

Licensing Committee

Wednesday, 2nd June 2010
at 9.30 am

PLEASE NOTE TIME OF MEETING

Conference Room 3 - Civic
Centre

This meeting is open to the public

Members

Councillor Parnell (Chair)
Councillor Baillie
Councillor Drake
Councillor Fitzgerald
Councillor Harris
Councillor Letts
Councillor McEwing
Councillor Norris
Councillor Odgers
Councillor Osmond
Councillor Rayment
Councillor Thomas
Councillor Willacy

Contacts

Democratic Support Officer
Keith Turner
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Assistant Solicitor to the Council
Richard Ivory
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PUBLIC INFORMATION

Terms of Reference

The Committee publishes and implements a statement of licensing policy. It appoints Sub-Committees to deal with individual licensing applications and associated matters for which the Council as Licensing Authority is responsible.

Public Representations

At the discretion of the Chair, members of the public may address the meeting about any report on the agenda for the meeting in which they have a relevant interest.

Southampton City Council's Six Priorities

- Providing good value, high quality services
- Getting the City working
- Investing in education and training
- Keeping people safe
- Keeping the City clean and green
- Looking after people

Smoking policy – The Council operates a no-smoking policy in all civic buildings.

Mobile Telephones – Please turn off your mobile telephone whilst in the meeting.

Fire Procedure – Should the fire alarm sound during the meeting leave the building by the nearest available exit and assemble in the Civic Centre forecourt car park.

Access – Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

Dates of Meetings: Municipal Year 2010/11

Meetings of the Committee are held as and when required.

CONDUCT OF MEETING

Terms of Reference

The terms of reference of the Licensing Committee are contained in Part 3 (Schedule 2) of the Council's Constitution.

Business to be discussed

Only those items listed on the attached agenda may be considered at this meeting.

Rules of Procedure

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

Quorum

The minimum number of appointed Members required to be in attendance to hold the meeting is 5.

Disclosure of Interests

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "personal" or "prejudicial" interests they may have in relation to matters for consideration on this Agenda.

Personal Interests

A Member must regard himself or herself as having a personal interest in any matter:

- (i) if the matter relates to an interest in the Member's register of interests; or
- (ii) if a decision upon a matter might reasonably be regarded as affecting to a greater extent than other Council Tax payers, ratepayers and inhabitants of the District, the wellbeing or financial position of himself or herself, a relative or a friend or:-
 - (a) any employment or business carried on by such person;
 - (b) any person who employs or has appointed such a person, any firm in which such a person is a partner, or any company of which such a person is a director;
 - (c) any corporate body in which such a person has a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
 - (d) any body listed in Article 14(a) to (e) in which such a person holds a position of general control or management.

A Member must disclose a personal interest.

Prejudicial Interests

Having identified a personal interest, a Member must consider whether a member of the public with knowledge of the relevant facts would reasonably think that the interest was so significant and particular that it could prejudice that Member's judgement of the public interest. If that is the case, the interest must be regarded as "prejudicial" and the Member must disclose the interest and withdraw from the meeting room during discussion on the item.

It should be noted that a prejudicial interest may apply to part or the whole of an item.

Where there are a series of inter-related financial or resource matters, with a limited resource available, under consideration a prejudicial interest in one matter relating to that resource may lead to a member being excluded from considering the other matters relating to that same limited resource.

There are some limited exceptions.

Note: Members are encouraged to seek advice from the Monitoring Officer or his staff in Democratic Services if they have any problems or concerns in relation to the above.

Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the “rationality” or “taking leave of your senses” principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, ‘live now, pay later’ and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

AGENDA

Agendas and papers are available via the Council's website at
www.southampton.gov.uk/council/meeting-papers

1 **ELECTION OF VICE-CHAIR**

To elect a Vice-Chair for the 2010/2011 municipal year.

2 **APOLOGIES**

To receive any apologies.

3 **DISCLOSURE OF PERSONAL AND PREJUDICIAL INTERESTS**

In accordance with the Local Government Act 2000, and the Council's Code of Conduct adopted on 16th May 2007, Members to disclose any personal or prejudicial interests in any matter included on the agenda for this meeting.

NOTE: Members are reminded that, where applicable, they must complete the appropriate form recording details of any such interests and hand it to the Committee Administrator prior to the commencement of this meeting.

4 **STATEMENT FROM THE CHAIR**

5 **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

To approve and sign as a correct record the Minutes of the meeting held on 11th March 2010 and to deal with any matters arising, attached.

6 **PROPOSED VARIATION OF HACKNEY CARRIAGE FARES**

Report of the Solicitor to the Council regarding the proposed variation of the table of fares for Hackney Carriages, attached.

7 **LICENSING FEES (HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES)**

Report of the Solicitor to the Council regarding the proposed increase in fees for the grant and renewal of Hackney Carriage and Private Hire Vehicle licences, attached.

8 **BTEC QUALIFICATIONS**

Report of the Solicitor to the Council regarding qualifications for taxi and private hire drivers, attached.

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LICENSING COMMITTEE

MINUTES OF THE MEETING HELD ON 11th MARCH 2010

Present:

Councillor Parnell (Chair)

Councillors Baillie, Mrs Blatchford, Cunio, Fitzgerald, Letts, Osmond, Thomas and Willacy.

Apologies: Councillors Drake, Galton, Norris and Odgers.

11. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

RESOLVED that the minutes of the Licensing Committee held on 17th December 2009 be approved and signed as a correct record. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

12. **LICENSING FEES**

The Committee considered the report of the Solicitor to the Council seeking authority to vary certain fees relevant to specific areas of licensing activities, attached (Copy of the minutes circulated with the agenda and appended to the signed minutes).

RESOLVED that the Solicitor to the Council be authorised to publish and in the absence of the receipt of any representation implement the amended fees structure as set out in Appendix 1 to the report.

13. **TRADE REQUEST FOR PROPOSED VARIATION OF HACKNEY CARRIAGE FARES**

The Committee considered a report of the Solicitor to the Council setting out the details of a request for a varied table of fares received from the Southampton Hackney Association, attached. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

Mr Hall, Southampton Hackney Association and Mr Johnson, Southampton Trade Association were present and with the consent of the Chair addressed the meeting.

RESOLVED that the Solicitor to the Council be authorised to advertise the variation of Hackney Carriage fares proposed by the Southampton Hackney Carriage Association for public consultation as set out in Appendix 1 of the report.

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Agenda Item 6

DECISION-MAKER:	LICENSING COMMITTEE		
SUBJECT:	PROPOSED VARIATION OF HACKNEY CARRIAGE FARES		
DATE OF DECISION:	2 JUNE 2010		
REPORT OF:	SOLICITOR TO THE COUNCIL		
AUTHOR:	Name:	Richard Black	Tel: 023 8083 3523
	E-mail:	richard.black@outhampton.gov.uk	
STATEMENT OF CONFIDENTIALITY			
None			

BRIEF SUMMARY

A report on the proposed variation of hackney carriage fares was initially considered by the Licensing Committee on 11th March 2010.

The original report is attached at Appendix 1.

The proposed variation of the table of fares for hackney carriages is required to be advertised in the local press by way of public consultation. The public notice was published in the Southern Daily Echo on Wednesday 24th March 2010, with a closing date for objections of the 7th April 2010.

Mr Ian Hall, Chairman of the Southampton Hackney Association, made the original application for variation of the table of fares, considered by the Committee in March, and will be in attendance and would wish to address the Committee.

RECOMMENDATIONS:

- (i) To consider and determine the request to vary the table of fares and the objection to the proposal.
- (ii) To vary the table of fares in accordance with the original proposal with effect from 16th June 2010.

REASONS FOR REPORT RECOMMENDATIONS

1. Only one objection to the variation in the table of fares has been received in response to the public notice. That objection is from Mr Clive Johnson, the Chairman of the Southampton Trade Association (STA), and is attached at Appendix 2.

DETAIL (including consultation carried out)

2. Any proposals to set or vary hackney carriage fares are required by law to be advertised in the local press by way of consultation. The public notice was published in the Southern Daily Echo on Wednesday 24th March 2010 with a closing date for objections of 7th April 2010.
3. Although Mr Johnson's letter states that he objects to the proposed fare variation on behalf of the STA, he has produced no evidence of consultation with the members of that organisation and gives no substantive details to support the objection.

- Mr. Johnson has been invited to submit detailed information in support of his objection, but has indicated that he would make the Committee aware of his reasons at the hearing. No further information on the objection or the reasons for it is available to the Licensing Team.

RESOURCE IMPLICATIONS

Capital/Revenue

- None

Property/Other

- None

LEGAL IMPLICATIONS

Statutory Power to undertake the proposals in the report:

- The power to set and vary fares is provided by section 65 of the Local Government (Miscellaneous Provisions) Act 1976 and is delegated to the Licensing Committee.

Other Legal Implications:

- Before setting or varying the table of fares for the hire of hackney carriages, the City Council is required to advertise any proposals and consider any representations made.

POLICY FRAMEWORK IMPLICATIONS

- None.

SUPPORTING DOCUMENTATION

Appendices

1.	Report to Licensing Committee 24 th March 2010 and appendices
2.	Objection from Mr. C Johnson, Southampton Trade Association

Documents In Members' Rooms

1.	None
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Background Documents

Title of Background Paper(s) Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.	None	
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Background documents available for inspection at:

Licensing Office, Southbrook Rise

FORWARD PLAN No:

N/A

KEY DECISION?

NO

WARDS/COMMUNITIES AFFECTED:

N/A

DECISION-MAKER:	LICENSING COMMITTEE		
SUBJECT:	TRADE REQUEST FOR PROPOSED VARIATION OF HACKNEY CARRIAGE FARES		
DATE OF DECISION:	11 MARCH 2010		
REPORT OF:	SOLICITOR TO THE COUNCIL		
AUTHOR:	Name:	JOHN BURKE	Tel: 023 8083 2306
	E-mail:	licensing@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY
NOT APPLICABLE

SUMMARY

A proposal for a varied table of fares has been received from the Southampton Hackney Association. The request is similar to that considered and rejected by the Licensing Committee in August 2009.

This report sets out the details of the request and its effect on the taxi fare structure. At this stage the committee only needs to consider whether the matter should go out to public consultation rather than consider any objections tabled.

RECOMMENDATIONS:

- (i) To consider and determine a request on behalf of the Southampton taxi trade for the variation of the table of fares for the hire of hackney carriages in Southampton.
- (ii) If the committee is minded to vary the table of fares to authorise the Solicitor to the Council to advertise any proposed variation in the table of fares.
- (iii) If the committee is minded to vary the table of fares, that, subject to consideration of any objections to the advertisement, the variation shall come into effect on 10th May 2010.

REASONS FOR REPORT RECOMMENDATIONS

1. The table of fares for the hire of hackney carriages in Southampton was last revised with effect from 14th July 2008.
2. The Southampton Hackney Association, representing 126 individuals holding Southampton hackney carriage proprietors' and drivers' licences as at January 2010, has now requested that consideration be given to revising the table of fares in the light of increases in their business costs, in particular:
 - insurance
 - docks permits
 - replacement vehicles
 - the effect of additional hackney carriage licences
 - vehicle servicing
 and other increases in the cost of living since the last variation of the table of

fares. The trade can submit a proposal at any time and the committee is bound by law to consider it.

CONSULTATION

3. The consultation process specified in the Local Government (Miscellaneous Provisions) Act 1976, requires that, before the table of fares can be varied, notice is given in a newspaper circulating in the area and any objections are considered by the committee. A minimum period of 14 days must be allowed from the date of the advertisement for the receipt of written representations and objections. It is recommended that a period of 14 days be given for objections.
4. If the committee is minded to vary the table of fares, any objections will be brought to its meeting on 7th April 2010

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5. The committee has discretion in law to determine the fares for the hire of hackney carriages in Southampton, subject to a duty to act reasonably.
6. The power under section 65 Local Government (Miscellaneous Provisions) Act 1976 to determine hackney carriage fares is not delegated to officers.

DETAIL

7. The table of fares for hackney carriages, last varied by the City Council with effect from 14th July 2008, is set out in Appendix 1.
8. The Southampton Hackney Association, following consultation by them of all individual holders of hackney carriage licences and hackney carriage driver's licences, have requested that the table of fares be reviewed.
9. The Southampton Hackney Association's proposals and justification for the proposed variation of the table of fares is set out in Appendix 2.
10. A draft table of fares showing the effect of the proposals is set out in Appendix 3.
11. It is important to note that the table of fares only relates to the hire of hackney carriages licensed by the city council for the part of any journey within the city. As a matter of law, the level of fares for the hire of private hire vehicles cannot be controlled by the city council, although the basis for the fare for the hire of such vehicles must be agreed with the passenger before the commencement of the journey. The proprietors and drivers of many private hire vehicles choose to follow the hackney carriage table of fares in charging their customers.
12. The existing and proposed tariffs represent the maximum fares that may be charged for journeys within the city of Southampton.
13. If the committee is minded to vary the tariffs as shown above, it should be noted that any proprietor or driver of a licensed hackney carriage might lawfully charge lower fares if they so wish, but may not exceed the tariffs set by the council or charge for items not appearing on the table of fares. A copy of the table of fares must be exhibited in every licensed hackney carriage, and drivers and proprietors are provided with a copy of table of fares for that purpose by the Licensing Team.

14. The effect of the Southampton Hackney Association’s proposals is to vary the initial fares as follows:
- for a day-time hiring from £2.20 to £2.60
 - for a night-time hiring from £2.95 to £3.50
 - for a day-time hiring on Sundays and Bank Holidays to from 3.20 to 3.60
 - for a hiring at Christmas and New Year from £4.40 to £3.90

15. It is proposed for all hirings that the basis of calculation for distance travelled will be in 202 metre (221 yard) increments.

The current increments are 110 metres (120 yards) for the first 440 metres (481 yards) and 225 metres (246 yards) thereafter.

16. It is proposed that the additional fare after the first 202 metres (221 yards) travelled will be £0.40 (a total fare of £3.00) and £0.20 thereafter for each 202 metres (221 yards) travelled.

The existing fare structure adds £0.20 to the initial fare of £2.20 for every 110 metres (120 yards) travelled, up to 440 metres (481 yards) (a total fare of £3.00), thereafter £0.20 is added to the fare for every 225 metres (246 yards) travelled.

17. In addition, the Southampton Hackney Association proposes that the Christmas and New Year tariff should commence at 8:00 p.m. on Christmas Eve and New Year’s Eve, in substitution for the current 11:00 p.m. on those days, but that the basis for the calculation of the fare should be reduced from the current twice the daytime rate to 1 ½ times the daytime rate.

18. These proposals would result in the following variations in fares for example distances travelled:

19. Miles (Kilometres)	Daytime tariff	Night- time tariff	Current fares		Proposed fares	
			Day	Night	Day	Night
1 (1.61)	4.76%	5.45%	£4.00	£5.20	£4.20	£5.50
3 (4.83)	8.11%	8.42%	£6.80	£8.70	£7.40	£9.50
5 (8.05)	9.43%	9.63%	£9.60	£12.20	£10.60	£13.50
10 (16.09)	9.68%	9.79%	£16.80	£21.20	£18.60	£23.50

20. There is no proposal to alter the basis of the fares charged for Sunday and Public Holiday journeys (commencing between 06:00 am and 11:00 pm), save that the underlying daytime rate (Tariff 1) is proposed to increase.

21. Additionally, it is proposed that the basis for fare charges by time (“waiting time”) in tariffs 1 and 3 will remain at £16.00 per hour and tariff 2 will remain at £20.00 per hour, but that the basis for charges by time in tariff 4 will reduce from £32.00 to £24.00 per hour, and that 45 second unit for calculation of charges will remain as at present.

22. Members will be aware that many taxi drivers and proprietors make a boundary charge for vehicles making journeys outside the city boundaries. Such charges cannot be controlled by the table of fares, as they relate to the portion of the journey outside the city boundaries but must be the subject of a

contract between the vehicle proprietor or their agent and the hirer, agreed before the commencement of the journey.

23. The legislation prescribes a procedure which consists of a determination by the committee of the variation of the table of fares and the advertisement of the proposal. The committee must then consider any objections made and determine whether to confirm the varied table of fares, with or without modifications.
24. This report represents the first step in a process of determining the proposals. Members have discretion in varying the table of fares, and need not be bound by the request submitted on behalf of the trade. In addition, Members cannot fetter their discretion by agreeing future fare structures now.
25. Representatives of the recognised trade representative organisations have been invited to attend the committee's meeting but whilst it considered appropriate for the proposer to address the committee at this stage it is recommended that all representations from the trade and public be considered after advertisement, should the committee be minded to proceed to that stage.
26. If the committee is minded to vary the table of fares, the Solicitor to the Council recommends that any variation should come into force on the 10 May 2010. Members will be aware that, following their decision, arrangements will need to be made by the Licensing Team and the suppliers of taximeters and their agents for the variation to be effected, and arrangements also need to be confirmed for checks on meters installed in licensed vehicles.
27. The officers do not consider the request to be unreasonable, and from the information available to them, the proposed tariff would appear to be compatible with the meters installed in Southampton licensed hackney carriages and private hire vehicles.[don't understand this bit ?]
28. Subject to the committee's views, the timetable for the implementation of the proposals could be as follows: -
29. 11 March 2010 committee's consideration and decision
30. 18 March 2010 newspaper advertisement
31. 31 March 2010 close of objection period (14 days)
32. 7 April 2010 committee – consideration of any objections
33. 10 May 2010 If agreed,new table of fares in force

FINANCIAL/RESOURCE IMPLICATIONS

Capital

34. Not applicable.

Revenue

35. Not applicable.

Property

36. Not applicable.

Other

37. The work involved for the Licensing Team in bringing a variation of the table of fares into effect and in testing taxi meters is contained within existing resources and budgets.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

38. Section 65 Local Government (Miscellaneous Provisions) Act 1976
39. Section 17 Crime and Disorder Act 1998 places the council under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.
40. The Human Rights Act 1998 requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the council to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the council that could have an effect upon another person's Human Rights must be taken having regard to the principle of Proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the council which affect another's' rights must be no more onerous than is necessary in a democratic society. The matter set out in this report must be considered in light of the above obligations.

Other Legal Implications:

41. The city council would be acting beyond its powers if it were to seek to fetter its discretion by fixing the period of review for fares or by fixing a particular formula for any future variations of fares.
42. However, this does not preclude individuals or a trade association from making requests for variation, or from producing whatever evidence they think fit in support of any proposal.
43. If no objections are made to the proposals following the advertisement, the varied table of fares could come into force at the end of the period specified in the Notice mentioned above, or if objections were made, on such other date fixed by the committee. This must be no later than two months after the last date for making objections.

POLICY FRAMEWORK IMPLICATIONS

44. The decision to determine the application in the manner set out in this report is not contrary to the council's policy framework

SUPPORTING DOCUMENTATION**Appendices**

1.	Current table of fares
2.	Southampton Hackney Association's proposals and justification
	Draft table of fares showing the effect of the proposals

Documents In Members' Rooms

1.	None
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Background Documents

Title of Background Paper(s)

Relevant Paragraph of the
Access to Information
Procedure Rules / Schedule
12A allowing document to be
Exempt/Confidential (if
applicable)

1.	Southampton Hackney Association's proposals and justification (published as appendix 2).	
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Background documents available for inspection at:Licensing office, Southbrook
Rise**FORWARD PLAN No:** N/A**KEY DECISION?** n/a

WARDS/COMMUNITIES AFFECTED:	none
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MAXIMUM TABLE OF FARES

inclusive of VAT (where applicable)

Passengers are only obliged to pay the fare shown on the meter except where a surcharge for journeys ending outside the city has been agreed before the hiring commences

1. TARIFF 1 – Daytime – Except as in Tariffs 3 and 4 below, for any hiring begun after 6.00 a.m. and before 11.00 p.m. on any day

Fare for Distance

- | | |
|--|-------|
| (a) For the first 110 metres or part thereof | £2.20 |
| (b) For the next 110 metres or part thereof | £0.20 |
| (c) For the next 110 metres or part thereof | £0.20 |
| (d) For the next 110 metres or part thereof | £0.20 |
| (e) For each subsequent 225 metres or part thereof | £0.20 |

Waiting Time – For each period of forty-five seconds or part thereof £0.20

2. TARIFF 2 – Night-Time – Except as in Tariff 4 below, for any hiring begun after 11.00 p.m. and before 6.00 a.m. on any day

Fare for Distance

- | | |
|--|-------|
| (a) For the first 110 metres or part thereof | £2.95 |
| (b) For the next 110 metres or part thereof | £0.25 |
| (c) For the next 110 metres or part thereof | £0.25 |
| (d) For the next 110 metres or part thereof | £0.25 |
| (e) For each subsequent 225 metres or part thereof | £0.25 |

Waiting Time – For each period of forty-five seconds or part thereof £0.25

3. TARIFF 3 – Sundays, Bank Holidays and New Year – Except as in Tariff 4 below, for any hiring begun after 6.00 a.m. and before 11.00 p.m. on a Sunday, Good Friday, a Bank or Public Holiday, or 1st January, Tariff 1 above plus a surcharge, per hiring, of £1.00

4. TARIFF 4 – Christmas and New Year – For any hiring begun after 11.00 p.m. on the 24th December and before 6.00 a.m. on the 27th December or after 11.00 p.m. on the 31st December and before 6.00 a.m. on the 1st January Double the rate of Tariff 1

5. ITCHEN BRIDGE TOLLS

If any hiring involves crossing the Itchen Bridge, and a toll is payable, there shall be added to the fare a sum equivalent to the toll paid

6. SOILING CHARGE

If the hackney carriage is soiled by a passenger or an animal £50.00

Licensing
PO Box 1344
Southampton SO15 1WQ

MARK R. HEATH
Solicitor to the Council
14th July 2008

Any complaints about the hiring of this vehicle or the conduct of the driver should be sent in writing to the Licensing Team at the address above

SOUTHAMPTON HACKNEY ASSOCIATION

10 February 2010

Mr Ian Hall

Telephone
Email

Southampton City Council
Southbrook Rise
4-8 Millbrook Road East
SOUTHAMPTON
Hampshire S015 1YG

For the attention of Mr John Burke

Dear Mr Burke,

As Chairman of the Southampton Hackney Association (SHA) I wish to re-submit to the Licensing Panel the fare proposal that the SHA committee put forward to this council in August of last year.

I attended this meeting but unfortunately this fare proposal due to the economic climate was rejected. I was therefore unable to explain to members present in full detail, the complete fare structure which included a root and branch overhaul of our meter prices.

At the present moment out of 380 Councils in the UK who have a fare price structure in place, Southampton is number 116 in the table. Since 1999 we have slipped from sixth position to where we are now, with areas like Bournemouth, Salisbury, New Forest, Winchester and even Eastleigh higher than us in the table of fares.

We sent by letter to 480 holders of either a Southampton Hackney Carriage Proprietors Licence or a Southampton Hackney Carriage Drivers Licence a proposed fare increase for 2009, included within this letter was a questionnaire for the taxi trade to complete and return in a SAE to our PO Box number.

To the best of our knowledge this is possibly the first time ever that a questionnaire of this description has been carried out and although it has cost our association £420.00, the results we feel have proved to be worth while. We did not have a fare increase in 2007 and the one we had in 2008 was of very little significance. The Southampton Hackney Association has given the trade the opportunity to decide whether they want the taxi fares to remain as they are, or to agree with our fare proposal.

However we are concerned that fares at Christmas and the New Year are particularly high. Since the millennium customers tend to complain about high prices that taxis charge, so we suggested a reduction to fare and a half with the new rate starting at 8PM. We hope to attract customers to use us more at this festive time. Fifty six percent agreed to reduce the Christmas and New Year fare from 'double the rate' of tariff 1 to a reduction of fare and a half.

After taking legal advice, although this years proposal for 2010 is exactly the same as the 2009 one, it would be correct to say that the licensing panel need to consider our request once again and not to listen to adverse comments made by the other trade bodies.

At the latest consultation meeting held on January 28th 2010, I was made aware by the other trade representatives that they had sent out letters to their members as well as private hire drivers who belong to their companies, of a proposed fare increase for 2010. According to Section 71 (Taximeters) of the Local Government Miscellaneous Provisions Act 1976, it states 'that nothing in this act shall require any private hire vehicle to be equipped with any form of taxi meter.' The opinions of a private hire driver (owner) should not be taken into consideration when discussing a fare increase that is for the taxi trade only.

Listed below are some of the reasons why we need a fare increase -

1. VAT increased back to 17.5%.
2. Taxi Insurance Rate Increase for 2009 - 2010 3% – 4%
Tradex (Formerly Westminster Motor Insurance)
3. Dock Permit Increase for 2009 from £40 per annum to £50 + VAT per annum.
4. Fuel Cost gradually on the increase.
5. Price of new vehicles has not dropped which causes second hand vehicles to be more expensive.
6. The addition of four extra licenses for December 2009, earning capabilities have already decreased with a further eight licences towards the end of this year.
7. We now have to have two MOTS' per annum.
8. The introduction of camera's for any new or second hand vehicle is now mandatory.

In addition there is the general added 'cost of living' ie. Council Tax increase from April 2009, utilities bills remain high, etc, .etc.


Yours sincerely,



Ian Hall
Chairman of SHA

480 Questionnaires sent out to the trade.....160 replies
 = 33%

<p>Do you agree to the fare increase for 2010? 114 want proposed fare increase = 71% 46 said no to the fare increase = 28%</p>
<p>Would you like to be consulted every year regarding the fare structure? 156 want to be consulted every year = 97% 4 do not want to be consulted.</p>
<p>Do you think the Xmas & New Year Tariff 4 fare structure is correct? 70 think the fare structure is correct = 43% 90 think fare structure is incorrect = 56%</p>
<p>Would you like a decrease for Tariff 4 at Xmas and the New Year? 90 would like a decrease = 56% 70 would not like a decrease = 43%</p>

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Ian Hall
Chairman - Southampton Hackney Association

Southampton Hackney Association
Proposed Fare Increase For 2010

<u>Tariff 1</u>	<u>Current Flag</u>	<u>Proposed Flag for 2010</u>
Day-Time 0600-2300	£2.20	For the first 202 metres or part thereof £2.60
		For the next 202 metres or part thereof £0.40
		For each subsequent 202 metres or part thereof £0.20
	1 st mile £3.80	1 st mile £4.00
Waiting time to remain £16.00 per hour		

<u>Tariff 2</u>	<u>Current Flag</u>	<u>Proposed Flag for 2010</u>
Night-Time 2300-0600	£2.95	For the first 202 metres or part thereof £3.50
		For the next 202 metres or part thereof £0.50
		For each subsequent 202 metres or part thereof £0.25
	1 st mile £4.95	1 st mile £5.25
Waiting time to remain £20.00 per hour		

<u>Tariff 3</u>	<u>Current Flag</u>	<u>Proposed Flag for 2010</u>
Sundays and Bank Holidays 0600-2300	£3.20	For the first 202 metres or part thereof £3.60
		For the next 202 metres or part thereof £0.40
		For each subsequent 202 metres or part thereof £0.20
	1 st mile £4.80	1 st mile £5.00
Waiting time to remain £16.00 per hour		

<u>Tariff 4</u>	<u>Current Flag</u>	<u>Proposed Flag for 2010</u>
Christmas and New Year 2000 on 24 th December to 0600 on 27 th December and 20.00 on 31 st December to 0600 on 1 st January	£4.40	For the first 202 metres or part thereof £3.90
		For the next 202 metres or part thereof £0.60
		For each subsequent 202 metres or part thereof £0.30
	1 st mile £8.00	1 st mile £6.30
Waiting time to be reduced from £32.00 to £24.00 per hour		

We are proposing to remove the 4x110 metre drops and to replace with a uniform 202 metre drop. Soiling charge to remain at £50.00.
Itchen Bridge Tolls – If any hiring involves crossing Itchen Bridge, and a toll is payable, there shall be added to the fare a sum equivalent to the toll paid.

Proposed MAXIMUM TABLE OF FARES

inclusive of VAT (where applicable)

Passengers are only obliged to pay the fare shown on the meter except where a surcharge for journeys ending outside the city has been agreed before the hiring commences

1. **TARIFF 1 – Daytime** – Except as in Tariffs 3 and 4 below, for any hiring begun after 6.00 a.m. and before 11.00 p.m. on any day
Fare for Distance

(a) For the first 202 metres or part thereof	£2.60
(b) For the next 202 metres or part thereof	£0.40
(c) For each subsequent 202 metres or part thereof	£0.20

Waiting Time – For each period of forty-five seconds or part thereof £0.20
2. **TARIFF 2 – Night-Time** – Except as in Tariff 4 below, for any hiring begun after 11.00 p.m. and before 6.00 a.m. on any day
Fare for Distance

(a) For the first 202 metres or part thereof	£3.50
(b) For the next 202 metres or part thereof	£0.50
(c) For each subsequent 202 metres or part thereof	£0.25

Waiting Time – For each period of forty-five seconds or part thereof £0.25
3. **TARIFF 3 – Sundays, Bank Holidays and New Year** – Except as in Tariff 4 below, for any hiring begun after 6.00 a.m. and before 11.00 p.m. on a Sunday, Good Friday, a Bank or Public Holiday, or 1st January, Tariff 1 above plus a surcharge, per hiring, of £1.00
4. **TARIFF 4 – Christmas and New Year** – For any hiring begun after 8.00 p.m. on the 24th December and before 6.00 a.m. on the 27th December or after 8.00 p.m. on the 31st December and before 6.00 a.m. on the 1st January

(a) For the first 202 metres or part thereof	£3.90
(b) For the next 202 metres or part thereof	£0.60
(c) For each subsequent 202 metres or part thereof	£0.30

Waiting Time – For each period of forty-five seconds or part thereof £0.30
5. **ITCHEN BRIDGE TOLLS**
 If any hiring involves crossing the Itchen Bridge, and a toll is payable, there shall be added to the fare a sum equivalent to the toll paid
6. **SOILING CHARGE**
 If the hackney carriage is soiled by a passenger or an animal £50.00

Licensing Team

PO Box 1344

Southampton SO15 1WQ

Email: licensing@southampton.gov.uk

Internet: www.southampton.gov.uk/licensing

MARK R. HEATH

Solicitor to the Council

[implementation date - to be determined]

Any complaints about the hiring of this vehicle or the conduct of the driver should be sent in writing to the Licensing Team at the address above, where possible quoting the licence number of the vehicle and driver

Clive Johnson
Chair
Southampton Trade Association (STA)

**Councillor B Parnell
Chair Licensing Committee
Southampton City Council**

31st March 2010

Dear Cllr. Parnell,

Reference: Fare Variation Proposed by the Southampton Hackney Association (SHA)

The Southampton Trade Association (STA) wishes to object to the fare variation proposed by the Southampton Hackney Association (SHA).

The STA's objection to a fare variation is based on the results of a recent survey of its members. The majority of those surveyed were against a fare variation (increase) at the present time.

Re: Recommended increases in Hackney Carriage and Private Hire Licensing Fees

The STA wishes to object to the recommended increases in Hackney Carriage and Private Hire licence fees.

The STA's objection to the increase in fees: If the STA considers that fares should not be increased at the present time neither should fees. Especially, when such a large reduction in fees has been recommended in other areas of licensing.

The STA want you to take these objections into consideration when you revisit these issues.

I wish to make representation on behalf of the STA membership when the Licensing Committee reconsiders these matters.

Yours sincerely,

Clive Johnson

STA Chairman

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Agenda Item 7

DECISION-MAKER:	LICENSING COMMITTEE		
SUBJECT:	LICENSING FEES (HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES)		
DATE OF DECISION:	2 JUNE 2010		
REPORT OF:	SOLICITOR TO THE COUNCIL		
AUTHOR:	Name:	Richard Black	Tel: 023 8083 3523
	E-mail:	richard.black@southampton.gov.uk	
STATEMENT OF CONFIDENTIALITY			
None			

BRIEF SUMMARY

A report on the proposed increase in fees for the grant and renewal of hackney carriage and private hire vehicle licences was initially considered by the Licensing Committee on 11th March 2010.

The original report is attached at Appendix 1.

Any amendment to fees in relation to the grant and renewal of such licences are required to be advertised in the local press by way of public consultation.

The public notice was published in the Southern Daily Echo on Wednesday 24th March 2010 with a closing date for objections of 21st April 2010.

RECOMMENDATIONS:

- (i) To consider and determine the proposal to increase the fees for the grant and renewal of hackney carriage and private hire vehicle licences;
- (ii) To increase the fees, as proposed, so as to reflect the costs of the service.

REASONS FOR REPORT RECOMMENDATIONS

1. The proposed increases in fees reflect the increased costs in providing the service since the previous revision in 2007.
2. Fees for hackney carriages and private hire vehicles are ring-fenced and cannot be cross-subsidised from income received in respect of other licensing functions.

DETAIL (Including consultation carried out)

3. The public notice was published in the Southern Daily Echo on Wednesday 24th March 2010.
4. On the 31st March 2010 Mr. Clive Johnson, the Chairman of the Southampton Trade Association (STA), wrote objecting to the proposed fees. A copy of his letter is attached at Appendix 2.
5. The objection is on the basis of the STA objecting to the proposed increase in fares and that other, wholly unrelated, fees have been substantially reduced.

6. Fees in relation to hackney carriages and private hire vehicles are levied to finance the administrative function of issuing those licences and enforcement work specific to them.
7. Fees generated from other licensing functions cannot, as a matter of law, be used to cross-subsidise activity in relation to hackney carriages and private hire vehicles.
8. Although Mr Johnson's letter states that he objects to the proposed fee increase on behalf of the STA, he has produced no evidence of consultation with the members of that organisation and gives no substantive details to support the objection.
9. Mr Johnson has been invited to submit detailed information in support of his objection, but has indicated that he would make the Committee aware of his reasons at the hearing. No further information on the objection or the reasons for it is available to the Licensing Team.

RESOURCE IMPLICATIONS

Capital/Revenue

10. A failure to set fees at a level which reflects the full costs of the service would result in a revenue shortfall and a budget deficit for this particular function.

Property/Other

11. None

LEGAL IMPLICATIONS

Statutory Power to undertake the proposals in the report:

12. As a matter of law, the City Council can only charge reasonable fees for the purpose of recouping the cost of administering the Licensing system. Relevant statutory provisions for the setting of the fees outlined include:
 - sections 53 and 70, Local Government(Miscellaneous Provisions) Act 1976
 - schedule 6, Local Government Planning and Land Act 1980
 - section 46, Town Police Clauses Act 1847

Other Legal Implications:

13. Before setting fees for licences for the grant or renewal of licences for hackney carriages and private hire vehicles, the City Council is required to advertise any proposals and consider any representations made.

POLICY FRAMEWORK IMPLICATIONS

14. None

SUPPORTING DOCUMENTATION

Appendices

1.	Report to Licensing Committee - 11 th March 2010
2.	Letter of objection from Mr. Clive Johnson, STA.

Documents In Members' Rooms

1.	None.
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Background Documents

Title of Background Paper(s) Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.	None	
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Background documents available for inspection at:

Licensing Office, Southbrook Rise

FORWARD PLAN No:

N/A

KEY DECISION?

NO

WARDS/COMMUNITIES AFFECTED:

N/A

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DECISION-MAKER:	Licensing Committee		
SUBJECT:	Licensing Fees		
DATE OF DECISION:	11 th March 2010		
REPORT OF:	Solicitor to the Council		
AUTHOR:	Name:	Richard Black	Tel: 023 8083 3523
	E-mail:	licensing@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY None

SUMMARY The proposals are to consider the variation of certain fees relevant to specific areas of licensable activities

RECOMMENDATIONS:

- (i) To consider the scale of discretionary fees and charges for licences and services carried out by the City Council set out in Appendix 1 to this report, and
- (ii) To authorise the publication of the amended fees structure
- (iii) In the absence of any representation to authorise the Solicitor to the Council to implement the fees as advertised.

REASONS FOR REPORT RECOMMENDATIONS

1. As a matter of good practice, the City Council should regularly review the scale of fees and charges for licences, permits and registrations, where it has discretion as to the level of the fee concerned.
2. Such reviews are usually carried out on an annual basis however none of the fees available to the City Council to review have been considered since November 2007.

CONSULTATION

No consultation has been undertaken as the proposed alterations to fees for Hackney Carriage and Private Hire vehicles will if recommended by this Committee be advertised in the press for consultation purposes.

The fees in relation to sex shops are for the Council to set so at this time there has been no consultation except with Finance colleagues.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

None

DETAIL**Licensing Fees General Information.**

Where the City Council has discretion as to the level of fees, the law makes it clear that the City Council may only charge a reasonable fee for the purpose of recouping the costs of administering a licensing system and not treat licensing fees as an opportunity to raise general revenue. The effect of this is that licensing fee income must be “ring fenced” to the licensing function, including using a holding account in respect of future capital investment in items such as IT, and that the income from one such function must not be used to cross subsidise a deficit in another area.

Hackney Carriage and Private Hire Licensing.

Hackney Carriage and Private Hire fees were last increased in November 2007. Since that date there have been significant increases in the provision of service costs such as IT and enforcement and indeed an increase in prosecutions as a direct result. A new full time enforcement officer post has been approved and will be filled in the very near future.

It is only proposed to raise certain fees, namely Hackney Carriage and Private Hire vehicle fees, transfer fees and change of vehicle fees. It is considered by officers that the current fees do not reasonably reflect the cost of resources that can be attributed to those discrete functions

A comparison of fees across Hampshire and like authorities is attached at appendix 2.

Sex Establishment Licensing.

The fees for sex establishment licenses were last reviewed in November 2007 at which time the fee was set at £7,500 and there were four establishments. Since that date there has been no increase in the number of establishments and there is one pending application.

Some Local Authorities are currently being challenged in relation to the level of fees they charge and this review and action should protect the City Council from any challenge in the future.

The setting of fees at this level will not require any contribution from Council funds to support the administration of this area, including enforcement action.

FINANCIAL/RESOURCE IMPLICATIONS**Capital**

None

Revenue

It is estimated that the fee increases detailed in this report would generate on

average an additional £13,400 in a full year

The fee variations are detailed in appendix 1

Any increase in income as a result of the increase in these fees will be ring fenced within Hackney and Private Hire Licensing and used to fund additional enforcement.

Property

None

Other

None

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

As a matter of law, the City Council can only charge reasonable fees for the purpose of recouping the cost of administering the Licensing system.

Relevant statutory provisions for the setting of the fees outlined include:

S53,S70 Local Government(Miscellaneous Provisions) Act 1976

Schedule 6, Local Government Planning and Land Act 1980

S46 Town Police Clauses Act 1847

Paragraph 19, Schedule 3, Local Government (Miscellaneous Provisions) Act 1982.

Other Legal Implications:

In the case of fees for hackney carriages, private hire vehicles and private hire operators, the City Council is required to advertise any proposed variations to the fees and consider any representations made.

POLICY FRAMEWORK IMPLICATIONS

None

LICENSING FEES

APPENDIX 1

Existing ~~APPENDIX 1~~
2009/10 2010/11

Last varied

PREMISES LICENCES (Licensing Act 2003)

Fees fixed by Statute - no discretion

Conversion/Grant/Variation - Band A = RV < £4,300

Conversion/Grant/Variation - Band B = RV >£4,300 < £33,000

Conversion/Grant/Variation - Band C = RV >£33,001 < £87,000

Conversion/Grant/Variation - Band D = RV >£87,001 < £125,000

Conversion/Grant/Variation - Band E = RV >£125,000

Annual Fee - Band A = RV < £4,300

Annual Fee - Band B = RV >£4,300 < £33,000

Annual Fee - Band C = RV >£33,001 < £87,000

Annual Fee - Band D = RV >£87,001 < £125,000

Annual Fee - Band E = RV >£125,000

Premises licence or summary theft or loss - section 25

Provisional statement - section 29

Premises licence change of name or address - section 33

Premises licence variation of designated premises supervisor - section 37

Premises licence transfer - section 42

Premises licence interim authority - section 47

Club premises certificate or summary theft or loss - section 79

Club premises certificate change of name or rules - section 82

Club premises certificate change of address - section 83(1) or (2)

Temporary event notice - section 100

Temporary event notice loss or theft - section 110

Registration of interest (freeholder etc)

07 Feb 2005	£100.00	£100.00
07 Feb 2005	£190.00	£190.00
07 Feb 2005	£315.00	£315.00
07 Feb 2005	£450.00	£450.00
07 Feb 2005	£635.00	£635.00
07 Feb 2005	£70.00	£70.00
07 Feb 2005	£180.00	£180.00
07 Feb 2005	£295.00	£295.00
07 Feb 2005	£320.00	£320.00
07 Feb 2005	£350.00	£350.00
07 Feb 2005	£10.50	£10.50
07 Feb 2005	£315.00	£315.00
07 Feb 2005	£10.50	£10.50
07 Feb 2005	£23.00	£23.00
07 Feb 2005	£23.00	£23.00
07 Feb 2005	£23.00	£23.00
07 Feb 2005	£10.50	£10.50
07 Feb 2005	£10.50	£10.50
07 Feb 2005	£10.50	£10.50
07 Feb 2005	£21.00	£21.00
07 Feb 2005	£10.50	£10.50
07 Feb 2005	£21.00	£21.00

LICENSING FEES

APPENDIX 1

2009/10 APPENDIX 1

Last varied

PERSONAL LICENCES (Licensing Act 2003)

Fees fixed by Statute - no discretion

Personal licence grant or renewal

Personal licence theft or loss

Personal licence name or address change

07 Feb 2005

£37.00

£37.00

07 Feb 2005

£10.50

£10.50

07 Feb 2005

£10.50

£10.50

TAXI & PRIVATE HIRE LICENCES

Fee discretion (but vehicle and operators' licence fees must be advertised)

Hackney Carriage

Grant (excluding inspection fee and licence plate)

Renewal (excluding inspection fee and licence plate)

01 Jan 2008

£150.00

£165.00

01 Jan 2008

£150.00

£165.00

Private Hire Vehicle

Grant (excluding inspection fee and licence plate)

Renewal (excluding inspection fee and licence plate)

01 Jan 2008

£150.00

£165.00

01 Jan 2008

£150.00

£165.00

Hackney Carriage Driver

Three year licence

01 Jan 2008

£120.00

£120.00

Private Hire Driver

Three year licence

01 Jan 2008

£120.00

£120.00

Drivers' Topography Tests

(per test if failed)

01 Jan 2008

£20.00

£20.00

Private Hire Operator

Grant

Renewal

(three yearly licence from 01/01/08) - fee per vehicle & maximum

Plus per vehicle

To a maximum of

01 Jan 2008

£50.00

£50.00

01 Jan 2008

£50.00

£50.00

01 Jan 2008

£50.00

£50.00

01 Jan 2008

£1,000.00

£1,000.00

LICENSING FEES

APPENDIX 1

APPENDIX 1

2009/10

Last varied

LICENSING FEES

APPENDIX 1

2009/10 **APPENDIX 1**

Last varied

Miscellaneous licence fees not included above

Licence Plates for HC and PHV

New

£36.00

£36.00

Replacement

£6.00

£6.00

(including returnable deposit of)

£30.00

£30.00

Criminal Record checks for drivers' licences

The City Council is charged the fee for each check by the Criminal Records Bureau

£36.00

£36.00

DVLA driving history checks

The City Council is charged the fee for each check by the DVLA

£5.00

£5.00

Notification of transfer of vehicle licence

£25.00

£35.00

Replacement Certificates of Compliance

£10.00

£10.00

Change of vehicle (other than on renewal)

£25.00

£35.00

Temporary changes of vehicle

£25.00

£35.00

LICENSING FEES**APPENDIX 1**2009/10 **APPENDIX 1**

Last varied

Replacement documents

Duplicate drivers' badges
Duplicate drivers' licences

01 Jan 2008 £5.00 £5.00
01 Jan 2008 £5.00 £5.00

Duplicate vehicle licences

01 Jan 2008 £5.00 £5.00

SEX ESTABLISHMENT LICENCES

Fee discretion

Sex Shops

Application for Grant
Application for Renewal
Application for Transfer

14 Nov 2007 £7,500.00 £3,500.00
14 Nov 2007 £7,500.00 £3,500.00
14 Nov 2007 £7,500.00 £3,500.00

Sex Cinemas

Application for Grant
Application for Renewal
Application for Transfer

14 Nov 2007 £7,500.00 £3,500.00
14 Nov 2007 £7,500.00 £3,500.00
14 Nov 2007 £7,500.00 £3,500.00

LICENSING FEES**APPENDIX 1**2009/10 **APPENDIX 1**

Last varied

STREET TRADING CONSENTS

Fee discretion

Street Trading Consents (all grant or renewal - except Guildhall Square) per annum

Hot food traders (vehicles)

£1,245.00

01 Apr 1999

£1,245.00

Hot food traders (stand or stall)

£934.00

01 Apr 1999

£934.00

Fruit and Vegetable traders (stand or stall)

£686.00

01 Apr 1999

£686.00

Flower traders (stand or stall)

£156.00

24 May 2002

£156.00

Guildhall Square Street Trading Consents (of seven days per consent)

All traders (subject to meeting criteria)

£30.00

24 May 2002

£30.00**MISCELLANEOUS****Motor Salvage Operators registrations**

registration & renewal

£100.00

21 Oct 2002

£100.00**Boats & Boatmen's licences**

Boat - grant & renewal

£135.00

01 Jan 2004

£135.00

Boatman - grant & renewal

£60.00

01 Jan 2004

£60.00**Street Collection permits**

No fee recoverable

N/A

N/A**House to House Collection licences**

No fee recoverable

N/A

N/A**Scrap Metal Dealers' registrations**

No fee recoverable

N/A

N/A

LICENSING FEES

2009/10 APPENDIX 1
APPENDIX K1

Last varied

GAMBLING ACT 2005

Premises *licence* and *notice* fee maxima are set by SI but *permit* and *registration* fees are prescribed by SIs under the Gambling Act 2005

Licence fees (discretion up to maxima)

Large casino premises licence

Conversion application fee for non-fast track application

Non-conversion application fee in respect of provisional statement premises

Non-conversion application fee in respect of other premises

Annual fee (within 30 days of issue and then on the anniversary)

Fee for application to vary licence

Fee for application to transfer a licence

Fee for application for reinstatement of a licence

Fee for application for provisional statement

N/A

N/A

£5,000.00

£10,000.00

£10,000.00

£5,000.00

£2,150.00

£2,150.00

£10,000.00

-

19 Apr 2007

19 Apr 2007

19 Apr 2007

19 Apr 2007

19 Apr 2007

19 Apr 2007

19 Apr 2007

Converted casino premises licence

Conversion application fee for non-fast track application

Non-conversion application fee in respect of provisional statement premises

Non-conversion application fee in respect of other premises

Annual fee (within 30 days of issue and then on the anniversary)

Fee for application to vary licence

Fee for application to transfer a licence

Fee for application for reinstatement of a licence

Fee for application for provisional statement

£2,000.00

N/A

N/A

£3,000.00

£2,000.00

£1,350.00

£1,350.00

N/A

19 Apr 2007

19 Apr 2007

19 Apr 2007

19 Apr 2007

19 Apr 2007

19 Apr 2007

19 Apr 2007

19 Apr 2007

£2,000.00

N/A

N/A

£3,000.00

£2,000.00

£1,350.00

£1,350.00

N/A

LICENSING FEES

APPENDIX 1

	Last varied	2009/10	APPENDIX 1
Bingo premises licence			
Conversion application fee for non-fast track application	19 Apr 2007	£1,750.00	£1,750.00
Non-conversion application fee in respect of provisional statement premises	19 Apr 2007	£1,200.00	£1,200.00
Non-conversion application fee in respect of other premises	19 Apr 2007	£3,500.00	£3,500.00
Annual fee (within 30 days of issue and then on the anniversary)	19 Apr 2007	£1,000.00	£1,000.00
Fee for application to vary licence	19 Apr 2007	£1,750.00	£1,750.00
Fee for application to transfer a licence	19 Apr 2007	£1,200.00	£1,200.00
Fee for application for reinstatement of a licence	19 Apr 2007	£1,200.00	£1,200.00
Fee for application for provisional statement	19 Apr 2007	£3,500.00	£3,500.00
Adult gaming centre premises licence			
Conversion application fee for non-fast track application	19 Apr 2007	£1,000.00	£1,000.00
Non-conversion application fee in respect of provisional statement premises	19 Apr 2007	£1,200.00	£1,200.00
Non-conversion application fee in respect of other premises	19 Apr 2007	£2,000.00	£2,000.00
Annual fee (within 30 days of issue and then on the anniversary)	19 Apr 2007	£1,000.00	£1,000.00
Fee for application to vary licence	19 Apr 2007	£1,000.00	£1,000.00
Fee for application to transfer a licence	19 Apr 2007	£1,200.00	£1,200.00
Fee for application for reinstatement of a licence	19 Apr 2007	£1,200.00	£1,200.00
Fee for application for provisional statement	19 Apr 2007	£2,000.00	£2,000.00
Betting premises (track) licence			
Conversion application fee for non-fast track application	19 Apr 2007	£1,250.00	£1,250.00
Non-conversion application fee in respect of provisional statement premises	19 Apr 2007	£950.00	£950.00
Non-conversion application fee in respect of other premises	19 Apr 2007	£2,500.00	£2,500.00
Annual fee (within 30 days of issue and then on the anniversary)	19 Apr 2007	£1,000.00	£1,000.00
Fee for application to vary licence	19 Apr 2007	£1,250.00	£1,250.00
Fee for application to transfer a licence	19 Apr 2007	£950.00	£950.00
Fee for application for reinstatement of a licence	19 Apr 2007	£950.00	£950.00
Fee for application for provisional statement	19 Apr 2007	£2,500.00	£2,500.00

LICENSING FEES

APPENDIX 1 APPENDIX 1

	Last varied	2009/10	APPENDIX 1
Family entertainment centre premises licence			
Conversion application fee for non-fast track application	19 Apr 2007	£1,000.00	£1,000.00
Non-conversion application fee in respect of provisional statement premises	19 Apr 2007	£950.00	£950.00
Non-conversion application fee in respect of other premises	19 Apr 2007	£2,000.00	£2,000.00
Annual fee (within 30 days of issue and then on the anniversary)	19 Apr 2007	£750.00	£750.00
Fee for application to vary licence	19 Apr 2007	£1,000.00	£1,000.00
Fee for application to transfer a licence	19 Apr 2007	£950.00	£950.00
Fee for application for reinstatement of a licence	19 Apr 2007	£950.00	£950.00
Fee for application for provisional statement	19 Apr 2007	£2,000.00	£2,000.00
Betting premises (other) licence			
Conversion application fee for non-fast track application	19 Apr 2007	£1,500.00	£1,500.00
Non-conversion application fee in respect of provisional statement premises	19 Apr 2007	£1,200.00	£1,200.00
Non-conversion application fee in respect of other premises	19 Apr 2007	£3,000.00	£3,000.00
Annual fee (within 30 days of issue and then on the anniversary)	19 Apr 2007	£600.00	£600.00
Fee for application to vary licence	19 Apr 2007	£1,500.00	£1,500.00
Fee for application to transfer a licence	19 Apr 2007	£1,200.00	£1,200.00
Fee for application for reinstatement of a licence	19 Apr 2007	£1,200.00	£1,200.00
Fee for application for provisional statement	19 Apr 2007	£3,000.00	£3,000.00
Other discretionary gambling fees:			
Conversion of premises licence – fast track application	19 Apr 2007	£300.00	£300.00
Change of circumstance fee	19 Apr 2007	£50.00	£50.00
Copy of a licence	19 Apr 2007	£25.00	£25.00
Temporary Use Notice	19 Apr 2007	£500.00	£500.00
Endorsed copy of TUN	19 Apr 2007	£50.00	£50.00
Occasional Use Notice (no power to charge a fee)	19 Apr 2007	N/A	N/A

LICENSING FEES

APPENDIX 1
APPENDIX 1

Permit and Registration fees (prescribed)
Family Entertainment Centre - 10 years from date of issue

	Last varied	2009/10	APPENDIX 1
Application fee - Existing Operator	01 Sep 2007	£100.00	£100.00
Application fee - New Operator	01 Sep 2007	£300.00	£300.00
Renewal fee	01 Sep 2007	£300.00	£300.00
Annual fee	01 Sep 2007	N/A	N/A
Variation	01 Sep 2007	N/A	N/A
Transfer	01 Sep 2007	N/A	N/A
Change of name	01 Sep 2007	£25.00	£25.00
Copy of permit	01 Sep 2007	£15.00	£15.00

Prize Gaming Permit - 10 years from date of issue

Application fee - Existing Operator	01 Sep 2007	£100.00	£100.00
Application fee - New Operator	01 Sep 2007	£300.00	£300.00
Renewal fee	01 Sep 2007	£300.00	£300.00
Annual fee	01 Sep 2007	N/A	N/A
Variation	01 Sep 2007	N/A	N/A
Transfer	01 Sep 2007	N/A	N/A
Change of name	01 Sep 2007	£25.00	£25.00
Copy of permit	01 Sep 2007	£15.00	£15.00

Alcohol Licensed Premises Gaming Machine Permit - Indefinite

Application fee - Existing Operator	01 Sep 2007	£100.00	£100.00
Application fee - New Operator	01 Sep 2007	£150.00	£150.00
Renewal fee	01 Sep 2007	N/A	N/A
Annual fee (within 30 days of issue and then on the anniversary)	01 Sep 2007	£50.00	£50.00
Variation	01 Sep 2007	£100.00	£100.00
Transfer	01 Sep 2007	£25.00	£25.00
Change of name	01 Sep 2007	£25.00	£25.00
Copy of permit	01 Sep 2007	£15.00	£15.00

LICENSING FEES

**APPENDIX 1
APPENDIX 1**

Alcohol Licensed Premises Notifications - Indefinite

A change in the Licensing Act 2003 premises licence will require a new notification.

	Last varied	2009/10	APPENDIX 1
Application fee - Existing Operator	01 Sep 2007	£50.00	£50.00
Application fee - New Operator	01 Sep 2007	N/A	N/A
Renewal fee	01 Sep 2007	N/A	N/A
Annual fee	01 Sep 2007	N/A	N/A
Duration of Permit	01 Sep 2007	Indefinitely	Indefinitely
Variation	01 Sep 2007	N/A	N/A
Transfer	01 Sep 2007	N/A	N/A
Change of name	01 Sep 2007	N/A	N/A
Copy of permit	01 Sep 2007	N/A	N/A

Club Gaming and Club Machine Permits - Existing holders of registrations or Club Premises

Certificates - 10 years from date of issue

Application fee - Existing Operator	01 Sep 2007	£100.00	£100.00
Application fee - New Operator	01 Sep 2007	N/A	N/A
Renewal fee	01 Sep 2007	£100.00	£100.00
Annual fee (within 30 days of issue and then on the anniversary)	01 Sep 2007	£50.00	£50.00
Variation	01 Sep 2007	£100.00	£100.00
Transfer	01 Sep 2007	N/A	N/A
Change of name	01 Sep 2007	N/A	N/A
Copy of permit	01 Sep 2007	£15.00	£15.00

Club Gaming and Club Machine Permits - All other cases - 10 years from date of issue

Application fee - Existing Operator	01 Sep 2007	N/A	N/A
Application fee - New Operator	01 Sep 2007	£200.00	£200.00
Renewal fee	01 Sep 2007	£200.00	£200.00
Annual fee (within 30 days of issue and then on the anniversary)	01 Sep 2007	£50.00	£50.00
Variation	01 Sep 2007	£100.00	£100.00
Transfer	01 Sep 2007	N/A	N/A
Change of name	01 Sep 2007	N/A	N/A
Copy of permit	01 Sep 2007	£15.00	£15.00

LICENSING FEES

Small Society Lottery Registration - Indefinite

Application fee - Existing Operator

Application fee - New Operator

Renewal fee

Annual fee

Variation

Transfer

Change of name

Copy of permit

APPENDIX 1

2009/10 APPENDIX 1

Last varied

01 Sep 2007	N/A	N/A
01 Sep 2007	£40.00	£40.00
01 Sep 2007	£20.00	£20.00
01 Sep 2007	N/A	N/A
01 Sep 2007	N/A	N/A
01 Sep 2007	N/A	N/A
01 Sep 2007	N/A	N/A
01 Sep 2007	N/A	N/A

Authority	Hackney Carriage	Private Hire Vehicle
Portsmouth	£160	£160
Gosport	£190	£190
Eastleigh	£180	£180
Basingstoke	£210	£210
IOW	£228	£228
Brighton and Hove	£180	£157
Bath	£330	£283
Bristol	£177	£177
Oxford	£351	£262
Exeter	£215	£220
Southampton	£165 (proposed)	£165 (proposed)

Clive Johnson
Chair
Southampton Trade Association (STA)

**Councillor B Parnell
Chair Licensing Committee
Southampton City Council**

31st March 2010

Dear Cllr. Parnell,

Reference: Fare Variation Proposed by the Southampton Hackney Association (SHA)

The Southampton Trade Association (STA) wishes to object to the fare variation proposed by the Southampton Hackney Association (SHA).

The STA's objection to a fare variation is based on the results of a recent survey of its members. The majority of those surveyed were against a fare variation (increase) at the present time.

Re: Recommended increases in Hackney Carriage and Private Hire Licensing Fees

The STA wishes to object to the recommended increases in Hackney Carriage and Private Hire licence fees.

The STA's objection to the increase in fees: If the STA considers that fares should not be increased at the present time neither should fees. Especially, when such a large reduction in fees has been recommended in other areas of licensing.

The STA want you to take these objections into consideration when you revisit these issues.

I wish to make representation on behalf of the STA membership when the Licensing Committee reconsiders these matters.

Yours sincerely,

Clive Johnson

STA Chairman

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Agenda Item 8

DECISION-MAKER:	LICENSING COMMITTEE		
SUBJECT:	BTEC QUALIFICATIONS		
DATE OF DECISION:	2 JUNE 2010		
REPORT OF:	SOLICITOR TO THE COUNCIL		
AUTHOR:	Name:	Richard Black	Tel: 023 8083 3523
	E-mail:	richard.black@southampton.gov.uk	
STATEMENT OF CONFIDENTIALITY			
None			

BRIEF SUMMARY

To seek members' support to approve a further training provider that offers a similar qualification to the Edexcel Level 2 BTEC Award in Transporting Passengers by Taxi and Private Hire.

To delegate authority to the Solicitor to the Council to approve further similar qualifications if they meet the current criteria.

To waive the requirement for drivers, who are currently licensed by Southampton City Council as either Hackney Carriage or Private Hire drivers and have held such licence for in excess of three years, to undertake a BTEC or similar qualification when making application for the alternate licence.

RECOMMENDATIONS:

- (i) To approve the EDI (Educational Development International) certificate in road passenger transport (taxi).
- (ii) To delegate authority to Solicitor to the Council to approve further similar qualifications.
- (iii) To alter the policy for driver criteria in order that suitably qualified licensed drivers can apply for an alternate drivers licence without the need to undertake an approved qualification and to delegate authority to the Solicitor to the Council to authorise the wording of such amendment.

REASONS FOR REPORT RECOMMENDATIONS

- 1 There are a number of Training Organisations who offer similar qualifications the overriding concern should be for the Council to be inclusive in its approach to other qualifications, provided the standard meets the relevant criteria.
- 2 In order to prevent delays and expedite approval of suitable qualifications.
- 3 To ensure applications by existing drivers are not unnecessarily impeded by unreasonable requirements.

DETAIL (Including consultation carried out)

- 4 The Licensing Committee approved the requirement for the Edexcel BTEC qualification in August 2009 as a matter of policy for new drivers. At the time there were no other obvious qualifications on offer. The EDI qualification,

however, has since been recommended to the Licensing Team and, given that its content is to all intents and purposes the same as the Edexcel qualification it would appear that the approval of another qualification extends the available options to potential drivers.

RESOURCE IMPLICATIONS

Capital/Revenue

5 None

Property/Other

6 None

LEGAL IMPLICATIONS

Statutory Power to undertake the proposals in the report:

7 Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976

Other Legal Implications:

8 None

POLICY FRAMEWORK IMPLICATIONS

9 None

SUPPORTING DOCUMENTATION

Appendices

1.	None
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Documents In Members' Rooms

1.	None
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Background Documents

Title of Background Paper(s)

Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.	None	
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Background documents available for inspection at: Licensing Office, Southbrook Rise

FORWARD PLAN No: N/A **KEY DECISION?** NO

WARDS/COMMUNITIES AFFECTED:	N/A
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