,</p> <p>I accept the 3 year is a good idea but I can't see how the jump from £62 to £150 is justifiable I would propose the increase to £100 is more acceptable , With the current financial climate and the huge downturn in the offshore industry at present which is Yarmouth's main employment area. I feel you need to take that into account as it will have a knock effect on</p>	<p>The cost of the licence has been calculated to reflect the actual service cost of issuing a licence.</p>

		<p>local suppliers.</p> <p>I would also like a breakdown in your costs on how you got to that figure for providing a licence.</p>	
15.	Mr P Cutting	<p>I am against the increase in fees &amp; the introduction of a three year license which will result in drivers details not being checked yearly also there will be a no refund policy</p>	<p>Legislation has stated that all drivers licences will be granted for 3 years. A lesser term may only be given in exceptional circumstances.</p> <p>Annual checks on drivers will still be carried out.</p>