

# Licensing Committee (Non Licensing Act 2003 Functions)

Date: **28 November 2019**

Time: **3.00pm**

Venue **Council Chamber - Brighton Town Hall**

Members: **Councillors:** O'Quinn (Chair), Henry (Deputy Chair), Deane (Opposition Spokesperson), Simson (Group Spokesperson), Appich, Atkinson, Bagaeen, Davis, Ebel, Fowler, Hill, Lewry, Osborne, Rainey and Wares

Contact: **Kat Hoare**  
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# AGENDA

## 9 PROCEDURAL BUSINESS

**(a) Declaration of Substitutes:** Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

**(b) Declarations of Interest:**

- (a) Disclosable pecuniary interests
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

**(c) Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

**NOTE:** *Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

*A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.*

## 10 MINUTES OF THE PREVIOUS MEETING

7 - 10

To approve the minutes of the last meeting 27 June 2019.

Contact Officer: Kat Hoare

Tel: 01273 291064

Ward Affected: All Wards

## 11 CHAIR'S COMMUNICATIONS

## 12 CALLOVER

- (a) Items (15-16) will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

## 13 PUBLIC INVOLVEMENT

To consider the following matters raised by members of the public:

- (a) **Petitions:** to receive any petitions presented to the full council or at the meeting itself;
- (b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on the 22<sup>nd</sup> November 2019;
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 22<sup>nd</sup> November 2019.

## 14 MEMBER INVOLVEMENT

To consider the following matters raised by councillors:

- (a) **Petitions:** to receive any petitions submitted to the full Council or at the meeting itself;
- (b) **Written Questions:** to consider any written questions;
- (c) **Letters:** to consider any letters;
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Council or submitted directly to the Committee.

## 15 HACKNEY CARRIAGE & PRIVATE HIRE DRIVER ENFORCEMENT AND MONITORING 11 - 28

Report of the Directorate of Housing, Neighbourhoods & Communities.

Contact Officer: Alex Evans

Tel: 0127329

Ward Affected: All Wards

## 16 LICENSING FEES 2020/2021 (NEW) 29 - 46

Report of the Directorate of Housing, Neighbourhoods & Communities.

Contact Officer: Jim Whitelegg

Tel: 01273 292438

Ward Affected: All Wards

## 17 ITEMS REFERRED FOR COUNCIL

To consider items to be submitted to the 19<sup>th</sup> December 2019 Council meeting for information.

*In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the*

*Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting.*

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fourth working day before the meeting.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested. Infra-red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.

### **FURTHER INFORMATION**

For further details and general enquiries about this meeting contact Kat Hoare (01273 2910654, email [penny.jennings@brighton-hove.gov.uk](mailto:penny.jennings@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

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The Town Hall has a specifically designed lift that can be used in the event of an emergency evacuation. The size of the refuge areas (in the fire protected areas where people unable to use the stairs will wait to be assisted from the building via the lift), will accommodate 2 wheelchair users and several standing users.

Please inform staff on Reception if you have any access requirements so that they can either direct you to the public gallery, or to the video-conferencing room as appropriate.

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- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and

Do not re-enter the building until told that it is safe to do so.

Date of Publication - Wednesday, 20 November 2019

**BRIGHTON & HOVE CITY COUNCIL**

**LICENSING COMMITTEE (NON-LICENSING ACT 2003 FUNCTIONS)**

**3.00PM 27 JUNE 2019**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors O'Quinn (Chair), Henry (Deputy Chair), Simson (Group Spokesperson), Appich, Atkinson, Brown, Davis, Ebel, Hill, Janio, Osborne, Rainey, Wares and West

**Apologies:** Councillor Bagaeen, Fowler and Lewry.

**PART ONE**

**1 PROCEDURAL BUSINESS**

**1a Declarations of Substitutes**

1.1 Councillor Brown was present in substitution for Councillor Bagaeen; Councillor Janio was present in substitution for Councillor Lewry; Councillor West was present in substitution for Councillor Deane and Councillor Fowler had submitted her apologies.

**1b Declarations of Interest**

1.2 There were no declarations of interests in matters listed on the agenda.

**1c Exclusion of Press and Public**

1.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any of the items listed on the agenda.

1.4 **RESOLVED:** That the press and public not be excluded from the meeting during consideration of the any item contained on part the agenda.

**2 MINUTES OF THE PREVIOUS MEETING**

2.1 **RESOLVED** – That the minutes of the Licensing Committee (Licensing Act 2003 Functions) Meeting held on 14 March 2019 be agreed and signed as a correct record.

**3 CHAIR'S COMMUNICATIONS**

3.1 The Chair provided the following updates:

### **Electric Vehicle Rapid Charging Hubs**

- 3.2 The Trade were currently being consulted over possible sites for 4 rapid charging hubs. The consultation period would end on 8 July and it was anticipated that the results of the survey would go forward to the ETS Committee in October 2019 with installation being completed by March 2020. The Trade were being encouraged to participate in the survey and to date the level of take-up had been encouraging. In the meantime 200 street lamp post electric charging points were to be installed by the end of October 2019.

### **Child Exploitation Training for Taxi Drivers**

- 3.3 Child Exploitation training had taken place at the Amex the previous day and that day as part of Exploitation Awareness Week. Over 300 drivers had attended the first session and a similar number were expected at the next training session. This training had been carried out in collaboration between the trade, taxi licensing, VVE coordinator and WISE and recognised the unique position taxi drivers had in terms of spotting the signs of exploitation.

### **Animal Licensing**

- 3.4 The Licensing Authority had been issued 14 licences under the new regime:
- 7 – Home Boarding of dogs;
  - 5 - Selling Animals as pets;
  - 1 – Cat Boarding; and
  - 1 – Dog and Cat Boarding
- 3.5 These were given a star rating which dictated the length of their licence, for example a business that poorly performed but complied with minimum standards might be given 1 star which would be a 1-year licence requiring re-inspection and re-application after one year, whereas a business that complied to a high standard might be given 5 stars and be given a 3 year licence. There were around another 10 licence applications being processed. Once these licences had been issued the focus would be on investigating those who it was felt needed licensing but had not made applications, this applied mostly to on-line boarding hosts.
- 3.6 **RESOLVED** - That the content of the Chair's communications be noted and received.

## **4 PUBLIC INVOLVEMENT**

- 4.1 There were no items.

## **5 MEMBER INVOLVEMENT**

- 5.1 There were no items.



## 6 HACKNEY CARRIAGE FARE REVIEW

- 6.1 The Committee considered a report of the Executive Director, Neighbourhoods Communities and Housing seeking the Committee's approval and authority to advertise proposed fare increases following the hackney carriage trade's request for an increase in fares.
- 6.2 Councillor West stated that it appeared that the yardage rate appeared to have dropped, considering that represented a retrograde step, this had been "bottom loaded" in the past to seek to deter shorter journeys.
- 6.3 Councillor Hill sought clarification in respect of the equalities implications referred to considering that it was regrettable that an increase was being sought at this time but noting that there had not been an increase for some time and that this had been requested by the trade.
- 6.4 Councillor Wares noted that although some of the percentage increases appeared quite high, there had been no increase in fares for four years. He sought clarification that if objections were received they would be referred to back to Committee and it was confirmed that they would, if no objections were received they would be implemented as set out in the report. In terms of continuing to monitor un-met demand he considered that this should be on-going with periodic reports back to Committee but should not delay implementation of the new fares structure.
- 6.5 Councillor Janio agreed stating that the trade operated in a market place which was open to competition and that as the trade was requesting these increases they should be supported as operators clearly considered that the market could bear these increases.
- 6.6 **RESOLVED:**
- (1) That Committee approves the proposed fare increases and authorises the Head of Safer Communities to advertise the proposed variation in fares, and invite any objections in accordance with the legal requirements.
  - (2) The Committee agree that if no objections are made, or if any objections which are made are withdrawn, the varied table of fares will come into force in accordance with the statutory scheme; and
  - (3) The Committee reconsider the matter at the next meeting of this Committee if valid objections are made but not withdrawn. As there are strict legal timescales relating to fare reviews a special meeting of this Committee may be required.

## 7 HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER ENFORCEMENT AND MONITORING

- 7.1 The Committee considered a report of the Executive Director, Neighbourhoods and Housing which provided an update for Members on enforcement action taken against Hackney Carriage & Private Hire Drivers and Applicants between March and May 2019.

- 7.2 Councillors Atkinson and Hill noted that there appeared to be have been a number of instances where “flipping” had occurred which indicated that this was an issue which needed to be addressed.
- 7.3 Councillor West noted that there appeared to have been three serious cases which had been brought before the Magistrates Court the outcomes did not appear consistent and he sought details of the context of each case in order to better understand the process.
- 7.4 **RESOLVED:** That the contents of this report be noted and that officers should continue to take action as appropriate.

**8 ITEMS REFERRED FOR COUNCIL**

- 8.1 There were none.

The meeting concluded at 4.00pm

Signed

Chair

Dated this

day of

<b>Subject:</b>	<b>Hackney Carriage &amp; Private Hire Driver Enforcement and Monitoring</b>		
<b>Date of Meeting:</b>	<b>28 November 2019</b>		
<b>Report of:</b>	<b>Executive Director of Housing, Neighbourhoods &amp; Communities</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Martin Seymour</b>	<b>Tel:</b> <b>01273 296659</b>
	<b>E-mail:</b>	<a href="mailto:martin.seymour@brighton-hove.gov.uk">martin.seymour@brighton-hove.gov.uk</a>	
<b>Wards Affected:</b>	All		

## **FOR GENERAL RELEASE**

### **1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This report is to update Members on enforcement action taken against Hackney Carriage & Private Hire Drivers and Applicants between June and November 2019.

### **2. RECOMMENDATIONS:**

- 2.1 That Members note the contents of this report and that officers should continue to take action as appropriate.

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 Legislation in relation to the Town Police Clauses Act 1847 Local Government (Miscellaneous Provisions) Act 1976 which applies to both hackney carriages and private hire vehicles is enforced by the local authority. Non-criminal enforcement can also be effected by means of action taken against the licence held by the person who has transgressed such as warnings, suspensions or revocations.
- 3.2 Any driver must be a fit and proper person. It is not possible to give a precise definition of what this is, but at its heart is keeping passengers safe and free from risk. It is the responsibility of the applicant to satisfy the council that they are fit and proper and that they are safe and suitable to hold a licence.
- 3.3 The council can suspend, revoke or refuse a hackney carriage or private hire vehicles and/or driver licences. However, a driver licence cannot be suspended and then revoked at a later date such as at the conclusion of a prosecution. Other actions are available to officers such as verbal or written warnings which can be applied in line with the Councils [Licensing Enforcement Policy](#).
- 3.4 All cases are looked at on their own individual merit and if necessary such as in CSE cases multi agency meetings may be held to review available evidence. Legal advice is sought where appropriate and all enforcement decisions are approved by

the licensing manager/head of regulatory services. In addition, the most difficult matters would come to the Chair and to the two lead members for discussion. If a matter was really serious and required immediate suspension then officers would come to members as soon as possible after they had taken action.

- 3.5 In addition to day-to-day enforcement work, officers carry out weekly out-of-hours enforcement work, normally at weekends and weekday evenings. This includes monitoring of hot spot areas for over and illegal ranking and plying for hire, vehicle inspections and occasional test purchase operations. General enforcement is essentially checking the vehicle is safe to be on the road and that the driver's details are correct. The officers are trained in vehicle inspection and checks could include a number of things illustrated on the check list in Appendix A. Primarily, it involves checking the tyres, lights, steering, suspension, as well as the general condition of the vehicle, livery and that the meter is working correctly
- 3.6 Officers carried out a joint operation in July with the Driver & Vehicle Standards Agency (DVSA) focussing on vehicles dropping off at a Prom evening at the Amex Stadium. 1 vehicle was taken off the road by the DVSA and 2 other were temporarily prevented from working while tyres were changed. Officers have also assisted Adur-Worthing officers with test purchasing but no infringements were detected.
- 3.7 Officers have conducted two separate test purchasing exercises in the city, the first exercise was conducted on a weekday evening involving 14 vehicles and the second on a Saturday evening where 13 vehicles were approached during the course of the evening which ranged from both Hackney Carriage and Private Vehicles licensed by Brighton and Hove City and also those licensed by other authorities but working in Brighton and Hove.

As a result of the exercise 2 Brighton and Hove Private hire drivers and 1 Lewes Private Hire drivers were cautioned for the offence of 1) Plying for hire 2) No insurance.

We are now working with disability groups to look at undertaking some test purchases for wheelchair accessible vehicles.

- 3.8 A joint operator test purchase exercise was carried out on an operator that is licenced by both Brighton & Hove and Adur/Worthing. No offences were committed in Brighton & Hove and there is an on-going investigation in Adur/Worthing.
- 3.9 Joint enforcement was carried out between Brighton and Hove and Southampton Officers on Wednesday 18<sup>th</sup> September 2019. There are 5 vehicles licensed by Southampton where the drivers live in Brighton and Hove and work for Uber. One vehicle was found to have a tyre that was near the legal limit and was issued an advisory notice.
- 3.10 Officers took part on a multi-agency operation (Operation Arizona) at Gatwick Airport on the 15<sup>th</sup> October. A number of vehicles were stopped by the Police and then inspected by the DVSA, DWP, Immigration, HMRC (Checking for Red Diesel), The Police, and Officers from their respective Licensing Authority checking for licencing infringements. Brighton & Hove vehicles stopped passed all checks.

3.11 Brighton & Hove City Council in partnership with YMCA (Downslink) has held eight free awareness raising sessions for the city's licensed taxi drivers so they know how to spot the signs of Child Sexual Exploitation (CSE) & Child Criminal Exploitation (CCE) and how and where to report cases. Most licensing authorities are now either in the process of or will be shortly introducing compulsory Safeguarding training for licensed drivers which will be charged to the driver. Brighton & Hove City Council provided a limited period of training for free available to all licence holders. 563 drivers attended voluntarily over 2 days.

Exploitation of children and vulnerable adults is a criminal offence and it can happen to any child, young person or vulnerable adult from any background. The process means victims often do not realise that they are being exploited and so it is vital that everyone takes responsibility for identifying people at risk. Reporting can help victims get support and be safeguarded and help bring the perpetrators to justice.

We are looking to offer further training to drivers in the late Autumn to give those drivers that could not attend the opportunity to receive the training. It is anticipated that this course will become a requirement of licensing in the near future.

3.12 On 4<sup>th</sup> October 2019 a driver was convicted of Sexual Assault and False Imprisonment and was sentenced to 36 months and 24 months respectively and placed on the Sexual Offenders Register indefinitely. The Council had previously revoked his driver's licence when the above allegations came to light in March 2018 including picking up a passenger without a prior booking (flipping).

3.13 For actions taken against drivers / applicants between June and November 2019. See Appendix B. Previous actions reported to Committee from November 2018 can be seen at Appendix C.

#### **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

4.1. None.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

5.1 This report is for information purposes only, so there are no financial implications.

Finance Officer Consulted: Michael Bentley

Date: 19/09/2019

##### Legal Implications:

5.2 There are no direct legal implications.

Lawyer Consulted: Rebecca Sidell

Date: 18.10.2019

Equalities Implications:

- 5.3 Licensing authorities must ensure that a safe hackney carriage and private hire vehicle service is freely available to meet the demand across all sectors of the public, especially those vulnerable groups to whom a taxi or private hire vehicle is often the only means of completing a journey.

Sustainability Implications:

- 5.4 None.

Crime & Disorder Implications:

- 5.5 Contained in the body of the report.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1. None – for information only.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1. For information only.



BTEC Vehicle Inspection Programme

Vehicle Reg No \_\_\_\_\_

Mileage \_\_\_\_\_

Examining Officer \_\_\_\_\_

Private Hire

Hackney Carriage

Vehicle No

Badge No

Time Stopped

Date Stopped

Location

Exterior Lights Front	Serviceable	Unserviceable
Side Lights		
Headlights / Dip / Main		
Fog Lights Front		
Indicators N/S O/S + Hazards		
Exterior Front	Serviceable	Unserviceable
Condition Of bodywork + Number Plate		
Underbonnet Condition		
Oil / Brake / Steering Fluid		
Fluid Leakage		
N/S Front Tyre Depth Pressure		
N/S Wheel + Nuts		
N/S Suspension Leaking / Bounce		
N/S Wing Mirror		
O/S Front Tyre Depth Pressure		
O/S Wheel + Nuts		
O/S Suspension Leaking / Bounce		
O/S Wing Mirror		
Steering Systems	Serviceable	Unserviceable
Amount of Free Play		
Condition of Gaitors		

Driver Interior / Exterior	Serviceable	Unserviceable
Condition of Steering Wheel		
View to Front and Side / Tints		
Seatbelts / Driver + Passenger		
Footbrake Operation + Slip Device		
Carpets / Wires / Obstructions		
Radio + PDA + Sta Navs		
ABS Warning + Other Warning Lights		
Handbrake Operation + Warning Light		
Seat Security		
Door + Window Operation (All)		
Signs / Fare Tables / Badges Etc		
Taximeter + Calibration		
O/S Passenger / Interior + Exterior	Serviceable	Unserviceable
Seatbelts / Passenger + Centre Belt		
Carpet Condition / Tears / Trip Hazard		
Window Operation		
Door Operation / Fuel Filler + Cap		
O/S Rear Tyre Depth + Pressure		
O/S Wheel + Nuts		
O/S Suspension Leaking / Bounce		

Rear Of Vehicle	Serviceable	Unserviceable
Side Lights		
Brake Lights + High Level / Central Lights		
Indicators N/S O/S + Hazards		
Rear Fog Lights		
Reversing Lights		
Number Plate Condition + Light		
Tailgate / Boot Operation		
Spare Wheel or Inflator Kit		
N/S Passenger / Interior + Exterior	Serviceable	Unserviceable
Seatbelts / Passenger		
Carpet Condition / Tears / Trip Hazard		
Window Operation		
Door Operation / Fuel Filler + Cap		
O/S Rear Tyre Depth + Pressure		
O/S Wheel + Nuts		
O/S Suspension Leaking / Bounce		
Additions	Serviceable	Unserviceable
Fire Extinguisher		
First Aid Kit		
Wipers / Washers / Horn		

**Brief Report**

Defects likely to warrant suspension  Yes  No

**General Condition of Vehicle**

Good

Average

Poor

Very Poor

Other Defects Noted \_\_\_\_\_

Categorisation of Defects Section  Page  I.M No

Note \_\_\_\_\_





## Enforcement Actions Since Licensing Committee June 2019

	<b>Licence Type</b>	<b>Date</b>	<b>Brief Description of Case</b>	<b>Aggravating Factors:</b>	<b>Mitigating Factors:</b>	<b>Enforcement Action Taken:</b>
1.	Dual HC/PH Driver	18.06.2019	Driver does not meet DVLA Group 2 Medical Standard	DVLA Licence revoked		Licensed Suspended
2.	Private Hire Driver	25.06.2019	Driver does not meet DVLA Group 2 Medical Standard			Licensed Suspended pending results of a satisfactory medical assessment
3.	Private Hire Driver	26.06.2019	Driver does not meet DVLA Group 2 Medical Standard			Licensed Suspended pending results of a satisfactory medical assessment
4.	<b>Fareham</b> Licensed Private Hire Driver	02.07.2019	Smoking in Licensed Vehicle			Warning Letter Sent
5.	Dual HC/PH Driver	02.07.2019	Smoking in Licensed Vehicle			Warning Letter Sent
6.	Dual HC/PH Driver	16.07.2019	Driver does not meet DVLA Group 2 Medical Standard			Licensed Suspended pending results of a satisfactory medical assessment
7.	Dual HC/PH Driver	29.07.2019	Passengers were picked up without pror booking, Seats were wet so decided not to pay.	Driver flagged down passing Police car in an attempt to receive pyment. However,		Licensed Revoked

			Driver grabbed a weapon and threatened passengers	the Police found a long screwdriver and stanley knife in the driver's seat area		
8.	<b>Chichester</b> Licensed Private Hire Driver	31.07.2019	Sitting on a Brighton & Hove Rank		Had a booking in Brighton at that time	Warning Letter
9.	<b>Lewes</b> Licensed Private Hire Driver	31.07.2019	Sitting on a Brighton & Hove Rank	Warning Letter previously sent on 17.07.2018		Final Warning Letter
10.	<b>Havant</b> Licensed Private Hire Driver	31.07.2019	Sitting on a Brighton & Hove Rank			Warning Letter
11.	Dual HC/PH Driver	07.08.2019	Knowingly picking up passengers without a prior booking		Admitted committing offence	Caution
12.	Private Hire Driver	19.08.2019	Driver does not meet DVLA Group 2 Medical Standard	DVLA Licence revoked		Licensed Suspended
13.	<b>Lewes</b> Licensed Private Hire Driver	20.08.2019	Smoking in Licensed Vehicle			Warning Letter Sent
14.	<b>Lewes</b> Licensed Private Hire Driver	09.09.2019	Plying for hire without a Hackney Carriage Drivers licence		Passenger was an elderly man with limited mobility and unable to walk to rank.	Caution
15.	Dual HC/PH Driver	18.09.2019	Sitting on a Brighton & Hove Rank	Private Hire Vehicle		Warning Letter

16.	<b>Lewes</b> Licensed Hackney Carriage Driver	19.09.2019	Sitting on a Brighton & Hove Rank			Warning Letter
17.	Private Hire Driver	20.09.2019	Plying for hire without a Hackney Carriage Drivers licence			Caution
18.	Private Hire Driver	08.10.2019	Accrued 9 points an DVLA Licence in one Calander year	Already had 3 points on licence		Required to undertake the taxi driving assessment test
19.	<b>Lewes</b> Licensed Private Hire Driver	14.10.2019	Sitting on a Brighton & Hove Rank			Warning Letter
20.	<b>Lewes</b> Licensed Private Hire Driver	25.10.2019	Sitting on a Brighton & Hove Rank			Warning Letter
21.	<b>Lewes</b> Licensed Private Hire Driver	05.11.2019	Sitting on a Brighton & Hove Rank			Warning Letter
22.	<b>Lewes</b> Licensed Private Hire Driver	06.11.2019	Sitting on a Brighton & Hove Rank			Warning Letter
23.	<b>Lewes</b> Licensed Private Hire Driver	06.11.2019	Sitting on a Brighton & Hove Rank			Warning Letter



## Reported to Licensing Committee- November 2018

	Licence Type	Date	Brief Description of Case	Aggravating Factors:	Mitigating Factors:	Enforcement Action Taken:
1.	Dual HC/PH	06.06.2018	Disclosure on DBS – Caution for Common Assault	Failed to notify HCO at the time of caution	Lower end scale violence. Threw Glass of Beer at Partner	Warning letter issued
2.	Dual HC/PH	06.06.2018	Applicant does not meet DVLA Group 2 Medical Standard			Licence suspend pending results of satisfactory medical assessment
3.	Dual HC/PH	22.06.2018	Parked on Zig Zags at St Joseph's School, Davey Drive		Dropping passenger off at school collecting child and told to wait by father	Warning letter issued
4.	Lewes Driver	25.06.2018	Lewes Private hire vehicle waiting on taxi rank			Warning letter issued
5.	Hackney Carriage Driver Licence	16.07.2018	Nonpayment of Licence Fee			Licence revoked
6.	Hackney Carriage Driver Licence	16.07.2018	Nonpayment of Licence Fee			Licence revoked
7.	Dual HC/PH	24.07.2018	Spat at and was abusive to a passenger.	CCTV shows driver lowering passenger window and shouting out of the window and spat. Also shows vehicle being driven in an aggressive manner and sounding horn at passenger.	Passenger claims driver took a longer route normal and refused to pay the full amount on meter	Licence revoked
8.	First	31.07.2018	Cautions & Convictions relating	Latest conviction in 2018		Application

	Applicant		Class B Drugs			Refused
9.	Dual HC/PH	06.08.2018	Refusal to assist elderly person.	Driver stated that it was not his job to help passenger in & out and left passenger at restaurant.	Driver has since completed Disability Awareness Training	Licence Suspended 21 Days
10.	Dual HC/PH	07.08.2018	Removed property from purse left in vehicle		No previous complaints on drivers file	Licence Revoked
11.	Dual HC/PH	08.08.2018	Plying for Hire without a Hackney Carriage Proprietors Licence		Admitted that there was no prior booking. No previous	Warning
12.	Dual HC/PH	15.08.2018	Applicant does not meet DVLA Group 2 Medical Standard			Licence suspend pending results of satisfactory medical assessment
13.	Dual HC/PH	23.08.2018	Applicant does not meet DVLA Group 2 Medical Standard			Licence suspend pending results of satisfactory medical assessment
14.	Private Hire Driver Licence	30.08.2018	Applicant does not meet DVLA Group 2 Medical Standard			Licence suspend pending results of satisfactory medical assessment
15.	Dual HC/PH	30.08.2018	Over loading and Overcharging	Claimed to have turned round to check numbers. CCTV shows this was not the case		Licence suspended 48hrs
16.	Dual HC/PH	04.09.2018	Applicant does not meet DVLA Group 2 Medical Standard			Licence suspend pending results of satisfactory

						medical assessment
17.	Dual HC/PH	11.09.2018	Plying for Hire without a Hackney Carriage Proprietors Licence		First Offence	Warning
18.	Dual HC/PH	25.09.2018	Driving a motor vehicle with excess alcohol	Road Traffic Collision with a taxis		Licence Revoked
19.	First Applicant	11.10.2018	Accused of sexual assault on young female	Previously Licensed	Case dropped by CPS	Application Refused
20.	First Applicant	31.07.2018	Conviction for Drink driving in 2015	Licence previously revoked on conviction		Application Refused
21.	Dual HC/PH	15.10.2018	Allegation of assault - using a licensed vehicle. Drove vehicle at passenger on pavement causing severe injury to passengers ankle.	Previously Refused	Dispute over payment involving another driver who originally picked up passengers.	Licence Revoked
22.	Dual HC/PH	16.10.2018	Applicant does not meet DVLA Group 2 Medical Standard			Licence suspended & renewal application refused
23.	Dual HC/PH	22.10.2018	Applicant does not meet DVLA Group 2 Medical Standard			Licence suspended & renewal application refused
24.	First Applicant	22.10.2018	8 Convictions showing on DBS. Also Community Resolution Orders & Non-molestation Order			Application Refused
25.	Dual HC/PH	26.10.2018	Driving a wheelchair accessible vehicle without the appropriate training.	Knew that it was required but did not arrange training	Only recently stated to drive vehicle.	Formal warning
26.	HCVL	26.10.2018	Allowed a driver to drive a	Knew that it was required	Only recently stated to	Formal warning

	Proprietor		wheelchair accessible vehicle without the appropriate training.	but did ensure driver was trained	drive vehicle.	
27.	Dual HC/PH	22.10.2018	Applicant does not meet DVLA Group 2 Medical Standard			Licence suspended & renewal application refused



## Reported to Licensing Committee- March 2019

	Licence Type	Date	Brief Description of Case	Aggravating Factors:	Mitigating Factors:	Enforcement Action Taken:
1.	Dual HC/PH	06.11.2018	Applicant does not meet DVLA Group 2 Medical Standard			Licence suspended pending results of satisfactory medical assessment
2.	Private Hire Driver Licence	13.11.2018	Plying for Hire without a Hackney Carriage Proprietors Licence	Invalidating Private Hire Vehicle Insurance		Simple Caution Issued
3.	Lewes District Hackney Carriage Vehicle	26.11.2018	Waiting on Norton Road Taxi Rank			Warning letter issued
4.	Dual HC/PH	30.11.2018	Plying for Hire without a Hackney Carriage Proprietors Licence. (Touting)	Soliciting for work off the Street		7 Day Suspension issued
5.	Private Hire Operator	03.12.2018	Not operating licence from address on licence			Licence Suspended
6.	Hackney Carriage Driver Licence	12.12.2018	Applicant does not meet DVLA Group 2 Medical Standard			Licence suspended pending results of satisfactory medical assessment
7.	Dual HC/PH	19.12.2018	Applicant does not meet DVLA Group 2 Medical Standard			Licence suspended pending results of satisfactory medical assessment

8.	Dual HC/PH	20.12.2018	Failing to use taxi meter	CCTV showed that the meter had not been used on several occasions		Licence Suspended 21 Days
9.	First Application	08.01.2019	Historic Convictions on DBS. Previous Allegations of Rape and sexual Assault	Previously suspend (Upheld by Magistrates Court) following allegations of rape and sexual assault. Further investigations on new application found that there were 2 further allegations of sexual assault.	Found not guilty of all charges. Not recorded on DBS Certificate	Licence application refused
10.	Havant Private Hire vehicle	09.01.2019	Parked on London Road Taxi Rank			Warning letter issued
11.	Dual HC/PH	11.01.2019	Conviction for driving without due care and attention	Failed to notify HCO at time of conviction		Formal Warning letter issued
12.	First Application	11.01.2019	Historic Caution on DBS. Six entries provided at the discretion of the Chief Police Officer	Previously refused (Upheld by Magistrates Court) following allegations of domestic violence.	Recent DBS certificate Clear	Licence application refused
13.	Adur & Worthing Hackney Carriage Vehicle	14.01.2019	Waiting on Marine Parade Taxi Rank			Warning letter issued
14.	Adur & Worthing Hackney Carriage Vehicle	14.01.2019	Waiting on Marine Parade Taxi Rank			Warning letter issued

15.	Dual HC/PH	15.02.2019	Driver arrested on suspicion of rape		Still under investigation by the Police	Licence Revoked
16.	Dual HC/PH	20.02.2019	Driver arrested for possession and distribution of indecent images of children		Still under investigation by the Police	Licence Revoked
17.	Dual HC/PH	22.02.2019	Applicant does not meet DVLA Group 2 Medical Standard			Licence suspended pending results of satisfactory medical assessment
18.	Dual HC/PH	22.02.2019	Applicant does not meet DVLA Group 2 Medical Standard			Licence suspended pending results of satisfactory medical assessment

### **Reported to Licensing Committee-June 2019**

	<b>Licence Type</b>	<b>Date</b>	<b>Brief Description of Case</b>	<b>Aggravating Factors:</b>	<b>Mitigating Factors:</b>	<b>Enforcement Action Taken:</b>
1.	Dual HC/PH	05.03.2019	Conviction for driving without due care and attention	Failed to report incident to the Hackney Carriage Office	Magistrates allowed the driver to keep his DVLA Licence despite having 14 points on licence	Formal Warning and required to undertake the hackney carriage taxis assesment test.
2.	Dual HC/PH	08.05.2019	Convicted of Conspiracy to do an act to facilitate the commission of a breach of UK immigration law by a non EU person. Sentenced to 3 years imprisonment.			Licence Revoked
3.	Private Hire Driver	21.05.2019	Arrested on suspicion of Serious Sexual Assault by penetration. Second allegation of theft from an Elderly passenger	Failed to report his arrest to the Hackney Carriage Office		Licence Revoked

<b>Subject:</b>	<b>Licence fees 2020/2021</b>		
<b>Date of Meeting:</b>	<b>28 November 2019</b>		
<b>Report of:</b>	<b>Director of Housing, Communities &amp; Neighbourhoods</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Jim Whitelegg, Regulatory Services Manager</b>	<b>Tel: 29-2438</b>
	<b>Email:</b>	<a href="mailto:Jim.whitelegg@brighton-hove.gov.uk">Jim.whitelegg@brighton-hove.gov.uk</a>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This report sets out the proposed licence fees and charges for 2020/21 relating to Street Trading, Sex Establishments and Sex Entertainment Licences, Gambling premises, Taxi Licensing and Animal Activity Licences.

**2. RECOMMENDATIONS:**

- 2.1 That the committee approves the following licence fees:
- Raise all Taxi Licence fees by 2% for 2020/21.
  - Sex Entertainment Venues and Sex Establishments fees –remain unchanged.
  - Street Trading fees– remain unchanged.
  - All Gambling Act 2005 fees – remain unchanged.
  - Raise in Animal Activity Licences above inflation to reflect actual costs

A list of agreed fees for 2019-20 and proposed fees for 2020-21 is included in Appendices 1-2 & 5.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 In order to ensure that council tax payers are not subsidising work concerning licensing administration, income is raised by licence fees with the aim of covering the cost of administration of each regime within the constraints of regulation. Licence fees should not be used to raise surplus revenues. The regulation of setting fees is detailed and changes as a result of legislation and cases; outlined below.

**Licence Fee Setting – general principles**

- 3.2 There must be a proper determination of the authorisation fee (see Hemming 2015, 2017] UKSC.
- 3.3 A clear understanding of the policy and objects of the regime in question is required. It follows that the relevant considerations for vetting an applicant for a

street trading licence will be different to those required for a sex establishment (see *R v Manchester City Council ex parte King* (1991) 89 LGR 696; also *R (on the application of Davis & Atkin) v Crawley Borough Council* [2001] EWHC 854 (Admin)). Particular attention needs to be had to those statutory provisions where a power is given to the local authority for the determination of an authorisation fee and other administrative fees.

- 3.4 Applicability of the European Services Directive (see Hemming [2015, 2017] UKSC: The Directive applies to street trading and sex licensing; not gambling or taxis.
- 3.5 Different fee levels for different types of application. A licensing authority is entitled to set either the same or different fee levels for different types of applications: i.e. grant, renewal, variation, alteration or transfer. *R v Greater London Council, ex parte Rank Organisation* [1982] LS Gaz R 643.
- 3.6 Recovery of deficit. In *R v Westminster City Council, ex parte Hutton* (1985) 83 L.G.R. 461 it was held that where the fee income generated in one year fails to meet the costs of administering the licensing system, it is open to the local authority to make a proportionate increase in the licence fee for the following year so as to recoup the cost of the shortfall (Hutton at p 518). This longstanding principle was confirmed in Hemming [2012].
- 3.7 Accounting for surplus. In Hemming [2012] EWHC 1260 (Admin) and [2013] EWCA Civ 591 the court determined surpluses as well as deficits are to be carried forward. The licensing authority is not entitled to make a profit. (*R v Manchester ex parte King* 1991 89 LGR 696.
- 3.8 Rough and ready calculations. In Hemming [2012] EWHC 1260 (Admin) and [2013] EWCA Civ 591, the court did not require pin-point precision year on year. The council does not have to adjust the licence fee every year to reflect any previous deficit or surplus, so long as it 'all comes out in the wash' eventually. And the adjustment does not have to be precise: a rough and ready calculation which is broadly correct will do.
- 3.9 Anticipated costs. Cases demonstrate that the fee level may be fixed by reference to anticipated costs of administering the authorisation scheme.
- 3.10 Over-estimation. If the fee levied in the event exceeds the cost of operating the scheme, the original decision will remain valid provided it can be said that the district council reasonably considered such fees would be required to meet the total cost of operating the scheme. *R v M ex parte King*.

### **Hackney Carriage & Private Hire**

- 3.11 The Council must be able to show that it calculates hackney carriage and private hire licensing fees in accordance with the specific requirements of the Local Government (Miscellaneous Provisions) Act 1976. This requires that such fees have to be reasonable to recover the cost of issue and administration of licences. They cannot be used to raise revenue or fund activities such as taxis marshals. This has been confirmed in a recent court case *Cummings and Others v Cardiff*

City Council which also confirmed that fees set must have regard to any surplus or deficit in previous years for each regime (hackney carriage or private hire)  
The Act allows the following costs to be recovered in the fees:

- The reasonable cost of carrying out vehicle inspection to decide if a licence should be granted
- The reasonable costs of providing hackney carriage stands
- Any reasonable administrative or other costs in connection with vehicle inspection and providing hackney carriage stands and
- Any reasonable administrative or other costs in the control and supervision of hackney carriage and private hire vehicles.

3.12 A trading position has been established, taking into account all expenditure that the Council has incurred in administering the service, including both direct and indirect costs. (Indirect costs for example would include an element of management time to oversee the activity, a legitimate expense in administering the licensing function). The results are set out in the table below.

<b>Taxi Licensing</b>	
<b>Financial Year</b>	<b>£'000 (- Surplus)/ Deficit</b>
2018/19 Actual	-2
2019/20 Forecast	1
2020/21 Budget	1
<b>Total</b>	<b>0</b>

### 3.13 Statement on Taxi Licensing Fees 2019/20

Taxi fees are set in accordance with the relevant legislative provisions with the legitimate aim of covering the costs of administration in relation to the service.

It is proposed to raise all fees by the corporate rate of inflation (2%) for 2020/21 and as a minimum each year thereafter. Given that our fees have been benchmarked and can demonstrate they are set fairly, it is felt that this approach helps provide more certainty for the trade and ensures that our costs are fully recovered each year (taking account of inflationary uplifts). If there were any significant variations to the costs, then these would be communicated to the trade and clearly be taken into account when setting the relevant fee/s.

The Trade were made aware of this recommendation last year prior to the adoption of this approach in November 2018.

Detailed Trading Accounts are attached in Appendix 3.

### **Sex Establishments and Street Trading**

3.14 Sex Establishments:-The administration of Sex Establishments and Sex Entertainment venues (SEV)s is broken down as follows:  
There are 5 Sex Establishments in total, for which renewal applications are processed annually, including officers carrying out annual inspections to ensure

compliance with their licence. It is unlikely that a further sex establishment licence would be granted as this would be contra policy.

SEVS: There are 3 SEVs in total. SEV fees are based on licence renewals. It is unlikely that a further SEV licence would be granted as this would be contra policy. Annual inspections are carried out to ensure compliance with their licence.

- 3.15 A trading position has been established, taking into account all expenditure that the Council has incurred in administering the service, including both direct and indirect costs. The results are set out in the table below.

<b>Sex Establishments and Sex Entertainment Venues</b>	
<b>Financial Year</b>	<b>£'000 (-Surplus)/ Deficit</b>
2018/19 Actual	0
2019/20 Forecast	0
2020/21 Budget	0
<b>Total</b>	<b>0</b>

The proposed fees remain unchanged. Detailed Trading Accounts are attached in Appendix 4.

- 3.16 Following the same principles as stated previously, a trading position has been established for Street Trading. During 2018/19, the majority of inspections carried out by officers were recoverable. The administration of street trading is wholly recoverable, broken down as follows:

**Zone A:-**

3 traders at 50 sq ft – all pay quarterly  
2 traders at 42 sq ft - both vacant

**Zone B:-**

27 traders – 1 have paid in full, 26 pay by quarterly instalments

**Upper Gardner Street Saturday Market:-**

Total 58 traders – 2 pay in full with the remainder of the traders paying by quarterly instalments.

- 3.17 Taking into account all the council expenditure incurred in administering the service including an element of management time to oversee the activity, the results are set out in the table below.

<b>Street Trading</b>	
<b>Financial Year</b>	<b>£'000 (-Surplus)/ Deficit</b>
2018/19 Actual	1
2019/20 Forecast	-1
2020/21 Budget	0
<b>Total</b>	<b>0</b>



The proposed fees remain unchanged. Detailed Trading Accounts are attached in Appendix 4.

### Gambling Act 2005

- 3.18 The proposed fees remain unchanged to help bring the trading account to a breakeven position. Trading accounts can be found at Appendix 4.

Gambling Act	
Financial Year	£'000 (-Surplus)/ Deficit
2018/19 Actual	0
2019/20 Forecast	0
2020/21 Budget	0
<b>Total</b>	<b>0</b>

### Animal Activity Licensing

- 3.19 The application process under The Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018 has proved more involved for applicants than both the previous licensing system and estimates made when calculating fees for new licences.
- 3.20 This has impacted on the amount of staff time required to process and issue licences. Applicants require increased assistance and guidance on required standards which results in greater correspondence, email and telephone traffic.
- 3.21 Current application fees do not take into account the 2018/19 and prospective 2019/20 increase in staffing costs.
- 3.22 See table below for the mean current animal activity licensing application fees across all Sussex local authorities as at September 2018

Type of Licence (New Apps)	B&HCC (2019/20)	Sussex LAs @ not incl. B&HCC (2019/20)	Proposed fees (2020/21)
Dog breeding (Dom)	£275	£290	£330
Dog Breeding (Com)	£315	£290	£380
Dog Boarding (Dom)	£250	£264	£351
Dog Boarding (Com)	£315	£298	£380
Cat Boarding	£260	£291	£350
Dog Day Care	£260	£292	£350
Exhibition of animals	£315	£251	£380
Hiring horses	£345	£377	£420
Pet vending	£275	£291	£330

- 3.23 As applicants renewing their licence would have experience, knowledge and required documentation from their initial application, and consequently need less assistance, two charging levels are proposed. See Appendix 5 for current and proposed charges for 2020/21.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 Fees must be set.

#### **5. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 5.1 Council's finance officer and legal services.

#### **6. CONCLUSION**

- 6.1 Fees must be set.

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 7.1 Licence fees are set annually at a level that it is reasonably believed will cover the costs of providing the service, and in accordance with the legal principles involved. This is necessary in order to ensure that council tax payers are not subsidising work concerning licensing administration.

Finance Officer Consulted: Michael Bentley

Date: 08/10/2019

##### Legal Implications:

- 7.2 Legal constraints on setting fees are as follows:
- 7.2.1 Fees must be charged in accordance with the requirements of the legislation under which they are charged. Thus for instance the Licensing Act 2003 gives the Council no discretion as they are set centrally by the relevant government department. Other legislation such as the Local Government (Miscellaneous Provisions) Act 1982 which covers a whole raft of activities and includes street trading and sex establishments simply states that we may charge such fees as we consider reasonable.
- 7.2.2 The term 'Reasonable' however does not imply wide discretion but incorporates important legal principles and constraints. These were highlighted in the case of *R v Manchester City Council ex parte King* concerning street trading. This case held that the fees charged must be related to the costs incurred in providing the street trading service. They must not be used to raise revenue generally. Fees must be proportionate. This principle is key and applies to other licensing regimes such as sex establishments.
- 7.3 This principle has been reinforced by the introduction of the European Services Directive which took effect from the end of 2009. The processes must be non-discriminatory, justified, proportionate, clear, objective, made in advance, transparent and accessible. Any fee charged for establishing a service can only

be based on cost recovery and cannot be set at an artificial high level to deter service sectors from an area. The applicability of the Directive has been discussed in the recent case of Hemming (and others) v Westminster City Council (2015) (2017) UKSC. It is permissible for enforcement costs to be included in a licence fee but this element of the fee must be levied once the application has been granted. The Council should schedule regular fee reviews.

- 7.4 Therefore, the trading accounts must be carefully looked at in accordance with these principles. There is a risk of challenge by way of Judicial Review in cases where fees are set at an unreasonable or unlawful level.

Lawyer Consulted: Rebecca Sidell

Date:16/10/19

7.3 Equalities Implications:

There are no direct equalities implications.

7.4 Sustainability Implications:

There are no direct sustainability implications.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

- 1-2 List of fees and charges.
- 3-4. List of Trading accounts.
5. Current and Proposed Fees for Animal Activity Licensing

### **Background Documents**

1. None.



**Appendix 1 - Proposed Taxi Licence Fees 2020-21**

<b>TAXI LICENCE FEES</b>			
	<b>2019-20</b>	<b>2020-21</b>	
	<b>Agreed Fee</b>	<b>Proposed Fee</b>	<b>Change</b>
	<b>£</b>	<b>£</b>	<b>%</b>
First Application (drivers)	<b>£103.00</b>	<b>£105.00</b>	1.9%
DBS Check*	<b>£44.00</b>	<b>£44.00</b>	0.0%
Hackney Carriage Drivers Licence (1 Year)	<b>£102.00</b>	<b>£104.00</b>	2.0%
Hackney Carriage Drivers Licence (2 Year)	<b>£204.00</b>	<b>£208.00</b>	2.0%
Hackney Carriage Drivers Licence (3 Year)	<b>£306.00</b>	<b>£312.00</b>	2.0%
Private Hire Drivers Licence (1 Year)	<b>£78.00</b>	<b>£79.00</b>	1.3%
Private Hire Drivers Licence (2 Year)	<b>£156.00</b>	<b>£158.00</b>	1.3%
Private Hire Drivers Licence (3 Year)	<b>£234.00</b>	<b>£237.00</b>	1.3%
Hackney Carriage Vehicle Licence (Full Year)	<b>£182.00</b>	<b>£186.00</b>	2.2%
Hackney Carriage Vehicle Licence (Half Year)	<b>£91.00</b>	<b>£93.00</b>	2.2%
Private Hire Vehicle Licence (Full Year)	<b>£66.00</b>	<b>£67.00</b>	1.5%
Private Hire Vehicle Licence (Half Year)	<b>£33.00</b>	<b>£33.50</b>	1.5%
Hackney Carriage Plate Deposit	<b>£33.00</b>	<b>£34.00</b>	3.0%
Private Hire Plate Deposit	<b>£24.00</b>	<b>£24.00</b>	0.0%
Private Hire Operator Licence (1 or 2 Cars) - 5 year	<b>£148.00</b>	<b>£151.00</b>	2.0%
Private Hire Operator Licence (3 or more Cars) - 5 year	<b>£525.00</b>	<b>£536.00</b>	2.1%
Hackney Carriage Substitute Vehicle Fee	<b>£25.00</b>	<b>£25.00</b>	0.0%
Private Hire Substitute Vehicle Fee	<b>£25.00</b>	<b>£25.00</b>	0.0%
Knowledge Test Fee	<b>£25.00</b>	<b>£25.00</b>	0.0%
Route Test Fee	<b>£35.00</b>	<b>£36.00</b>	2.9%

*\*Note that DBS fees are not set by Brighton & Hove City Council*



Appendix 2 - Proposed Licensing Fees 2020-21

LICENSING FEES			
	2019-20	2020-21	
	Agreed Fee	Proposed Fee	Change
	£	£	%
<b>Sex Establishments and Venues</b>			
Sex Entertainment Venue	£3,380.00	£3,380.00	0.0%
Sex Establishments - Grants	£3,700.00	£3,700.00	0.0%
Sex Establishments - Renewal	£3,380.00	£3,380.00	0.0%
Sex Establishments - Occasional	£2,000.00	£2,000.00	0.0%
<b>Street Trading</b>			
Upper Gardner Street	£510.00	£510.00	0.0%
Zone B	£610.00	£610.00	0.0%
Zone A 50 sq ft.	£4,190.00	£4,190.00	0.0%
Zone A 42 sq. ft.	£3,440.00	£3,440.00	0.0%
Street Artists	£30.00	£30.00	0.0%
Misc. Short Term	£30.00	£30.00	0.0%
Farmers Maker (per stall)	£220.00	£220.00	0.0%
Small Street Marker (per occasion)	£290.00	£290.00	0.0%
<b>Gambling Act</b>			
Existing Casino - Reg 4 (2) (a)	£360.00	£360.00	0.0%
Existing Casino - Reg 4 (2) (b)	£1,434.00	£1,434.00	0.0%
Existing Casino - Reg 6 and Reg 8	£2,032.00	£2,032.00	0.0%
Existing Casino - Reg 10	£13.85	£13.85	0.0%
Existing Casino - Reg 11	£1,434.00	£1,434.00	0.0%
Existing Casino - Reg 12	£1,434.00	£1,434.00	0.0%
Existing Casino - Reg 13	£13.85	£13.85	0.0%
Existing Casino - Reg 14	£1,350.00	£1,350.00	0.0%
Bingo Premises - Reg 4 (2) (a)	£360.00	£360.00	0.0%
Bingo Premises - Reg 4 (2) (b)	£1,434.00	£1,434.00	0.0%
Bingo Premises - Reg 5 (2) (a)	£741.00	£741.00	0.0%
Bingo Premises - Reg 5 (2) (b)	£1,434.00	£1,434.00	0.0%
Bingo Premises - Reg 6 and Reg 8	£712.50	£712.50	0.0%
Bingo Premises - Reg 10	£13.85	£13.85	0.0%
Bingo Premises - Reg 11	£1,434.00	£1,434.00	0.0%
Bingo Premises - Reg 12	£1,200.00	£1,200.00	0.0%
Bingo Premises - Reg 13	£13.85	£13.85	0.0%
Bingo Premises - Reg 14	£1,200.00	£1,200.00	0.0%
Bingo Premises - Reg 15	£1,434.00	£1,434.00	0.0%
AGCs - Reg 4 (2) (a)	£360.00	£360.00	0.0%
AGCs - Reg 4 (2) (b)	£1,200.00	£1,200.00	0.0%
AGCs - Reg 5 (2) (a)	£741.00	£741.00	0.0%
AGCs - Reg 5 (2) (b)	£1,434.00	£1,434.00	0.0%
AGCs - Reg 6 and Reg 8	£712.50	£712.50	0.0%
AGCs - Reg 10	£13.85	£13.85	0.0%
AGCs - Reg 11	£1,000.00	£1,000.00	0.0%
AGCs - Reg 12	£1,200.00	£1,200.00	0.0%
AGCs - Reg 13	£13.85	£13.85	0.0%
AGCs - Reg 14	£1,200.00	£1,200.00	0.0%
AGCs - Reg 15	£1,434.00	£1,434.00	0.0%
Betting Tracks - Reg 4 (2) (a)	£360.00	£360.00	0.0%
Betting Tracks - Reg 4 (2) (b)	£1,434.00	£1,434.00	0.0%
Betting Tracks - Reg 5 (2) (a)	£741.00	£741.00	0.0%
Betting Tracks - Reg 5 (2) (b)	£1,434.00	£1,434.00	0.0%
Betting Tracks - Reg 6 and Reg 8	£712.80	£712.80	0.0%

**Appendix 2 - Proposed Licensing Fees 2020-21**

<b>LICENSING FEES</b>			
	<b>2019-20</b>	<b>2020-21</b>	
	<b>Agreed Fee</b>	<b>Proposed Fee</b>	<b>Change</b>
	<b>£</b>	<b>£</b>	<b>%</b>
Betting Tracks - Reg 10	£13.85	£13.85	0.0%
Betting Tracks - Reg 11	£1,250.00	£1,250.00	0.0%
Betting Tracks - Reg 12	£950.00	£950.00	0.0%
Betting Tracks - Reg 13	£13.85	£13.85	0.0%
Betting Tracks - Reg 14	£950.00	£950.00	0.0%
Betting Tracks - Reg 15	£1,434.00	£1,434.00	0.0%
FECs - Reg 4 (2) (a)	£360.00	£360.00	0.0%
FECs - Reg 4 (2) (b)	£1,200.00	£1,200.00	0.0%
FECs - Reg 5 (2) (a)	£741.00	£741.00	0.0%
FECs - Reg 5 (2) (b)	£1,434.00	£1,434.00	0.0%
FECs - Reg 6 and Reg 8	£547.80	£547.80	0.0%
FECs - Reg 10	£13.85	£13.85	0.0%
FECs - Reg 11	£1,000.00	£1,000.00	0.0%
FECs - Reg 12	£950.00	£950.00	0.0%
FECs - Reg 13	£13.85	£13.85	0.0%
FECs - Reg 14	£950.00	£950.00	0.0%
FECs - Reg 15	£1,386.00	£1,386.00	0.0%
Betting Other - Reg 4 (2) (a)	£360.00	£360.00	0.0%
Betting Other - Reg 4 (2) (b)	£1,434.00	£1,434.00	0.0%
Betting Other - Reg 5 (2) (a)	£741.00	£741.00	0.0%
Betting Other - Reg 5 (2) (b)	£1,434.00	£1,434.00	0.0%
Betting Other - Reg 6 and Reg 8	£448.80	£448.80	0.0%
Betting Other - Reg 10	£13.85	£13.85	0.0%
Betting Other - Reg 11	£1,434.00	£1,434.00	0.0%
Betting Other - Reg 12	£1,200.00	£1,200.00	0.0%
Betting Other - Reg 13	£13.85	£13.85	0.0%
Betting Other - Reg 14	£1,200.00	£1,200.00	0.0%
Betting Other - Reg 15	£1,434.00	£1,434.00	0.0%
Lotteries New - Reg 12	£40.00	£40.00	0.0%
Lotteries New - Reg 14	£40.00	£40.00	0.0%
Renewal - Reg 12	£20.00	£20.00	0.0%
Renewal - Reg 14	£40.00	£40.00	0.0%



**Appendix 3 - Taxi Licensing Fee Trading Accounts 2018-2021**

Taxi Licensing - Three Year Accounts				
2018-19 Financial Year Actual				
CIPFA Standard Subjective	Hackney Carriages - Vehicles	Hackney Carriages - Drivers	Private Hire - Vehicles	Private Hire - Drivers
	£	£	£	£
Direct Employees	56,872	61,628	20,961	17,381
Indirect Employees (Non DBS)	548	612	211	172
Indirect Employees (DBS)	0	18,831	0	5,237
Transport Related	1,036	1,157	400	326
Unmet Demand Survey	5,917	0	0	0
Driver Assessments/Checks	0	2,917	0	811
Supplies and Services	11,472	12,814	4,428	3,611
Support Services	14,874	16,615	5,741	4,682
Management Overhead	19,750	22,061	7,623	6,217
<b>Total Expenditure</b>	<b>110,469</b>	<b>136,634</b>	<b>39,364</b>	<b>38,438</b>
<b>Total Income</b>	<b>-107,020</b>	<b>-137,949</b>	<b>-41,768</b>	<b>-40,023</b>
<b>Total (Surplus) / Deficit</b>	<b>3,450</b>	<b>-1,314</b>	<b>-2,404</b>	<b>-1,585</b>
2019-20 Financial Year Forecast				
CIPFA Standard Subjective	Hackney Carriages - Vehicles	Hackney Carriages - Drivers	Private Hire - Vehicles	Private Hire - Drivers
	£	£	£	£
Direct Employees	58,600	62,297	20,600	17,584
Indirect Employees (Non DBS)	284	317	109	89
Indirect Employees (DBS)	0	19,560	0	5,440
Transport Related	897	1,002	346	282
Unmet Demand Survey	6,100	0	0	0
Driver Assessments/Checks	0	6,259	0	1,741
Supplies and Services	8,298	9,269	3,203	2,612
Support Services	14,143	15,798	5,459	4,452
Management Overhead	19,946	22,280	7,699	6,279
<b>Total Expenditure</b>	<b>108,268</b>	<b>136,783</b>	<b>37,415</b>	<b>38,479</b>
<b>Total Income</b>	<b>-107,135</b>	<b>-137,008</b>	<b>-37,468</b>	<b>-37,921</b>
<b>Total (Surplus) / Deficit</b>	<b>1,133</b>	<b>-225</b>	<b>-53</b>	<b>558</b>
2020-21 Financial Year Budget				
CIPFA Standard Subjective	Hackney Carriages - Vehicles	Hackney Carriages - Drivers	Private Hire - Vehicles	Private Hire - Drivers
	£	£	£	£
Direct Employees	59,772	63,543	21,012	17,935
Indirect Employees (Non DBS)	284	317	109	89
Indirect Employees (DBS)	0	19,560	0	5,440
Transport Related	897	1,002	346	282
Unmet Demand Survey	6,100	0	0	0
Driver Assessments/Checks	0	6,259	0	1,741
Supplies and Services	8,298	9,269	3,203	2,612
Support Services	14,332	16,009	5,531	4,511
Management Overhead	20,340	22,720	7,851	6,403
<b>Total Expenditure</b>	<b>110,022</b>	<b>138,679</b>	<b>38,052</b>	<b>39,014</b>
<b>Total Income</b>	<b>-110,360</b>	<b>-139,378</b>	<b>-36,788</b>	<b>-38,406</b>
<b>Total (Surplus) / Deficit</b>	<b>-338</b>	<b>-700</b>	<b>1,264</b>	<b>608</b>
<b>Total Three-Year (Surplus) / Deficit</b>	<b>4,245</b>	<b>-2,239</b>	<b>-1,193</b>	<b>-419</b>



Appendix 4 - Licence Fee Trading Accounts 2018-2021

Licence Fee - Three Year Accounts			
2018-19 Financial Year Actual			
CIPFA Standard Subjective	Sex Establishments	Street Trading (Legal)	Gambling Act
	£	£	£
Direct Employees	10,517	28,044	17,528
Indirect Employees	124	330	206
Transport	44	106	66
Supplies and Services	296	706	435
Support Services	10,676	25,503	15,717
Management Overheads	2,402	5,739	3,537
<b>Total Expenditure</b>	<b>24,058</b>	<b>60,428</b>	<b>37,488</b>
<b>Total Income</b>	<b>-23,660</b>	<b>-59,640</b>	<b>-37,250</b>
<b>Total (Surplus) / Deficit</b>	<b>398</b>	<b>789</b>	<b>239</b>
2019-20 Financial Year Forecast			
CIPFA Standard Subjective	Sex Establishments	Street Trading (Legal)	Gambling Act
	£	£	£
Direct Employees	10,397	27,726	17,329
Indirect Employees	54	144	90
Transport	18	43	27
Supplies and Services	112	267	164
Support Services	10,676	25,503	15,717
Management Overheads	2,508	5,992	3,693
<b>Total Expenditure</b>	<b>23,765</b>	<b>59,675</b>	<b>37,019</b>
<b>Total Income</b>	<b>-23,660</b>	<b>-60,330</b>	<b>-37,250</b>
<b>Total (Surplus) / Deficit</b>	<b>105</b>	<b>-655</b>	<b>-231</b>
2020-21 Financial Year Budget			
CIPFA Standard Subjective	Sex Establishments	Street Trading (Legal)	Gambling Act
	£	£	£
Direct Employees	10,605	28,281	17,675
Indirect Employees	55	147	92
Transport	18	44	27
Supplies and Services	114	272	167
Support Services	10,676	25,503	15,717
Management Overheads	2,558	6,111	3,766
<b>Total Expenditure</b>	<b>24,026</b>	<b>60,358</b>	<b>37,445</b>
<b>Total Income</b>	<b>-23,660</b>	<b>-60,330</b>	<b>-37,250</b>
<b>Total (Surplus) / Deficit</b>	<b>366</b>	<b>28</b>	<b>195</b>
<b>Total Three-Year (Surplus) / Deficit</b>	<b>870</b>	<b>161</b>	<b>203</b>



**Appendix 5 Current and Proposed Animal Activity Licensing Application Fees 2020/21**

**Current 2019/20 Fees**

**Proposed 2020/21 Fees**

Licence Type	Current		
	Part A	Part B	Total
Dog breeding (Dom)	£145.00	£130.00	<b>£275.00</b>
Dog Breeding (Comm)	£180.00	£135.00	<b>£315.00</b>
Dog Boarding (Dom)	£130.00	£120.00	<b>£250.00</b>
Dog Boarding (Comm)	£180.00	£135.00	<b>£315.00</b>
Cat Boarding	£135.00	£125.00	<b>£260.00</b>
Dog Day Care	£130.00	£130.00	<b>£260.00</b>
Exhibition of animals	£180.00	£135.00	<b>£315.00</b>
Hiring horses	£205.00	£140.00	<b>£345.00</b>
Pet vending	£145.00	£130.00	<b>£275.00</b>

New Applicants				
Part A	Part B	Proposed Total Fees	Increase	%
£200.00	£130.00	<b>£330.00</b>	£55.00	20.00%
£230.00	£150.00	<b>£380.00</b>	£65.00	20.63%
£190.00	£125.00	<b>£315.00</b>	£65.00	26.00%
£230.00	£150.00	<b>£380.00</b>	£65.00	20.63%
£210.00	£140.00	<b>£350.00</b>	£90.00	34.62%
£210.00	£140.00	<b>£350.00</b>	£90.00	34.62%
£230.00	£150.00	<b>£380.00</b>	£65.00	20.63%
£250.00	£170.00	<b>£420.00</b>	£75.00	21.74%
£200.00	£130.00	<b>£330.00</b>	£55.00	20.00%

Renewals				
Part A	Part B	Proposed Total Fees	Increase	%
£180.00	£120.00	<b>£300.00</b>	£25.00	9.26%
£200.00	£130.00	<b>£330.00</b>	£15.00	5.56%
£160.00	£110.00	<b>£270.00</b>	£20.00	8.10%
£200.00	£130.00	<b>£330.00</b>	£15.00	5.79%
£180.00	£120.00	<b>£300.00</b>	£40.00	15.44%
£180.00	£120.00	<b>£300.00</b>	£40.00	15.44%
£200.00	£130.00	<b>£330.00</b>	£15.00	6.98%
£230.00	£150.00	<b>£380.00</b>	£35.00	13.51%
£180.00	£120.00	<b>£300.00</b>	£25.00	9.65%

**Vets Fees \***

A recharge to the licensee of the cost to the Authority

\* where applicable

Variation / Transfer of Licence	£105.00
Appeals / site visit	Price on application

£120.00	£15.00	14.29%
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