



Licensing and Regulatory Committee

Time and Date

9.30 am on Tuesday, 25th June, 2019

Place

Diamond Room 2 - Council House

Public Business**1. Apologies****2. Declarations of Interest****3. Minutes** (Pages 1 - 12)

To agree the minutes of the Committee meeting held on 23 April, 2019 and the Sub-Committee hearings held on 3 April, 20 and 28 May, 2019.

4. Exclusion of Press and Public

To consider whether to exclude the press and public for the items of private business for the reasons shown in the reports.

5. Hackney Carriage and Private Hire Licensing Fee Review 2019 - Taxi Licensing Mini Review (Pages 13 - 20)

Report of the Deputy Chief Executive (Place)

6. Outstanding Issues Report

There are no outstanding issues to report.

7. Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved**Private Business****8. Reports of the Deputy Chief Executive (Place)**

8.1 General store found with food on sale beyond "Use by" date and dangerous laser pointers (Pages 21 - 30)

8.2 Restaurant supplying misdescribed food containing a non-disclosed allergen (Pages 31 - 42)

8.3 Supply of an Unroadworthy Motor Vehicle (Pages 43 - 50)

- 8.4 Illicit Tobacco Products 1 (Pages 51 - 64)
- 8.5 Illicit Tobacco Products 2 (Pages 65 - 76)
- 8.6 Illicit Tobacco Products (3) (Pages 77 - 82)
- 8.7 Illicit Tobacco Products (4) (Pages 83 - 88)

PLEASE NOTE: The first taxi applicant has been requested to attend Committee at 10.15am

9. Applications for the Grant/Suitability to hold Hackney Carriage & Private Hire Drivers' Licences

Reports of the Deputy Chief Executive (Place) on the following:
(Listing Officer: Mick Coggins – tel: 024 7683 2183)

- 9.1 Review of Hackney Carriage Driver's Licence (Pages 89 - 96)
 - 9.2 Review of Hackney Carriage Driver's Licence and Renewal of Private Hire Driver's Licence (Pages 97 - 144)
 - 9.3 Review of Hackney Carriage Driver's Licence (Pages 145 - 172)
 - 9.4 Review of Hackney Carriage Driver's Licence (Pages 173 - 204)
- 10. Any other items of private business which the Chair decides to take as matters of urgency because of the special circumstances involved**

Martin Yardley, Deputy Chief Executive (Place), Council House Coventry

Monday, 17 June 2019

Note: The person to contact about the agenda and documents for this meeting is Usha Patel/Carolyn Sinclair

Membership: Councillors F Abbott, J Birdi, J Clifford, B Gittins, J Innes, B Kaur (Deputy Chair), R Lakha, G Lloyd, A Lucas, T Mayer, R Thay, C Thomas (Chair) and S Walsh

Please note: a hearing loop is available in the committee rooms

If you require a British Sign Language interpreter for this meeting
OR if you would like this information in another format or
language please contact us.

Usha Patel/Carolyn Sinclair

Tel: 024 7697 2301/2302

**Email: usha.patel@coventry.gov.uk or
Carolyn.sinclair@coventry.gov.uk**

Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Committee held at 9.30 am
on Tuesday, 23 April 2019

Present:

Members: Councillor C Thomas (Chair)
Councillor R Brown
Councillor J Clifford
Councillor G Crookes
Councillor B Kaur
Councillor D Kershaw
Councillor A Lucas
Councillor K Sandhu (Deputy Chair)
Councillor R Thay

Employees (by Directorate):

Place: M Coggins, R Hammond, U Patel, A Wright, S Yarker

Apologies: Councillor J Birdi, J Innes and T Mayer

Public Business

89. Declarations of Interest

There were no declarations of interest.

90. Minutes

The minutes of the meeting held on 2 April, 2019 were signed as a true record.

91. Exclusion of Press and Public

RESOLVED that under Section 1004(A) of the Local Government Act 1972, the public be excluded from the meeting for the items of business indicated below on the grounds that those items involve the likely disclosure of exempt information, as defined in Schedule 12A of that Act, in particular those paragraphs of Part 1 of the Schedule as indicated:

Minute No.	Subject	Relevant Paragraph of Part 1 of Schedule 12A
94	Applications for the Grant/Suitability to hold Hackney Carriage and Private Hire Drivers' Licence	1 & 3

92. **Outstanding Issues Report**

There were no outstanding issues.

93. **Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved**

There were no other items of public business.

94. **Applications for the Grant/Suitability to hold Hackney Carriage & Private Hire Drivers' Licences**

RESOLVED that, having considered the circumstances set out in the reports of the Deputy Chief Executive (Place) now submitted:

(a) The application for the grant of a Private Hire Operator's Licence by Mr Benjamin Legg to operate Ola be approved.

(Note: Mr B Legg attended the meeting in support of his application.)

(b) The review of the Hackney Carriage Driver's Licence held by Mr Shir Shah Ahmadi be deferred to a future meeting.

(Note: Mr SS Ahmadi was unable to attend the meeting as he was on holiday and had submitted proof that the holiday was booked before the notification of the Committee date.)

(c) The Hackney Carriage Driver's Licence held by Mr Rafi Ullah be suspended for a period of six months.

(Note: Mr R Ullah attended the meeting in support of his case.)

95. **Any other items of private business which the Chair decides to take as matters of urgency because of the special circumstances involved**

There were no other items of private business.

(Meeting closed at 11.30 am)

Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Sub-Committee (Hearing)
held at 10.00 am on Wednesday, 3 April 2019

Present:

Members: Councillor A Lucas (Chair)
 Councillor R Brown
 Councillor G Crookes

Employees (by Directorate):

Place: R Masih, U Patel, C Simms, A Wright

In Attendance: K Cochrane (Applicant's Legal Representative)
 R Gill (Objector)
 D Lee (Applicant)

Public Business

1. **Appointment of Chair**

RESOLVED that Councillor A Lucas be appointed Chair for the hearing.

2. **Apologies**

There were no apologies for absence.

3. **Declarations of Interest**

There were no declarations of interest.

4. **Licensing Act 2003 - Application to Vary a Premises Licence**

The Sub-Committee considered an application to vary the premises licence in respect of The Oak Inn, 119 Gosford Street, Coventry, to amend the terminal hour for licensable activities to 06:00 every Saturday, Sunday and Monday.

One objection had been made against the grant of the application by a local resident. The Sub-Committee's statutory duty was to consider the application and any representations and to take such steps as contained in the Licensing Act 2003 as it considered appropriate for the promotion of the licensing objectives.

The Sub-Committee heard submissions from the Applicant in support of the application.

The Applicant's Representative advised the Sub-Committee that the premises already holds a late licence, and that in line with statutory guidance and the Council's policy, the Applicant liaised with the Responsible Authorities, in particular with the Police, before applying. It was reiterated to the Sub-Committee that there had been no representations made by the Responsible Authorities, which

indicates that the conditions already in place are sufficient to uphold the Licensing Objectives.

The Applicant was described as exceptionally experienced, and is the current Designated Premises Supervisor at the premises. The Applicant sits on the pub Watch and employs an experienced manager who lives on site, as well as experienced bar staff and SIA door staff. Further the premises has 19 CCTV cameras and a high tech IT package which allows the Applicant and other members of staff to access the CCTV on their mobile phones at all times.

The Applicant's Representative stated that the Applicant works closely with the Responsible Authorities and is willing to work with any local residents if they have concerns.

The premises is close to the university and there is an increasing demand from international students to stay out later in a more mainstream pub environment than other venues with late night licences in the city, such as Sexual Entertainment Venues.

With regard to the objections, the Applicant's Representative correctly advised that the subject of air pollution is not within the remit of the meeting, however the concerns raised in respect of the Licensing Objective of Prevention of Crime and Disorder mostly related to incidents from 12 years ago. The most recent incident, in 2018, involved an assault in the ladies toilets. The Sub-Committee were assured that the Police worked closely with the premises subsequent to this incident and were satisfied that it was an isolated incident. Moreover, if the Police had concerns about the management of the premises at that time they had the Review mechanism available to them or they would at least have raised objections to this variation.

The Applicant addressed the Sub-Committee directly to explain that there is a diverse student body in Coventry and an increasing demand for mainstream premises that show international sport such as boxing, WWF Wrestling and the Super Bowl, most of which start at 4.00am or 5.00am due to the time differences. He explained that the premises was a traditional pub with wood fittings, a pool table etc. and quite often people want to use venues such as this to view sport at that time in the morning.

The Sub-Committee asked the Licensing Officers for the terminal hours of neighbouring premises, which they provided. The Applicant advised that whilst the premises may be provided with a later licence, this does not mean that the premises will open to their maximum terminal hour every night. The premises is a seasonal trade and quite often reduces the hours when the university is closed, for 24 weeks of the year.

The Sub-Committee also asked who was in charge at the premise at all times. The Applicant advised that he holds ultimate responsibility as the owner and the DPS. However, he also has a bar manager and a very experienced team. The Applicant went on to explain that both the manager and assistant manager, as well as himself, have the CCTV linked to their phones and can watch what is going on in the premises at any given time. The Applicant is actively involved in the running of

the premises, spending Friday and Saturday nights at the premises to conduct checks as he walks around and ensure patrons are enjoying the premises safely.

The Sub-Committee asked whether any further action was taken by the premises following the recent assault in the ladies toilets, as raised within the representation. The Applicant explained that he was not the DPS at that time, but it was agreed with the Police given his experience it would provide an extra level of supervision if he became the DPS, which he duly did. The advice from the Police at the time was to maintain the procedures already in place such as refusals log, incidents log and communication. The Police conceded that an incident inside of a toilet, where no CCTV is permitted, is incredibly hard to prevent.

The Sub-Committee asked whether the premises had a last entry policy. The Applicant advised that the last entry is at 4.20am and this will not change should the variation be granted. The Applicant said that this should serve to allow a more gradual dispersal of people should an extra hour be granted.

The Sub-Committee finally asked whether the Applicant would be willing to offer anything extra surrounding the objections. The Applicant advised that he had tried to enter into mediation with the Objector, previously offering to double glaze the Objector's premises to alleviate any noise issues, but to no avail. The Applicant expressed that he is always willing to discuss any concerns with local residents and encourages them to approach him.

The Objector advised that he is the owner and occupant of a neighbouring bookshop, and has lived in the area for around 20 years. He explained that his reputation surrounding public nuisance related to air pollution from black cabs attending the premises, as well as other premises in the area. The Sub-committee were provided with legal advice that air pollution was outside the remit of the licensing regime and this could not be taken into account as a relevant consideration.

The Objector moved on to his representation surrounding crime and disorder, advising that the premises is a drinking place of last resort and not all incidents can be dismissed as being isolated. The Objector explained that he has on more than one occasion had people climb over his garden fence in an attempt to reach the premises having been refused entry. The extension of the terminal hour would, in his view, be an unacceptable risk.

The Sub-Committee asked whether the Police were involved with people trespassing in his garden. The Objector advised that there is little the Police can do. He was asked whether he had taken steps to deter entry to his garden and stated that he had been the victim of a number of break ins, as he has a normal garden wall. He advised the Sub-committee that the Applicant had offered to build a higher fence for him, but he had rejected this offer as he would prefer to have the work done himself. He advised the Committee that he had rejected the offer of double glazing too, as he did not believe they would agree on the requisite standard.

The Applicant reiterated that the recent incident at the premises was isolated and if it was not, the Police would have attended the hearing with a list of logs and concerns.

In reaching its decision, the Sub-Committee had regard to both national guidance and the Council's own policy. In accordance with the High Court's decision in Daniel Thwaite plc v Wirral Magistrates Court, the Sub-Committee attached the appropriate weight to the fact that none of the responsible authorities had objected.

The Sub-Committee considered that the extension of licensable hours was modest and that the Applicant had demonstrated a willingness to take steps to prevent, so as far as possible, problems arising at or from the premises that may undermine the Licensing Objectives.

The Sub-Committee was impressed with the levels that the Applicant had gone to to date to ensure the safety of patrons at the premises. The Sub-Committee was also satisfied that the Applicant had taken the concerns of local residents into account and would continue to do so.

The Applicant is aware that if the premises prove to operate in any way that does not promote the Licensing Objectives, then the appropriate way for this to be addressed would be via a review of the licence.

RESOLVED that the application to vary the Premises Licence in respect of The Oak Inn, 119 Gosford Street be granted.

5. **Any Other Business**

There were no other items of business.

(Meeting closed at 11.15 am)

Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Sub-Committee (Hearing)
held at 10.00 am on Monday, 20 May 2019

Present:

Members: Councillor C Thomas (Chair)
 Councillor J Birdi
 Councillor S Walsh

Employees (by Directorate):

Place: R Masih, U Patel, A Wright

In attendance: N Chaplin (Objector, Environmental Protection)
 K Downing (Charles Wells Ltd)
 C Foster (Charles Wells Ltd)
 A Grimsey (Applicant's Legal Representative)
 R McCaffrey (Charles Well Ltd)
 B Smith (Applicant, Charles Wells Ltd)

Public Business

1. Appointment of Chair

RESOLVED that Councillor C Thomas be appointed for this hearing.

2. Apologies

There were no apologies for absence.

3. Declarations of Interest

There were no declarations of interest.

4. Licensing Act 2003 - Application for a New Premises Licence

The Sub-Committee considered an application for a new Premises Licence in respect of The Cottage, 22-24 Warwick Street, Coventry. The application requested the sale/supply of alcohol (on and off sales) from Sunday to Thursday 09.00hrs - 23.00hrs, Friday and Saturday 09.00hrs - 00.00hrs (midnight); regulated entertainment Sunday to Thursday 11.00hrs – 23.00hrs, Friday and Saturday 11.00hrs – 00.00hrs (midnight) and late night entertainment, Friday and Saturday 23.00hrs – 00.00hrs (midnight).

One representation from Environmental Protection (Responsible Authority), had been received to the application under the licensing objective of the prevention of public nuisance.

The Sub-Committee's statutory duty was to consider the application and any representations and to take such steps as contained in the Licensing Act 2003 as it considered appropriate for the promotion of the licensing objectives.

Prior to the hearing, the Applicant was able to offer two further conditions to the Objector which were enough to satisfy his concerns. As such, the Objector took the decision to withdraw his representation.

The Objector explained to the Sub-Committee that he was in receipt of a Dispersal Policy which will help to deal with his concerns surrounding noise nuisance on Warwick Street.

The Applicant confirmed that the main entrance would be on Warwick Street but measures would be put in place to uphold the licensing objectives through the addition of two conditions.

In reaching its decision, the Sub-Committee had regard to both national guidance and the Council's own policy.

The Sub-Committee considered the objection received and noted that it had been withdrawn owing to the conditions agreed with Environmental Protection and the Dispersal Policy provided.

The Applicant demonstrated a willingness to take steps to prevent, so far as was possible, problems arising at or from the premises that may undermine the licensing objectives.

The Sub-Committee considered that a grant of a premises licence would not undermine the licensing objectives so long as these additional conditions were attached to the premises licence.

RESOLVED that the Premises Licence be granted subject to the following conditions agreed with the sole Objector to the application, Environmental Protection:

- 1. The management shall send out a bi-annual newsletter to the residents of Warwick Street to inform them of any updates or changes to the management, offer or premises; and**
- 2. Any customers whose behaviour is considered to be unacceptable shall be banned by the management.**

5. Any Other Business

There were no other items of business.

(Meeting closed at 10.35 am)

Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Sub-Committee (Hearing)
held at 10.00 am on Tuesday, 28 May 2019

Present:

Members: Councillor C Thomas (Chair)
 Councillor J Birdi
 Councillor B Kaur

Employees (by Directorate):

Place: R Hammond, R Masih, U Patel, B Rawlings, A Wright

In Attendance: Councillor N Akhtar - St Michaels Ward Councillor, Objector
 S. Kanapathi – Applicant’s Representative
 R. Thayaparan- Applicant

Public Business

1. **Appointment of Chair**

RESOLVED that Councillor C Thomas be appointed for this meeting.

2. **Apologies**

There were no apologies for absence.

3. **Declarations of Interest**

There were no declarations of interest.

4. **Licensing Act 2003 - Application for a New Premises Licence**

The Sub-Committee considered an application for a new Premises Licence in respect of Swan Lane Express, 180 Swan Lane, Coventry. The application requested the sale/supply of alcohol (Off Sales) from Sunday to Thursday 07.00hrs – 02.00hrs and on Friday and Saturday from 07.00hrs – 04.00hrs.

The Sub-Committee has a statutory duty to consider the application and any representations and to take such steps as contained in the Licensing Act 2003 as it considered appropriate for the promotion of the licensing objectives.

Five objections had been made against the grant of the application, three of which were from local residents and two from Ward Councillors. None of the Responsible Authorities had objected.

The Applicant had liaised with Environmental Protection during the consultation process and agreed to reduce the hours for the sale of alcohol to between 08.00hrs and 23.00hrs Sunday to Thursday and 08.00hrs and 00.00hrs (midnight) Friday and Saturday. The Applicant had also agreed to the following condition being added to the licence:

“Clear and prominent notices shall be displayed at the exits(s) requesting customers to leave the area in a quiet and orderly manner”.

The Applicant’s Representative explained that the premises is a commercial building situated in a residential area. It had previously been used to sell car parts. The Applicant recently took over and has experience of running a licenced premises, having done so for over two years with no issues.

The business will be run as a family business and the Applicant will live on site with her family. The Applicant’s Representative explained that the application originally asked for longer hours to provide some flexibility. However, when the Applicant considered the objections that had been received she wanted to do what she could to address any concerns. As such, she liaised with Environmental Protection as part of the consultation process and took on board their advice regarding the potential for nuisance with longer licensable hours. The Applicant therefore agreed to reduce the licensable hours and add a condition to the licence for a notice to be displayed at the exit, requesting that customers leave quietly.

The Applicant noted that the objections seemed to be based around the longer opening hours, referring to 24/7 opening for example, but reducing the hours should alleviate those concerns.

The Applicant’s Representative also took into account the objections surrounding the licensing objectives of Protection of Children from Harm and Prevention of Crime and Disorder. To that end, a Challenge 25 policy and regular training have been implemented, as well as a refusals log. A CCTV system has also been put in place, which will hold images for 30 days to the satisfaction of the Police. The Applicant also holds a personal licence so has had relevant training to assist her in running the premises responsibly.

The Applicant was asked where the living accommodation is in relation to the premises. She confirmed that it is connected to the premises, through a door at the back. The Sub-Committee also wanted to know how the Applicant would maintain a clean and tidy area at all times, in order to not exacerbate an existing problem with littering in the general area. The Applicant confirmed that two hourly checks would take place outside the premises to ensure there is no litter. There is a public bin a short distance away and if this is ever overflowing, she will contact the relevant Council department to advise them.

The Sub-Committee asked what the opening hours would be and the Applicant confirmed that they would match the licensing hours.

Finally, the Sub-Committee asked whether there were any procedures in place should anybody come into the shop looking to purchase alcohol, who is already intoxicated. The Applicant confirmed that the sale would be refused, and the incident recorded in the refusals log.

The Sub-Committee then heard from the only objector present at the hearing, Councillor N Akhtar, a St. Michaels Ward Councillor. He advised that the premises is in the ‘red light’ area of Hillfields, where there are already significant problems and issues with businesses operating late. He further stated that this meant drug

addicts, alcoholics and prostitutes would congregate outside premises and cause a nuisance to local residents with their antisocial behaviour. It was Councillor Akhtar's contention that none of the four licensing objectives would be upheld owing to the problems already caused in the area by premises opening late. He predicted that the problems would only increase if the application was granted. He asked the Sub-Committee to consider reducing the hours further to give a terminal hour of 18.00hrs.

In summing up, the Applicant's Representative reiterated that none of the Responsible Authorities had objected, and they are the primary source of information regarding the concerns that had been raised by the Objectors. The Applicant's Representative contended that the Applicant had already gone to great lengths to address the concerns, and no evidence had been presented to substantiate the case that this premises would exacerbate an existing problem. Further, the objections seemed to relate to other late night premises, which are not relevant to this application.

The Applicant's Representative encouraged the Sub-Committee to look at the application positively.

In reaching its decision, the Sub-Committee had regard to both national guidance and the Council's own policy.

In accordance with the High Court's decision in Daniel Thwaite plc v Wirral Magistrates Court, the Sub-Committee attached the appropriate weight to the fact that none of the responsible authorities had objected.

In particular, in terms of the licensing objectives of crime and disorder caused by individuals drinking alcohol and causing nuisance to surrounding properties, the Sub-Committee noted that the Police had made no representations expressing a cause for concern.

The Sub-Committee found it encouraging that the Applicant had already taken into account the objections and taken steps to address these by working with Environmental Protection and agreeing to reduce the licensable hours, as well as adding a further condition to their licence. This, the Sub-Committee considered, demonstrated that the Applicant is a responsible business owner.

Whilst the Sub-Committee noted the objector's concerns regarding issues with other premises in the area, this is not a relevant consideration for the purposes of this particular application and therefore, this was not taken into account.

The Sub-Committee were satisfied that the Applicant has demonstrated a willingness to take steps to prevent, so far as is possible, problems arising at or from the premises that may undermine the Licensing Objectives. The measures that the Sub-Committee expect to be taken to address any concerns in respect of the Licensing Objectives, are contained within the Operating Schedule prepared by the Applicant.

RESOLVED that the premises licence be granted subject to the following condition agreed with Environmental Protection:

Clear and prominent notices shall be displayed at the exit(s) requesting customers to leave the area in a quiet and orderly manner.

5. Any Other Business

There were no other items of business.

(Meeting closed at 10.45 am)



Public report Licensing & Regulatory Committee

Licensing & Regulatory Committee

25 June 2019

Name of Cabinet Member:

Not applicable

Director Approving Submission of the report:

Deputy Chief Executive, Place

Ward(s) affected:

Not applicable

Title:

Hackney Carriage and Private Hire Licensing Fee Review 2019 – Taxi Licensing Mini Review

Is this a key decision?

No

Executive Summary:

In 2015 the introduction of the Deregulation Act changed the timescales for the issue of licences to drivers of Hackney Carriage and Private Hire Vehicles from annual renewals to three yearly renewals. It also amended the renewals of Private Hire Operators Licences to five yearly only.

A fee review was undertaken on 25 August 2015 to address the charges made for the processing and issuing of licences to drivers and operators to reflect the changes and associated costs.

This review resulted in an overall (pro rata) reduction in fees over the new respective licence periods.

Subsequently a review of the impact of the changes within the Taxi Licensing Office was undertaken resulting in an overall reduction in administrative staff and the introduction of a new role to provide support across the service.

Following this a further review of fees has been undertaken to reflect the staffing changes and current costs.

Recommendations:

It is recommended that the Licensing & Regulatory Committee:

- (A) approve, subject to consideration of any comments received, the proposed fee changes detailed in Appendix A;
- (B) authorise the Executive Director of Place to make the necessary arrangements to advertise the applicable proposed fee variations;

(C) note that if any formal objections are received in response to the statutory notice that a further report will be presented on the 20 August 2019. Together with the 28-day consultation running alongside sent to the trade and other stakeholders via a survey.

List of Appendices included:

Appendix A – Proposed fee changes

Other useful background papers:

None

Other Useful documents

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title:

Hackney Carriage and Private Hire Licensing Fee Review 2019 – Taxi Licensing Mini Review

1. Information / Background

- 1.1 The Local Government (Miscellaneous Provisions) Act 1976 provides that the City Council may charge as fees the reasonable cost of administering and enforcing the hackney carriage and private hire licensing function. The fees charged by the Taxi Licensing Office are intended to enable the service to operate on a self-financing basis.
- 1.2 A review of fees was carried out in 2015 and before that in 2009, which involved assessing the resources used for each activity represented by a fee. Any increased costs to taxi licensing since 2015 have been managed within available resources.

2. Recommendation

It is recommended that the Licensing & Regulatory Committee:

- (A) approve, subject to consideration of any comments received, the proposed fee changes detailed in Appendix A;
- (B) authorise the Executive Director of Place to make the necessary arrangements to advertise the applicable proposed fee variations;
- (C) note that if any formal objections are received in response to the statutory notice that a further report will be presented on the 20 August 2019. Together with the 28-day consultation running alongside sent to the trade and other stakeholders via a survey.

- 3.1 It is proposed to increase charges for the fees as indicated in the tables below;

Licence Fee	Current Charge		Proposed Charge		Increase	
	Hackney Carriage	Private Hire	Hackney Carriage	Private Hire	Hackney Carriage	Private Hire
	£	£	£	£	£	£
New Applicant Driver Licence	518	458	585	515	67	57
Driver Renewal	223		310		87	
Additional Driver Licence	223		260		37	
Driver Re-Grant	243		330		87	
New Vehicle	217		275		58	
Vehicle Renewal	187		245		58	
Vehicle Re-Grant	207		265		58	
New & Renewal Operator	1668		2000		332	
Operator Re-Grant	1708		2040		332	

A detailed breakdown of these is attached at Appendix A

Ancillary Fee	Current Charge	Proposed Charge	Increase
	£	£	£
DBS/DVLA Enquiry	53.00	60.00	7.00
Hackney Carriage Road Knowledge Test	40.00	50.00	10.00
3 Yearly Driver Refresher Training (Mandatory)*		50.00	50.00
Vehicle MOT Inspection	47.00	55.00	8.00
Vehicle MOT Inspection (re-test)	21.00	27.50	6.50

* New Requirement

3.2 There would be no change to any other licences and charges.

3.3 The above changes are summarised in Appendix A.

3.4 These fees will be reviewed annually, and proposed changes discussed at Taxi Forum Meetings.

4. Financial implications

The proposed fee structure has been designed to enable the continued operation of the Taxi Licensing Office on a self-financing basis. Future fee revisions and staffing levels will be routinely re-evaluated in line with any further legislative changes and financial considerations. Any shortfall in licensing income during the implementation period will be managed within existing resources. Fee revisions are explained in section 3 with a detailed list of proposed fee changes shown in Appendix A.

5. Legal implications

5.1 Under the Local Government (Miscellaneous Provisions) Act 1976, the City Council can only charge a level of fees which is sufficient to cover the reasonable costs of administering and enforcing the hackney carriage and private hire licensing function.

5.2 The 1976 Act lays down a statutory procedure for varying fees for Hackney Carriage Proprietors (i.e. vehicle) licences, Private Hire Vehicle licences and Private Hire Operators' licences. This procedure involves giving public notice of the proposed changes and a 28-day objection period. If objections are made, these must be considered by the Committee before the proposed fees, relating to those types of licences, can be implemented.

5.3 The above statutory procedure does not apply to varying fees for Hackney Carriage and Private Hire drivers' licences. However, it is considered simpler and fairer if the whole proposed fee table including drivers' licence fees, is advertised and the trade or public are given an opportunity to object to any item on the proposed fee table.

5.4 The issue of Hackney Carriage/Private Hire licences and the amount of any charge for their issue is excluded from being an 'executive function' by Regulation 2(6) and Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

5.5 Co-jointly running with the public notice of the proposed changes will be undertaken a survey sent to the trade and other interested stakeholders.

6. Timescale

6.1 If this report is approved, the proposed 2019 changes in drivers' licence fees and vehicle tests/re-tests will be advertised in the Coventry Telegraph on the 4 July 2019. Any objections and the results of the survey received can be considered at your meeting on the 20 August 2019. If no objections are received, the proposed fees will come into force on the 30 August 2019.

7. Other implications

- 7.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint or Coventry Sustainable Community Strategy**
Ensuring that the public are safe by assessing drivers are fit and proper and vehicles safe.
- 7.2 How is risk being managed?**
Ensuring that established procedures are followed.
- 7.3 What is the impact on the organisation?**
None
- 7.4 Equalities / EIA**
Not applicable
- 7.5 Implications for (or impact on) the environment**
None
- 7.6 Implications for partner organisations?**
None
- 7.7 Human Rights Act Implications**
None

Report author(s):**Name and job title:**

Mick Coggins, Senior Licensing & Enforcement Officer

Directorate:

Place Directorate

Tel and email contact:

024 7683 2183 Taxi.Licensing@coventry.gov.uk

Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Sarah Elliott	Head of Fleet, Waste Management & Taxi Licensing	Place Directorate	12/06/2019	12/06/2019
Names of approvers for submission: (officers and members)				
Legal: Roy Hammond	Licensing & Enforcement Solicitor	Place Directorate	12/06/2019	17/06/2019
Director Place: Andrew Walster	Director of Streetscene & Regulatory Services	Place Directorate	12/06/2019	13/06/2019
Usha Patel	Governance Services Officer	Place Directorate	12/06/2019	13/06/2019
Cath Crosby	Lead Accountant – Business Partnering	Place Directorate	12/06/2019	13/06/2019

Hackney Carriage/Private Hire Licensing Proposed Fee Structure 2019 – Proposed Fee Increases

Drivers both Hackney Carriage (HC) and Private Hire (PH)

Cost for New Applicant’s Driver Licence

	Current cost		Proposed cost	
	Hackney Carriage	Private Hire	Hackney Carriage	Private Hire
Application	65	65	85	85
DBS / DVLA Cost	53	53	60	60
Driver Training	100	100	100	100
Road Knowledge Test (HC only)	40	-	50	-
Driving / wheelchair assessment	90	70	90	70
Licence (3 year)	170	170	200	200
Total	£518	£458	£585	£515

Cost for Driver Licence Renewal

	Current cost	Proposed cost
DBS / DVLA Cost	53	60
Licence (3 year)	170	200
Mandatory CSE Refresher Training	-	50
Total	£223	£310

Cost for Additional Driver Licence (where a driver already has a HC or PH licence and requires the other licence PH or HC in addition)

	Current cost	Proposed cost
DBS / DVLA Cost (only if within 6 months of current licence expiring)	53	60
Additional Licence (3 year)	170	200
Total	£223	£260

Cost for Driver Licence Re-Grant (grant licence within 6 months of licence expiring)

	Current cost	Proposed cost
DBS / DVLA Cost	53	60
Licence (3 year)	190	220
Mandatory CSE Refresher Training	-	50
Total	£243	£330

Vehicles both Hackney Carriage and Private Hire

Cost for New Vehicle Licence

	Current cost	Proposed cost
Licence	170	220
Taxi Test	47	55
Total	£217	£275

Cost for Vehicle Licence Renewal

	Current cost	Proposed cost
Vehicle Licence	140	190
Taxi Test	47	55
Total	£187	£245

Cost for Vehicle Licence Re-Grant (grant licence within 90 days of licence expiring)

	Current cost	Proposed cost
Vehicle Licence	160	210
Taxi Test	47	55
Total	£207	£265

Operators

Cost for Operators (New and Renewal)

	Current cost	Proposed cost
Operator's Licence	1668	2000
Total	£1668	£2000

Cost for Operators Re-Grant of Licence (Grant licence within 6 months of licence expiring)

	Current cost	Proposed cost
Operator's Licence	1708	2040
Total	£1708	£2040

N.B. – DBS's may be requested by the Taxi Licensing Office at anytime and the new pricing will be as in the above tables.

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