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Date: 21 December 2015
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LICENSING BOARD

5 JANUARY 2016

A meeting of the Licensing Board will be held at **10.00 am on Tuesday, 5 January 2016** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillor Potts (Chairman); Councillors: Braidwood (Vice-Chairman), K Coleman-Cooke, Crow-Brown, Curran, Dellar, Falcon, Leys, Matterface, Rogers, Tomlinson, J Fairbrass, Smith, Savage and M Saunders

A G E N D A

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**

2. **DECLARATIONS OF INTEREST**

'To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest Form attached at the back of this Agenda. If a Member declares an interest, they should complete that form and hand it to the Officer clerking the meeting and then take the prescribed course of action.'

3. **MINUTES OF PREVIOUS MEETING** (Pages 1 - 2)

To approve the Minutes of the Licensing Board meeting held on 24 November 2015, copy attached.

4. **REPORT ON PROSECUTIONS, APPEALS, LICENSING UPDATE** (Pages 3 - 4)

5. **REPORT TO CONSIDER ANY REVISION TO THE TARIFF FOR HACKNEY CARRIAGE VEHICLES IN THANET** (Pages 5 - 12)

Declaration of Interests Form

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Public Document Pack Agenda Item 3

LICENSING BOARD

Minutes of the meeting held on 24 November 2015 at 10.00 am in Council Chamber,
Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Linda Potts (Chairman); Councillors K Coleman-Cooke,
Crow-Brown, Curran, Dellar, Falcon, Matterface, Rogers and
Tomlinson

333. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Smith, Braidwood, Leys and J. Fairbrass.

334. DECLARATIONS OF INTEREST

There were no declarations of interest.

335. MINUTES OF PREVIOUS MEETING

Councillor Matterface proposed, Councillor Tomlinson seconded and Members AGREED the minutes of the Licensing Board meeting held on 8 September 2015.

336. LICENSING SUB-COMMITTEE MINUTES

Councillor Matterface proposed, Councillor Rogers seconded and Members agreed the minutes of the Licensing Sub-Committee meeting held on 14 October 2015.

337. REPORT ON PROSECUTIONS, APPEALS, LICENSING UPDATE

The Regulatory Services Manager presented the report.

The report was NOTED.

338. EXCLUSION OF PUBLIC AND PRESS

That the public and press be excluded from the meeting on agenda item 7 as it contains exempt information as defined in Paragraph 1 and 7 of Schedule 12A of the Local Government Act 1972 (as amended).

339. LICENCE TO DRIVE HACKNEY CARRIAGE VEHICLES

The Licensing Officer introduced the report to consider a licence to drive Hackney Carriage Vehicles and provided Members with a copy of the applicant's history.

The applicant's representative addressed the Licensing Board.

Members addressed questions to the applicant.

The Regulatory Services Manager asked questions of the applicant.

Councillor Matterface proposed, Councillor Tomlinson seconded and Members AGREED the following:

"Having heard from the Licensing Officer, the applicant's representative, and having considered the 5 complaints on the history, and smoking in the vehicle, the Board

decided to suspend the licence for 1 year as they considered that suspension should take place for the welfare and safety of the public.”

Meeting concluded : 10.40am

REPORT ON PROSECUTIONS, APPEALS, LICENSING UP-DATE

To: Licensing Board – 5th January 2016

By: Regulatory Services Manager

Classification : Unrestricted

Summary This report sets out details of a Licensing up-date since the last Board on 24th November 2015

For information

- a) The new Licensing and Gambling policies were agreed at Council on the 3rd December last. The Licensing Policy will come into force on the 7th January, the Gambling Policy on the 31st January.
- b) The driver who had his hackney carriage drivers licence suspended at the Licensing Board hearing on the 24th November last has lodged an appeal with the magistrates' court. A date for the full hearing will be fixed on the 13th January.

Officer contact: Philip Bensted, Regulatory Services Manager, ext. 7630

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TO CONSIDER ANY REVISION TO THE TARIFF FOR HACKNEY CARRIAGE VEHICLES IN THANET

To: **Licensing Board – 5TH January 2016 at 10 am**

Portfolio Area: **Regulatory Services**

By: **Regulatory Services Manager**

Classification: **Unrestricted**

Ward: **All**

Summary **To consider any revision to the tariff for hackney carriage vehicles in Thanet.**

For decision

1.0 Introduction and Background

1.1 Under legislation contained in the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 authority is given to Councils to set the rates/fares charged by hackney carriage vehicles in their area.

1.2 Until 2015 Members had agreed that the taxi trade set and advertise its own tariff.

2.0 General Points

2.1 Following meetings between Councillors, Officers, and representatives of the trade a report went to the Licensing Board in March 2015 to consider a proposal that the Licensing Board take responsibility for fixing the fares for hackney carriage vehicles within the District. There are a total of 108 hackney carriage vehicle licences issued.

2.2 At the Licensing Board meeting in March 2015 Members agreed to take responsibility for the fixing of fares for hackney carriage vehicles and set the tariff. The tariff to be reviewed annually and varied in accordance with official inflation figures.

2.3 Hackney carriage vehicles are inspected and meters checked by Licensing Officers in March of each year as part of the re-licensing process. Any change to the tariff would come into effect at that time.

2.4 A copy of the current tariff is appended at Annex 1.

2.5 Inflation as measured by the Consumer Prices Index was -0.1% in October 2015. The CPI rate has been at or close to zero for most of the year. The Retail Prices Index has varied between 0.8 and 1.1% throughout 2015. The monthly figures for 2015 are provided at Annex 2.

3.0 **Options**

3.1 To make no revisions to the current tariff.

3.2 To make revisions to the tariff.

4.0 **Corporate Implications**

4.1 **Financial**

4.1.1 None.

4.2 **Legal**

4.2.1 Where the Licensing Board makes or varies a table of fares it will need to be published in accordance with legislation.

4.3. **Corporate**

4.3.1 None.

4.4 **Equity and Equalities**

4.4.1 Not relevant.

5.0 **Recommendation**

5.1 The instructions of the Licensing Board are requested.

Contact Officer:	Philip Bensted, Regulatory Services Manager, ext 7630
Reporting to:	Penny Button, Head of Neighbourhood Services, ext 7425

Annex List

Annex 1	Current tariff
Annex 2	Monthly Retail Prices Index and Consumer Price Index figures for 2015

Background Papers


Title	Where to Access Document
None	N/A

Corporate Consultation Undertaken

Legal	N/A
Finance	N/A

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Thanet Zone – Motor Hackney Carriage (Taxi) Fares

Vehicle Identification Number: <small>(Displayed on Licence Plate on rear of vehicle)</small>	Vehicle Registration Number:	
<p>Hackney Carriages (Taxis) within the Thanet District are Licensed by Thanet District Council. They must display a 'TAXI' sign on top and a Licence Plate at the rear of the vehicle. Whilst working, drivers must display their 'Thanet District Council - Hackney Carriage Driver Badge'. The maximum fares payable within Thanet are set out in the tables (Tariffs 1, 2, & 3), showing the times and days when each tariff applies. Throughout each journey the fare payable is displayed on the Taxi Meter. Extra Charges may apply as described below. For journeys outside of the Thanet area the fare may be negotiated prior to commencement, otherwise Tariff 2 will apply (except over Christmas and New Year as described in tariff 3).</p>		
Extra Charges:		
Tariff 1 – For Hiring Commenced between the hours of 6am and Midnight each day (excluding Statutory Holidays and Bank Holidays):		
* Assistance and Guide Dogs <u>MUST</u> be carried free of charge.	Free	£3.00
Trunk, suitcase, pram/pushchair, large freezer bag or sack (for each item):	20p	20p
Shopping bags, small packages other small items (for the whole amount):	20p	20p
Passengers – each person in excess of 1 for the whole journey or part thereof and dogs * (carried at the drivers discretion):	20p	£4.50 30p
Passengers - For hirings of 5 or more persons between 6am to midnight without extras, between Midnight - 6am with extras:	Tariff 2	Tariff 2 – For Hiring Commenced between the hours of 12 Midnight and 6am each day, Statutory Holidays and Bank Holidays (Excluding Christmas and New Year's Day), Christmas & New Year's eve 6pm to 11pm:
Adverse Weather i.e. Local buses not running: * Except over Christmas and New Year as described in tariff 3	Tariff 2 *	£6.00
Contamination Fee (Any soiling or fouling inside the vehicle)	£50.00	40p
Complaints & Commendations may be made to: licensing@thanet.gov.uk or telephone 01843 577413		

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Retail Prices Index and Consumer Price Index

Note - Since December 2003 the Government has used the Consumer Price Index (CPI) as its main measure of inflation in the economy rather than the Retail Prices Index (RPI)

[Monthly RPIs Figures 1974 - 2014](#) 

[Monthly CPI Figures 1998 - 2014](#) 

[Annual CPI since 1988](#) 

[Annual RPIs since 1962](#) 

Monthly figures

- > [2015](#)
- > [2014](#)
- > [2013](#)
- > [2012](#)

Month	RPI	Year on year %	CPI	Year on year %	Release date
January	255.4	1.1	127.1	0.3	17 February
February	256.7	1.0	127.4	0.0	24 March
March	257.1	0.9	127.6	0.0	14 April
April	258.0	0.9	128.0	-0.1	19 May
May	258.5	1.0	128.2	0.1	16 June
June	258.9	1.0	128.2	0.0	14 July
July	258.6	1.0	128.0	0.1	18 August
August	259.8	1.1	128.4	0.0	15 September
September	259.6	0.8	128.2	-0.1	13 October
October	259.5	0.7	128.4	-0.1	17 November
November					15 December
December					19 January

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THANET DISTRICT COUNCIL DECLARATION OF INTEREST FORM

Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
 - exercises functions of a public nature; or
 - is directed to charitable purposes; or
 - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992

If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the

matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

Gifts, Benefits and Hospitality

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £100 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

What if I am unsure?

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Democratic Services and Scrutiny Manager well in advance of the meeting.

DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS, SIGNIFICANT INTERESTS AND GIFTS, BENEFITS AND HOSPITALITY

MEETING.....

DATE..... AGENDA ITEM

DISCRETIONARY PECUNIARY INTEREST

SIGNIFICANT INTEREST

GIFTS, BENEFITS AND HOSPITALITY

THE NATURE OF THE INTEREST, GIFT, BENEFITS OR HOSPITALITY:

.....
.....
.....

NAME (PRINT):

SIGNATURE:

Please detach and hand this form to the Democratic Services Officer when you are asked to declare any interests.