

Agenda

Meeting name	Licensing Committee
Date	Tuesday, 13 February 2024
Start time	6.30 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leics, LE13 1GH
Other information	This meeting is open to the public

Members of the Licensing Committee are invited to attend the above meeting to consider the following items of business.

Edd de Coverly
Chief Executive

Membership

Councillors	S. Carter (Chair)	S. Lumley (Vice-Chair)
	J. Adcock	P. Allnatt
	S. Atherton	M. Clay
	C. Evans	S. Orson
	D. Pritchett	R. Sharp

Quorum: 5 Councillors

Meeting enquiries	Democratic Services
Email	democracy@melton.gov.uk
Agenda despatched	Monday, 5 February 2024

No.	Item	Page No.
1.	APOLOGIES FOR ABSENCE	
2.	DECLARATIONS OF INTEREST Members to declare any interest as appropriate in respect of items to be considered at this meeting.	1 - 2
3.	MINUTES To confirm the minutes of the meeting held on 22 June 2023.	3 - 6
4.	MINUTES TO BE NOTED FROM LICENSING SUB-COMMITTEES To note the minutes of the Licensing Sub Committees as follows : (a) Licensing Sub Committee held on 9 August 2023 (b) Licensing Sub Committee held on 22 January 2024 – to follow	7 - 12
5.	TAXI LICENCE APPLICATION FEES 2024-25 To receive report on a review of taxi licence application fees.	13 - 26
6.	LICENSING PERFORMANCE REPORT To receive a report that updates Members on the work carried out by the Licensing Team and the wider impacts and benefits of the licensing regime.	27 - 38
7.	URGENT BUSINESS To consider any other items that the Chair considers urgent	

MEMBER INTERESTS

Do I have an interest?

1 DISCLOSABLE PECUNIARY INTERESTS (DPIs)

A “Disclosable Pecuniary Interest” is any interest described as such in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and includes an interest of yourself, or of your Spouse/Partner (if you are aware of your Partner's interest) that falls within the following categories: Employment, Trade, Profession, Sponsorship, Contracts, Land/Property, Licences, Tenancies and Securities.

A Disclosable Pecuniary Interest is a Registerable Interest. Failure to register a DPI is a criminal offence so register entries should be kept up-to-date.

2 OTHER REGISTERABLE INTERESTS (ORIs)

An “Other Registerable Interest” is a personal interest in any business of your authority which relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority; or
- b) any body
 - (i) exercising functions of a public nature
 - (ii) any body directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

3 NON-REGISTRABLE INTERESTS (NRIs)

“Non-Registrable Interests” are those that you are not required to register but need to be disclosed when a matter arises at a meeting which directly relates to your financial interest or wellbeing or a financial interest or wellbeing of a relative or close associate that is not a DPI.

In each case above, you should make your declaration at the beginning of the meeting or as soon as you become aware. In any other circumstances, where Members require further advice they should contact the Monitoring Officer or Deputy Monitoring Officer in advance of the meeting.

Declarations and Participation in Meetings

1 DISCLOSABLE PECUNIARY INTERESTS (DPIs)

- 1.1 Where a matter arises at a meeting which **directly relates** to one of your Disclosable Pecuniary Interests which include both the interests of yourself and your partner then:
- you must disclose the interest;
 - not participate in any discussion or vote on the matter; and
 - must not remain in the room unless you have been granted a Dispensation.

2 OTHER REGISTERABLE INTERESTS (ORIs)

- 2.1 Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests i.e. relating to a body you may be involved in:
- you must disclose the interest
 - may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter; and
 - must not remain in the room unless you have been granted a Dispensation.

3 NON-REGISTRABLE INTERESTS (NRIs)

- 3.1 Where a matter arises at a meeting, which is not registrable but may become relevant when a particular item arises i.e. interests which relate to you and /or other people you are connected with (e.g. friends, relative or close associates) then:
- you must disclose the interest;
 - may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter; and
 - must not remain in the room unless you have been granted a Dispensation.

4 BIAS

- 4.1 Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias. If you have been involved in an issue in such a manner or to such an extent that the public are likely to perceive you to be biased in your judgement of the public interest (bias):
- you should not take part in the decision-making process
 - you should state that your position in this matter prohibits you from taking part
 - you should leave the room.

In each case above, you should make your declaration at the beginning of the meeting or as soon as you become aware. In any other circumstances, where Members require further advice they should contact the Monitoring Officer or Deputy Monitoring Officer in advance of the meeting.

Minutes

Meeting name	Licensing Committee
Date	Thursday, 22 June 2023
Start time	6.30 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leics, LE13 1GH

Present:

Chair Councillor S. Carter (Chair)

Councillors

S. Lumley (Vice-Chair)	P. Allnatt
S. Atherton	S. Cox
S. Orson	C. Pitt Miller
D. Pritchett	R. Sharp

Officers

- Director for Growth and Regeneration
- Democratic Services Manager
- Licensing & Compliance Officer (Business Advisor: Licensing) (SF)
- Democratic Services Officer (HA)
- Democratic Services Officer (SE)

Minute No.	Minute
L1	<p>Apologies for Absence There were no apologies for absence. Councillor Evans was not present at the meeting.</p>
L2	<p>Declarations of Interest There were no declarations of interest.</p>
L3	<p>Minutes (a) The minutes of the meeting held on 30 June 2022 were confirmed as a true record. (b) The minutes of the special meeting held on 21 November 2022 were confirmed as a true record.</p>
L4	<p>Minutes to be noted from Licensing Sub-Committees and Licensing Panels (a) The minutes of the Licensing Sub Committee held on 10 October 2022 were noted. (b) The minutes of the Licensing Sub Committee held on 16 January 2023 were noted. (c) The minutes of the Licensing Sub Committee held on 25 April 2023 were noted.</p>
L5	<p>Licensing Performance Report The Director for Growth and Regeneration outlined the structure of the Licensing function and team and presented a report on the work carried out by the Licensing Team and the wider impacts and benefits of the licensing regime. The report set out the performance data for all types of licences including Taxis, Alcohol and Entertainment and Miscellaneous Licences. The report detailed a summary of the work delivered during 2022-23 and provided a comparison with previous years. The effects of covid and recovery were taken into account when reviewing the data.</p> <p>Going forward it was noted that the Government's Levelling up White Paper would explore transferring control of taxi licensing to both combined authority and upper tier authorities and stakeholders would be consulted on any such proposals. Both the Chair and the Portfolio Holder for Licensing would be involved in the Council's response to the consultation.</p> <p>There was also a new Terrorism (Protection of Premises) Bill to be enacted which would place a requirement on those responsible for certain publicly accessible locations to consider the threat from terrorism and implement appropriate and proportionate mitigation measures. This legislation would have an impact on the Licensing Team as well as those organising large events.</p> <p>During the debate, the following was raised:</p>

	<ul style="list-style-type: none"> • There was appreciation for the Licensing Team and they were thanked for the comprehensive information and excellent quality of the report • With regard to debtors, it was queried why fees were not received before the licensing work was undertaken • The Licensing and Compliance Officer responded that much of the outstanding debt was inherited from a previous team and mainly constituted non-payment of annual premises licence fees that automatically renew. The current team had been involved in chasing up on these unpaid debts and had subsequently reduced the overall amount and now had a process in place to pursue immediate payment of annual fees but the licence holder still had 28 days to pay • With regard to the Forbidden Forest event referred to in the Sub Committee minutes held on 10 October 2022, there was reference made on the lack of stewarding for the 2022 event and during the event held in 2023 there had been at least two serious accidents involving those attending that festival. The main concern was around the driving standard on country roads and the poor signage and lack of stewards that led to the Belvoir events and how this could be addressed through the Safety Advisory Group (SAG) meetings for such events. It was reported that Stathern Parish Council and others were looking for some reassurance and improvements in the arrangements, noise monitoring and access routes for the Noisily Festival coming up in July • The Director for Growth and Regeneration advised that there had been a meeting that day between the organiser and the Parish Council. There was also the SAG meetings which Jo Belcher, the Regulatory Services Team Leader, chaired and she understood that concerns had been raised and would check on the arrangements and ensure the Parish Council were kept informed. The SAG meetings involved representation from the police, highway authorities for both Leicestershire and Lincolnshire, Ambulance, Fire & Rescue
L6	<p>Urgent Business</p> <p>There was no urgent business.</p>

The meeting closed at: 6.55 pm

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Minutes

Meeting name	Licensing Sub-Committee
Date	Wednesday, 9 August 2023
Start time	10.30 am
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leics, LE13 1GH

Present:

Chair Councillor P. Allnatt (Chair)

Councillors S. Atherton S. Carter

Officers Director for Growth and Regeneration
 Democratic Services Manager
 Licensing & Compliance Officer (Business Advisor: Licensing) (SF)
 Licensing Enforcement Officer
 Democratic Services Officer (HA)
 Democratic Services Officer (SE)

Minute No.	Minute
LSC1	<p>Election of a Chair Councillor Allnatt was elected as the Chair for this Licensing Sub Committee.</p>
LSC2	<p>Apologies for absence There were no apologies for absence.</p>
LSC3	<p>Declarations of Interest There were no declarations of interest.</p>
	<p>EXCLUSION OF THE PRESS AND PUBLIC RESOLVED that the press and public be excluded from the meeting because the business to be transacted contains information relating to an individual and information that is likely to reveal the identity of an individual as well as information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.</p>
LSC4	<p>HACKNEY CARRIAGE AND PRIVATE HIRE POLICY 2021 - ALLEGED BREACH On consideration of the evidence, the Licensing Officer's report, the representation of the driver, relevant legislation, case law and policies the Sub-Committee made the following decision.</p> <p>RESOLVED</p> <p>To REVOKE the Driver's Combined Private Hire and Hackney Drivers Licence with immediate effect in accordance with section 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976 in the interests of public safety.</p> <p>There was a right of appeal in respect of this decision which must be lodged at the Magistrates' Court within 21 days.</p>

The meeting closed at: 12.20 pm

By virtue of paragraph(s) 1, 2, 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Licensing

13 February 2024

Report of: Elaine Bird, Head of Regulatory Services

Taxi Licence Application Fees 2024-25

Corporate Priority:	Delivering excellent services positively impacting on our communities
Relevant Ward Member(s):	All
Date of consultation with Ward Member(s):	N/A
Exempt Information:	No

1 Summary

1.1 To consider a 4% increase of the taxi licence fees for 2024-25

RECOMMENDATION

That Committee:

- 1) Note the proposed taxi licence application fee structure as set out in appendix A.**
- 2) Delegated Authority is given to the Director of Growth and Regeneration, in consultation with the Portfolio Holder to resolve any objections received following the consultation of the proposed taxi licence application fees, for them to take affect from the 1st April 2024.**
- 3) Delegated authority is given to the Director of Growth and Regeneration, in consultation with the Portfolio Holder to enter into any necessary agreement with Taxiplus to support the delivery of the taxi licence application process.**

2 Reason for Recommendations

2.1 Taxi Licence fees are set locally, unlike alcohol licence fees which are set nationally by Government. Taxi licence fees were last increased by Melton Borough Council in 2017 and in 2021 the Licensing Committee agreed a freeze of the fees to support the trade in recovering from the effects of the pandemic. A copy of the current fees can be seen at Appendix A.

- 2.2 The fees need to be reviewed by Melton Borough Council as they have not been increased since 2017 but the costs of administrating the service by the Council has increased.
- 2.3 The Constitution delegates to the relevant Director to approve locally set fees including taxi licence fees.
- 2.4 Hackney Carriage taxi application fees and charges are approved following the required consultation in line with the procedure set out in the Local Government (Miscellaneous Provisions) Act 1976.
- 2.5 The introduction of Taxiplus will streamline the taxi licence application process for the Council and the taxi trade. In addition will provide more assurance on public safety as up to date information would be readily available to the licensing officers.

3 Background

- 3.1 The taxi trade is vital in a rural Borough like Melton, it supports the general economy, but particularly the nighttime economy as there are no alternative public transport options available.
- 3.2 It is a significant local transport network to facilitate independence for members of the public and enabling their access to essential services, particularly relevant for a sector of local population without access to their own vehicle and/or those with mobility problems.
- 3.3 Sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976 (“the Act”) allow the Council to charge fees for the grant of licences in respect of hackney carriage and private hire drivers, vehicles and operators. The legislation specifies the elements that can be included in the cost of the licence fee.
- 3.4 The cost of issue and administration can be recovered in drivers’ licence fees. In respect of vehicle and operator licences, the reasonable cost of inspecting vehicles, providing hackney carriage stands and any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles can be included in the fees.
- 3.5 To support the trade to recover from the impact of the pandemic, members of the Licensing Committee 9th September 2021 agreed a freeze on the taxi license application fees and the introduction of a new 1 and 2 year driver licences to make a licence more attractive to new drivers without having to commit to a three year period.

4 Main Considerations

- 4.1 To operate as hackney carriage or a private hire, the following licences are required:
 - Private hire or hackney carriage vehicle licence.
 - Drivers licence.
 - Operators licence which required to operate a private hire business.

The duration of each taxi licence varies depending on the licence type as set out in Table 1.

Table 1 – Taxi License duration

License Type	Duration
Vehicle	1 year licence
Driver	1-3 year licence

Operator	5 year licence
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4.2 The number of applications from the taxi trade are generally improving since the pandemic however it is recognised that the number of applications remain below the pre pandemic levels.

Table 2 – Taxi Licence applications

	Number of Hackney carriage vehicle Applications	Number of Private Hire vehicle Applications	Number of Driver applications	Number of Operator applications
2018-19	74	27	59	4
2019-20	63	41	31	1
2020-21	66	28	36	2
2021-22	41	22	41	3
2022-23	52	29	41	2
End of Sept 23	20	18	25*	1**

*there are currently 56 licenced drivers

**there are currently 7 licensed operators

4.3 As there a has not been an increase in the licence application fees since 2017, it is important that any increase is proportionate and the proposal is a flat rate increase of 4% across all of the chargeable activities.

4.4 A significant increase in the application fees may result in more of the trade leaving the profession and any increase must be proportionate to the risk of losing drivers providing a local service.

4.5 **Taxiplus**

4.6 Drivers and operators are required to have Disclosure Barring Service (DBS) check as part of the application process and period checks throughout the lifetime of the licence. The cost of the DBS checks is not included in the licence application fee but is invoiced separately. This does have an impact on the resource of the team as there is a requirement for licence holders to have a DBS check every six months which ensures the licensed drivers and operators are fit and proper persons. The current cost of the DBS check is £51.50 each time plus officer administration costs.

4.7 To support the efficient processing of applications, Taxiplus offers a subscription service to streamline the DBS and DVLA checks for both the local authority and the taxi trade as well as maintaining a high level of public safety by having instant access to licence holders information.

4.8 Rather than the Council arranging the DBS checks and invoicing the applicant, through the Taxiplus portal the applicants would purchase their DBS checks directly through a local authority specific portal. There is also a DBS update service which the licence holder subscribes to which enables the local authority to undertake the DBS compliance checks without the need for a full DBS check.

4.9 Taxiplus is nil cost to the Council. The costs for this service would be met by the trade as an alternative to the Council arranging the DBS and DVLA checks and recharging the applicant. The indicative Taxiplus costs to the trade are in the region of

- DBS check £53.00

- DVLA check £12.00 plus VAT
- Update Service status checks £6.00 plus VAT

4.10 Benchmarking

A benchmarking analysis of Leicestershire Authorities and our adjoining neighbouring Authorities has been carried out. It can be seen that in general Melton fees are in line with our neighbouring authorities, except for annual vehicle fees (see tables in Appendix B).

The average cost in Leicestershire for an initial application fee for a vehicle is in the region of £215 compared to the proposed Melton fee of £125.00

4.11 Recovery of costs

4.12 Sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976 (“the Act”) allow the Council to charge fees for the grant of licences in respect of hackney carriage and private hire drivers, vehicles and operators. The legislation specifies the elements that can be included in the cost of the licence fee.

4.13 The cost of issue and administration can be recovered in drivers’ licence fees. In respect of vehicle and operator licences, the reasonable cost of inspecting vehicles, providing hackney carriage stands and any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles can be included in the fees.

4.14 The 2017 application fees were based on the hourly rate of officers at the time. As the fees have not been reviewed for several years, to increase the application fees to meet costs recovery would place a significant economic burden on the trade when we need to support growth of the industry in the Borough of Melton. The introduction of the Taxiplus also enables the increased licence application fee to be kept to a minimum as the administration burden to the team is reduced.

5 Next Steps – Implementation and Communication

5.1 Subject to the approval of recommendation 2, the Director of Growth and Regeneration, in consultation with the Portfolio Holder to consider and resolve any objections received following the consultation requirements of the Local Government (Miscellaneous Provisions) Act 1976 and as detailed in Section 8 of the report. The new taxi licence fees will take effect from the 1st April 2024.

5.2 If agreed, to enter into discussions with Taxiplus to agree a delivery model for Melton Borough Council to undertake the DBS and DVLA checks that are required as part of the taxi licensing process.

5.3 To engage with the trade on the introduction of the taxiplus service to support the transition to the new process.

6 Financial Implications

6.1 The law states that recovery of taxi licence can be on a cost recovery basis in the Local Government (Miscellaneous Provisions) Act 1976, but it does not have to be full cost recovery. The fee structure can be based on what the Council considers reasonable.

6.2 The cost of issue and administration can be recovered in drivers’ licence fees. In respect of vehicle and operator licences, the reasonable cost of inspecting vehicles, providing hackney carriage stands and any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles can be included in the fees.

- 6.3 Subject to the outcome of the consultation, the taxi licence application fees are increased by 4% which is in line with other locally set application fees. The proposed fees are set out in Appendix A.
- 6.4 Based on the current system the resource required to carry out the required DBS and DVLA checks equated to approximately £8,800 per annum. Based on an average of 60 licensed drivers, the resource calculation is based on the hourly rate and time spent by the team in processing this element of the licence applications. In comparison the cost to the trade using the Taxiplus service is approximately £1,300 per annum. This means that the overall increase in the taxi licence application fees can be kept to a minimum at 4%. The cost of Taxiplus will be met by the trade.

7 Financial Implications reviewed by: Assistant Director for Resources

8 Legal and Governance Implications

- 8.1 The Local Government (Miscellaneous Provisions) Act 1976 allows the Council to charge for the grant of licences in respect of hackney carriage and private hire drivers, vehicles and operators. The fees must be set at a level which ensures that the Council does not make a profit.
- 8.2 Section 53(2) of the Act states in relation to drivers' licences for hackney carriage and private hire vehicles "Notwithstanding the provisions of the Act of 1847, a district council may demand and recover for the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle, as the case may be, such a fee as they consider reasonable with a view to recovering the costs of issue and administration and may remit the whole or part of the fee in respect of a private hire vehicle in any case in which they think it appropriate to do so"
- 8.3 Section 70 of the Act states, in relation to vehicle and operators' licences
- (1) Subject to the provisions of subsection (2) of this section, a district council may charge such fees for the grant of vehicle and operators' licences as may be resolved by them from time to time and as may be sufficient in the aggregate to cover in whole or in part—
- (a) the reasonable cost of the carrying out by or on behalf of the district council of inspections of hackney carriages and private hire vehicles for the purpose of determining whether any such licence should be granted or renewed;
- (b) the reasonable cost of providing hackney carriage stands; and
- (c) any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles"

Fees set must be published by means of a notice in a local newspaper setting out the fees and allowing a period of at least 28 days for objections to be made. A copy of the notice must be available for inspection at the Council offices for the same period. If no objection is made or all objections made are withdrawn, the fees come into effect at the end of the period allowed for objection or the date of withdrawal of the last objection if later. Any objections made during the period allowed for must be considered and a further date set, being not later than two months after the first date, for the fees to come into force with or without modification. manner.

Legal Implications reviewed by: Clive Tobin, Assistant Director Governance and Democracy, Monitoring Officer.

9 Equality and Safeguarding Implications

9.1 Whilst there are no direct safeguarding implications for this report, all taxi drivers have to undertake mandatory safeguarding training following child sexual exploitation incidents in the north-west of England when taxis were used in some instances to transport victims.

10 Community Safety Implications

10.1 There are no implications associated with this report.

11 Environmental and Climate Change Implications

11.1 There are no implications associated with this report however the Hackney carriage and private hire taxi licensing policy includes a reduced licence fee for low emission vehicles which are used as hackney carriage or private hire vehicles.

12 Other Implications (where significant)

12.1 There are no implications associated with this report.

13 Risk & Mitigation

14 Risk No	Risk Description	Likelihood	Impact	Risk
1	Likely to lose more drivers by increasing fees in line with full cost recovery	Significant	Critical	M

		Impact / Consequences			
		Negligible	Marginal	Critical	Catastrophic
Likelihood	Score/ definition	1	2	3	4
	6 Very High				
	5 High				
	4 Significant			1	
	3 Low				
	2 Very Low				
	1 Almost impossible				

Risk No	Mitigation
1	Increase licence application fees by a standard 4%

Report Author:	Eliane Bird – Head of Regulatory Services
Report Author Contact Details:	01664 504296

	<i>ebird@melton.gov.uk</i>
Chief Officer Responsible:	Pranali Parikh – Director for Growth and Regeneration
Chief Officer Contact Details:	01664 504321 pparikh@melton.gov.uk

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Appendix A

Hackney Carriage and Private Hire

Licensing Table of Fees 2021-2023 and proposed fees for 2024-25

New Applications	2021 Fees	2024-25 proposed Fees
Hackney Carriage/Private Hire Drivers Licence (3 years)	£318.00	£331.00
Hackney Carriage/Private Hire Drivers Licence (2years)	£220.00	£229.00
Hackney Carriage/Private Hire Vehicle Licence (1 year)	£120.00	£125.00*
Private Hire Operators Licence (5 years)	£845.00	£879.00
Renewal applications	Cost	
Hackney Carriage/Private Hire Drivers Licence (3 years)	£286.00	£297.00
Hackney Carriage/Private Hire Drivers Licence (2years)	£200.00	£208.00
Hackney Carriage/Private Hire Vehicle Licence (1 year)	£105.00	£109.00*
Private Hire Operators Licence (5 years)	£760.00	£790.00
Miscellaneous	Cost	
Replacement Private Hire Door Signs	£17.00	£18.00
Private Hire Door Signs (Magnetic)	£22.00	£23.00
Extra Plates (trailers etc.)	£17.00	£18.00
Replacement Badge	£15.50	£16.00

Replacement Paper Licence	£7.00	£7.30
Replacement internal plate/sticker	£15.00	£15.60
Replacement external plate	£22.00	£23.00
Other	Cost	
Disclosure and Barring Service Check	£51.50	At cost of Taxiplus
DVLA Check	£5.00	At cost of Taxiplus

*25% reduction for low emission vehicles in accordance with the Private Hire and Taxi Policy 2021

Appendix B

Benchmarking of Taxi Licensing fees

	Current	Proposed						
Fee Type	Melton	Melton	HDC	Blaby	NWL	Charnwood	H & B	O&W
Taxi Driver New	£318 (3yrs)	£331 (3yrs)	£432 (3yrs)	£280 (3yrs)	£115(1yr) £267(3yrs)	£230 (3yrs)	£230 (3yrs)	£213 (3yrs)
Taxi Driver Renewal	£286 (3yrs)	£297 (3yrs)	£330 (3yrs)	-	£267 (3yrs)	£210 (3yrs)	£230 (3yrs)	
Taxi Vehicle New	£120 (1yr)	£125 (1yrs)	£280 +£20 (1yr)	£205 (1yr)	£323 or £268 depending on age (1yr)	£230 (1yr) Inc plates	£172 (1yr)	£246 PH £262 HC
Taxi Vehicle Renewal	£105	£109	£265 (1yr)	-	-	£205 (1yr)	£160 (1yr)	
Taxi Operator's New	£845 (5yrs)	£879 (5yrs)	£755 (5yrs)	£630 (5yrs)	£264- £1030 (1 to 5yrs)	£800- £1075 depending on no of vehicles (5yrs)	£250 (5yrs)	£284- £1010
Taxi Operator's Renewal	£760	£790	£730 (5yrs)					

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Appendix B

Appendix B

Benchmarking of Taxi Licensing fees

	Curr-ent	Propos-ed						
Fee Type	Melton	Melton	HDC	Blaby	NWL	Charn-wood	H & B	O&W
Taxi Driver New	£318 (3yrs)	£331 (3yrs)	£432 (3yrs)	£280 (3yrs)	£115(1yr) £267(3yrs)	£230 (3yrs)	£230 (3yrs)	£213 (3yrs)
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Taxi Operator's Renewal	£760	£790	£730 (5yrs)					

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Helping people | Shaping places



Licensing

13 February 2024

Report of: Jo Belcher Regulatory Services Team Leader

Licensing Performance Report

Corporate Priority:	Delivering excellent services positively impacting on our communities
Relevant Ward Member(s):	All
Date of consultation with Ward Member(s):	N/A
Exempt Information:	No

1 Summary

1.1 To provide Members with knowledge of the work carried out by the Licensing Team and the wider impacts and benefits of the licensing regime.

RECOMMENDATION

That Committee:

- Notes the information**

2 Reason for Recommendations

2.1 To keep Members up to date with the work carried out by the Licensing Team and their performance.

3 Background

3.1 The core of the licensing team is made of 1 Business Compliance Officer (which is made up of two 0.5 FTE), 1 Licensing Technician and 1 Enforcement Officer.

3.2 The licensing team issue licences and registrations covering the following areas:

- Taxis (vehicles, drivers and operators)
- Alcohol and Entertainment (including temporary events)
- Gambling Premises
- Animal Welfare (boarding, breeding, sale of animals, exhibition of animals, hire of horses, dangerous wild animals, zoo licence)
- Charity Collections (on the street and house to house)
- Small Lotteries

- g) Houses in Multiple Occupation
- h) Caravan & Camping Sites
- i) Invasive Beauty Treatments (piercing, tattooing, acupuncture, semi-permanent make-up, microblading, fillers etc.)
- j) Non-invasive Beauty Treatments (hairdressing)
- k) Scrap Metal Dealers (premises and collections)
- l) Pavement Licence (for tables and chairs on the highway)

3.3 This report details a summary of the work delivered for the first six months of 2023/24 from the 1st April to the 30th September 2023 and provides a comparison with previous years.

3.4 The data reviewed in this report focuses on the quantity of work dealt with and the time taken to deal with, but it is important to recognise the wider benefits that the licensing system brings.

3.5 The focus of taxi licensing is about public safety, trying to ensure that the standard and knowledge of drivers and the standard of vehicles has public safety first. The risks associated with the public using unlicensed taxis are high and can be significant.

Taxi licensing regulates hackney carriages and private hire. Unlike private hire vehicles, hackney carriages can be flagged down by members of the public, sit on taxi ranks and be pre booked whereas private hire can only be prebooked through an operator. The drivers licence covers 1-3 years and the operator's licence is for 5 years. There are currently 56 drivers and 7 private hire operators licenced by the council.

3.6 The focus of the alcohol and entertainment licensing system is to prevent crime and disorder, to promote public safety, to prevent public nuisance and protect children from harm. All the steps and checks involved help to contribute to these objectives. There are several types of licences available to regulate the sale of alcohol and other regulated entertainment. Regulated entertainment includes:

- a) a performance of a play
- b) an exhibition of a film
- c) an indoor sporting event
- d) a boxing or wrestling entertainment
- e) a performance of live music
- f) any playing of recorded music
- g) a performance of dance

3.7 The focus of gambling licences is to prevent gambling from being a source of crime or disorder and/or being associated with crime or disorder or being used to support crime, ensuring that gambling is conducted in a fair and open way, and protecting children and other vulnerable persons from being harmed or exploited. Our processes contribute to these objectives.

3.8 The focus of animal licensing is to protect the health, safety and welfare of animals being kept (boarding), bred (puppy sales), sold (sale of animals), exhibited (e.g. falconries and animals for therapy) or worked (hire of horses). Licence conditions also contribute to safety of the public particularly with dangerous wild animal and zoo licences (which both apply in Melton). The licensing also tries to protect customers from illegal trading, like puppy farms.

Under the animal welfare licensing regime, premises are awarded a star rating depending on the overall environment and welfare standards. The star rating will determine the length of the licence and also the inspection frequency during the lifetime of the licence. There are currently 38 licensed premises.

Generally, the standard of animal welfare premises is very good with over 94% of premises rated 4 or 5 stars. 5 star is the highest rating. Two premises have a star rating of 2.

- 3.9 In essence, an effective licensing service means the sectors are better regulated which in turn brings safer businesses and safer customers. It also assists in identifying non-licensed premises and/or those operating illegally.

4 Main Considerations

- 4.1 The performance data for licences reviewed in this section includes all licences and a breakdown of the following areas:

4.1.1 Taxis Licences

- (i) Hackney carriage / private hire vehicle
- (ii) driver licences
- (iii) private hire operator

4.1.2 Alcohol and Entertainment

- (i) personal alcohol
- (ii) premises alcohol
- (iii) temporary event notices
- (iv) late temporary event notices

4.1.3 Miscellaneous Licences

- (i) animal licences
- (ii) society lottery
- (iii) Pavement licenses

This report details a summary of the work delivered during the first six months of 2023-2024 and provides a comparison with previous years.

The data reviewed in this report focuses on the quantity of work dealt with and the time taken to deal with, but it is important to recognise the wider benefits that the licensing system brings.

- 4.2 The **total number of licences** dealt with between the 1st April 2023 and 30th September 2023 is 370 and the average time to process has been 7.6 days, which is a significant overall improvement on previous years.

	All Licences	
	Number of Applications	Av. Days to process
2018-19	798	14.78
2019-20	785	13.75
2020-21	599	14.6
2021-22	682	9.14
2022-23	664	10.0

End of Sept 23	370	7.6
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Taxis and Private Hire

- 4.3 To operate as hackney carriage or a private hire, the following licences are required:
- Private hire or hackney carriage vehicle licence which is renewed annually.
 - Drivers licence which is up to a three year licence.
 - Operators licence which is a five-year licence and required to operate a private hire business.
- 4.4 The number of **taxi hackney carriage vehicle** licences dealt with between the 1st April 2023 and 30th September 2023 is 20 and the average time to process has been 2.1 days on receipt of a valid application and supporting information.

	Number of Applications	Av. Days to process
2018-19	74	19.92
2019-20	63	15.65
2020-21	66	21.56
2021-22	41	1.63
2022-23	52	2.06
End of Sept 23	20	2.1

This figure does not include the revocation of a hackney carriage which occurred in the summer where a hackney driver was referred to a licensing subcommittee resulting in the revocation of his licence.

- 4.5 The number of **private hire taxi vehicle** licences dealt with between the 1st April 2023 and 30th September 2023 is 18 and the average time to process has been 2.05 days.

	Number of Applications	Av. Days to process
2018-19	27	89.48
2019-20	41	78.71
2020-21	28	53.07
2021-22	22	36.77
2022-23	29	37.00
End of Sept 23	18	2.05

These figures have been produced following an ongoing data cleansing exercise identified as requiring action following the previous committee report produced in June 2023. This now records the processing time from a complete application being received.

- 4.6 The number of **taxi driver** licences dealt with between the 1st April 2022 and 31st Mar is 25 and time to process has been 20.56 days.

	Number of Applications	Av. Days to process
2018-19	59	12.42
2019-20	31	25.74

2020-21	36	16.36
2021-22	41	11.27
2022-23	41	19.63
End of Sept 23	25	20.56

The number of enquiries dealt with still remains higher than during and post covid and the introduction of 1, 2 or 3-year licence in September 2021 is proving to be welcomed by the trade as it supports those new to the trade and also those drivers who are considering retirement and do not want to commit to a 3-year licence.

There are currently 56 licenced drivers. Whilst the average length of time to process all driver licences is 20.56 days, the average length of time has been skewed by two amendments/ variations which took 86 days each to complete due to a number of factors which are outside of the control of the licensing team including the provision of supporting information that is required to process the application. If these 2 are removed from the numbers the average time would be 14.87 days.

- 4.7 The number of taxi **private hire operators licences** dealt with between the 1st April 2023 and 30th September 2023 is 1 and the licence applications are dealt with on the day of receipt of the valid application.

	Number of Applications	Av. Days to process
2018-19	4	0
2019-20	1	0
2020-21	2	5.5
2021 -22	3	3.67
2022-23	2	0
End of Sept 23	1	0

There are currently 7 licensed private hire operators in the borough and the time taken to process licence applications remains very low.

Another area of Private Hire that is dealt with is issuing new/replacement and the surrender of door stickers. Between 1.4.23 and 30.9.23 there were 16 applications processed with the average time to process being 1.44 days.

Alcohol and Entertainment including temporary events.

- 4.8 **Personal alcohol licenses** are required by individuals who sell alcohol from a licensed premises. There is no expiry date for these licenses however they need to be amended where there is a change of the name or address of the licence holder.

The number of **personal alcohol licences** dealt with between the 1st April 2023 and 30th September 2023 is 30 and the average time to process has been 2.70 days.

	Number of Applications	Av. Days to process
2018-19	87	13.26
2019-20	52	2.37
2020-21	35	2.17
2021-22	68	1.79
2022-23	59	4.71

End of Sept 23	30	2.70
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The table above shows 30 personal licences have been processed between April and the end of September 2023.

- 4.9 The number of **premises licences** dealt with between the 1st April 2023 and 30th September 2023 is 46 and the average time to process has been 37 days.

	Number of Applications	Av. Days to process
2018-19	106	22.11
2019-20	106	20.3
2020-21	93	24.9
2021-22	107	27.61
2022-23	101	31.56
End of Sept 23	46	37

It can be seen that 46 premises licences have been processed during the half year, the average time to process has increased slightly, this increase was due largely to 2 applications, The first was a lengthy total change to a DPS where legal action was being considered, but after working with the license holders the change finally occurred. This took a total of 96 days to complete, the other a minor variation application which took 238 days to process. The delays are due to circumstances beyond our control and would include the consultation period where applicable and any hearings required on the event of valid representations being received as part of the application process. If these 2 were removed from the averages the average days to process would be 31.22 days.

- 4.10 **Temporary event notices** are required to carry out a Licensable activity on a temporary basis or where the activity goes beyond what is allowed under the Premises Licence for the business. The number of **temporary event notices** dealt with between the 1st April 2023 and 30th September 2023 is 94 and the average time to process has been 0.28 days.

	Number of Applications	Av. Days to process
2018-19	170	0.75
2019-20	219	1.41
2020-21	21	0.14
2021-22	133	0.20
2022-23	174	0.1
End of Sept 23	94	0.28

The first 6 months saw the coronation. The length of time it takes to process the notifications remains very good.

- 4.11 The number of **late temporary event notices** dealt with between the 1st April 2023 and 30th September 2023 is 29. Due to a clerical error one is recorded as still being open for 164 days. This is not the case. Removing this one the average time to process is 0 days.

Please note: the term 'late' is where the applicant has not applied with 10 working days of the event and therefore requires immediate attention by the team.

	Number of Applications	Av. Days to process
2018-19	50	0.12
2019-20	54	0.35
2020-21	13	0.31
2021-22	34	0.18
2022-23	35	0
End of Sept 23	29	0

29 late temporary event notices have been processed in the first half of the year, the average time to process remains within 1 day. The number of applications may have been slightly higher due to the Coronation in May 2023 (we did not get any applications due to the England women's team reaching the world cup finals!)

4.12 Miscellaneous Licences

4.13 The number of **animal welfare licences** dealt with between the 1st April 2023 and 30th September 2023 is 15 and the average time to process has been 1.66 days which is a big improvement on previous years. Due to the licensed animal activity licences being between 1 and 3 years and traditionally a number of licence renewals being due later in the year the lower number are within the expected range and not a decrease in licensed premises. There were no dangerous wild animal or zoo licence renewals due in this period.

	Number of Applications	Av. Days to process
2018-19	37	13.95
2019-20	23	7.96
2020-21	28	4.29
2021-22	53	8.23
2022-23	33	6.15
End of Sept 23	15	1.66

Generally, the standards for animal welfare premises is very good across the borough with 94% of premises achieving a star rating of 4 or above with 5 being the maximum rating. Star ratings do not apply to **dangerous wild animal licenses**, of which there are 3 premises licensed in the borough or the 1 Zoo license.

4.14 **Society lotteries** are run by non-commercial societies such as charitable organisations or to support sport or cultural activities for example. The number of **society lottery registrations** dealt with between the 1st April 2023 and 30th September 2023 is 17 and the average time to process has been 0.34 days

	Number of Applications	Av. Days to process
2018-19	50	31.14
2019-20	57	29.28
2020-21	39	15.74
2021-22	44	19.34
2022-23	50	17.58
End of Sept 23	17	0.34

50 society lottery registrations have been processed in 2022-23, the average time to process has reduced significantly.

4.15 As part of the covid recovery local authorities were given additional powers in the Business and Planning Act 2020 to issue pavement licences. The streamlined process allowed businesses to secure these licences quickly and allow these licences to remain in place for such period specified in the licence. This role still lies with the local authority. Prior to the 2020 Act pavement licences were issued by the Highways Authority and this route to obtain a pavement licence is still in place.

During 1st April to 30th September 2023 the team dealt with 2 pavement licence applications with an average time to process the application being 0 days.

4.16 The Team register invasive (where the skin is pierced eg tattooing and acupuncture) and non-invasive (hairdressers and barbers) individual and premise registrations. These are issued in following inspections in conjunction with health and safety and public health legislation where applicable, for public safety. Between 1st April 2023 and 30th September 2023 14 individual registrations were issued for invasive treatments (with an average of 3 days to process) and 7 registrations were issued for invasive premises (with an average of 1.7 days to process). There were 4 non-invasive premises registrations issued (taking an average of 0 days).

4.17 There were 7 house to house collection licences issued taking an average of 0.3 days to process.

4.18 There were 9 street collection permits issued between 1st April to 30th September 2023.

4.19 There was 1 House in Multiple Occupation (HMO) licence issued between 1st April to 30th September 2023.

4.20 The Team processed 5 applications (including for licence transfer, amendments and changes to fit and proper persons) for residential caravan licences and 6 applications were processed for camping and caravan licences (1 new application and 5 amendments to existing licences).

4.21 In summary, the team deal with a wide variety of licence types covering a range of licensable activities. The times taken to process the applications is good.

4.22 Licensing Audit

During 2022-23, an internal audit on the Licensing function was undertaken. The audit selected a sample of 18 taxi licences and 45 other licences for testing which confirmed controls are in place and broadly operating as intended for the processing, verifying and issuing of licences, with only a small number of omissions - none of which posed a significant safeguarding or public safety risk, and all have been addressed since the audit has been completed. However, the audit did identify some areas where action was required, and an action plan has been developed.

Key areas are set out in the table below.

Action	Progress to date
Public Register of Licenses available on the Council's website	A systems upgrade is programmed for 2023-24 which will enable licenses to be available online. The team and project manager are actively working with the

	software provider. A number of issues have been flagged to the provider and are being worked on.
Development of annual licensing enforcement plan	An initial annual enforcement plan was developed. This will be further developed.
Review of Licensing performance indicators	<p>New performance indicators are being developed as below. These will be included in the corporate performance framework.</p> <p>Current Performance indicators</p> <ul style="list-style-type: none"> Licensing - % of payments made online – currently on hold as corporate credit card payments are not available which means data for this indicator is not readily available. <p>Draft Performance indicators 2023-24:</p> <ul style="list-style-type: none"> Length of time from application received to application being duly made in days and working days. Length of time from application being received to approval in days and working days. Length of time from application being duly made to approval in days and working days. <p>The Licence applications included in the PI are:</p> <ul style="list-style-type: none"> Private Hire & Hackney Vehicle Private Hire & Hackney Driver Private Hire Operator Premises Licence Personal Licence
Development of Licensing Service Plan	To be completed during 2023 -24 and then reviewed on an annual basis.
Proactive approach to fee debt recovery	The licencing team has worked collaboratively with the Revenues and Finance teams and receive a monthly report of debtors which they action.

4.23 Licensing Policy Information

4.24 There are a number of policies in place for different licences. The table below sets out the information on the policies and review dates.

Policy Name	Publication Year	Review Year
Statement Of Licensing Policy	2022	Due 2027
Gambling Statement of principles	2022	Due 2025
Private Hire and Hackney Carriage Policy	2021	Due 2024

Licensing Enforcement Policy	2023	2028
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4.25 Enforcement

During 1st April to 30th September, one licensing hearing took place. One application for a licence amendment was made where representations were made. This application was withdrawn before the licence subcommittee hearing. Details of the hearing are set out in the table below:

Licence Type	Reason for a Hearing/Review	Outcome of Hearing/Review
Taxi Combined Drivers Licence	Exempt information as defined in paragraphs 1, 2 and 7 of Part 1 of Schedule 12A, to the Local Government Act 1972.	Revocation of combined licence
Premises Licence variation	Representations received objecting to the variations	Withdrawn by applicant prior to hearing

4.26 From 31 May 2022, new duties on taxi and private hire vehicle licensing authorities in England came into effect. Authorities must report safeguarding and road safety concerns about drivers licensed in other areas to their ‘home’ authority. The ‘home’ authority must consider whether to suspend or revoke the driver’s licence within 20 working days and notify the reporting authority.

In addition, taxi and private hire vehicle licensing authorities in England must enter all suspensions, revocations and refusals of taxi and private hire vehicle driver licences relating to safeguarding or road safety concerns into a database designated by the Transport Secretary. Licensing authority must check the database as part of the application process and have due regard to any information in the database when considering an application.

4.27 Events Safety and Safety Advisory Group

Event organisers where attendance of an event is greater than 500 (which includes all attendees – public, staff and performers) are requested to complete an event notification form. For more recent large event licences, engagement with the Safety Advisory Group (SAG) has been included in the license conditions.

The event notification form is circulated to our partners in the SAG. The core members of which are Environmental Health, the Police, Leicestershire Fire and Rescue Service, East Midlands Ambulance Service, Highways, the Local Resilience Forum.

The Team leader is currently the chair of the Safety Advisory Group for Melton.

Where needed, a full SAG is held or in some instances a Safety Management Group.

The primary role of the SAG group is public safety (including nuisance prevention).

4.23 Future considerations

4.24 In the Levelling Up White Paper, the Government said it would “explore transferring control of taxi and private hire vehicle licensing to both combined authorities and upper tier authorities.” The Department for Transport will be exploring the implications of this change with stakeholders in due course however no timeframes for this have been confirmed.

4.25 Following the Manchester Arena bombing in 2017 the Terrorism (Protection of Premises) Bill also known as Martyn’s law is due to be enacted (it is currently in draft form), which will have an impact on events. The proposed legislation will place a requirement on those responsible for certain publicly accessible locations to consider the threat from terrorism and implement appropriate and proportionate mitigation measures.

There are no implementation dates for this legislation, but further information can be found on the Government website and event organisers are encouraged to visit the webpage below as the legislation progresses through Parliament.

<https://homeofficemedia.blog.gov.uk/2022/12/19/martyns-law-factsheet/>

5 Next Steps – Implementation and Communication

5.1 To bring updated performance information to future licensing committees. It was agreed at Committee in November 2021 this should be on a 6 monthly basis.

6 Financial Implications

6.1 There are no financial implications associated with this report.

Financial Implications reviewed by: Director for Corporate Services

7 Legal and Governance Implications

7.1 There are no direct legal implications associated with this report.

7.2 The council must be able to demonstrate effectiveness of its licensing policies and provide confidence and reassurance regarding the implementation of those policies.

7.3 The Council’s Enforcement Policy will be reviewed during 2023-24. The Enforcement Policy sets out the Council’s approach to enforcement in an open and transparent manner.

Legal Implications reviewed by: **Deputy Monitoring Officer**

8 Equality and Safeguarding Implications

8.1 There are no implications associated with this report.

9 Community Safety Implications

9.1 There are no implications associated with this report.

10 Environmental and Climate Change Implications

10.1 There are no implications associated with this report however the Hackney carriage and private hire taxi licensing policy includes a reduced licence fee for low emission vehicles which are used as hackney carriage or private hire vehicles.

11 Other Implications (where significant)

11.1 There are no implications associated with this report.

12 Risk & Mitigation

This reporting of performance data does not identify any risks.

Report Author:	Jo Belcher – Team Leader Regulatory Services
Report Author Contact Details:	01664 504296 jbelcher@melton.gov.uk
Chief Officer Responsible:	Pranali Parikh – Director for Growth and Regeneration

Chief Officer Contact Details:	01664 504321 pparikh@melton.gov.uk
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