



Licensing Committee Wednesday, 18th October, 2017

You are invited to attend the next meeting of **Licensing Committee**, which will be held at:

**Council Chamber, Civic Offices, High Street, Epping
on Wednesday, 18th October, 2017
at 2.00 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

Gary Woodhall
(Directorate of Governance)
Tel: 01992 564470
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors B Surtees (Chairman), R Morgan (Vice-Chairman), N Bedford, K Chana, D Dorrell, L Hughes, J Jennings, P Keska, A Lion, L Mead, S Neville, C P Pond, B Rolfe, M Sartin and D Sunger

PLEASE NOTE THE START TIME OF THE MEETING

1. APOLOGIES FOR ABSENCE

(Director of Governance) To be announced at the meeting.

2. DECLARATIONS OF INTEREST

(Director of Governance) To declare interests in any item on this agenda.

3. MINUTES OF THE LICENSING COMMITTEE

(Director of Governance) To confirm the minutes of the Licensing Committee meeting held on 26 April 2017 (previously circulated).

[Click here for Licensing Minutes 26-Apr-17](#)

4. MINUTES OF THE LICENSING SUB-COMMITTEES

(Director of Governance) Copies of the minutes from the Sub-Committee's meetings will be available for the relevant Chairmen to sign off.

5. ISSUES RAISED BY HARLOW DISTRICT COUNCIL (Pages 5 - 6)

(Director of Neighbourhoods) To consider the attached report.

6. CONSULTATION ON TAXI TARIFFS (Pages 7 - 20)

(Director of Neighbourhoods) To consider the attached report.

7. APPLICATIONS RECEIVED UNDER THE LICENSING ACT 2003 AND GAMBLING ACT 2005 (Pages 21 - 22)

(Director of Neighbourhoods) To consider the attached report.

8. REVIEW OF LICENSING SUB-COMMITTEE PROCEDURES

(Director of Neighbourhoods) To review the proceedings of the Licensing Sub-Committee held during the preceding period and identify any problems of procedure, policy and organisation that have adversely affected the running of the meetings.

(a) Pre-Meeting Briefings

At the last full committee meeting, Councillor Keska pointed out that the Sub-Committees used to get briefings before each of their meetings from Licensing Officers. Whilst they did not want a briefing on the cases before them, Members would appreciate a reminder of the options open to them for each application they considered. It was also mentioned that a Licensing Officer was present during Members' deliberations in private session to advise on technical matters and that Members found this to aid good decision making.

Councillor Surtees noted that the views of the Sub-Committee, Licensing and Legal Officers did not always line up. Members have requested the attendance of a Legal Officer at the next meeting of the full Licensing Committee to explain why these briefings could not be held.

(b) Council Website

Councillor Pond has requested that Members consider the licensing information on the Council's website with a view to it being made more useful and relevant to the public.

9. REVIEW OF CURRENT AND FUTURE TRAINING NEEDS FOR THE COMMITTEE

(Director of Neighbourhoods) To highlight any further training considered necessary for the Members tasked with discharging the Council's Licensing function.

(a) Town & Parish Councils

There has been a request made on behalf of Town and Parish Councils that they be invited to attend the annual Member training event. Members are asked to consider this request.

10. ANY OTHER BUSINESS

(Director of Governance) Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs (6) and (24) of the Council Procedure Rules contained in the Constitution require that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order (6) (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks notice of non-urgent items is required.

11. MATTERS ARISING

(Director of Neighbourhoods) To consider any further matters arising in respect of the Council's Licensing function, not covered elsewhere on the agenda.

12. DATE OF NEXT MEETING

(Director of Governance) The next meeting of the Licensing Committee has been scheduled for 18 April 2018 at 2.00pm in the Council Chamber.

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Report to the Licensing Committee

Date of meeting: 18 October 2017

Subject: Issues Raised by Harlow District Council.

Responsible Officer: Jim Nolan (01992 564083).

Democratic Services: Gary Woodhall (01992 564470).

Recommendation(s):

(1) To note the issues and concerns raised by Harlow District Council.

Report:

1. Officers have received an email from the licensing section at Harlow District Council who are experiencing an increased number of hackney carriage vehicles/drivers licensed by Epping working for a Harlow based operator. Metro Cabs is one of Harlow's two main public hire operators. Harlow's other large operator, ABC, has indicated that they intend to start operating in the same way. This is causing some concern within the trade in Harlow and their Members are taking a keen interest in the matter.

2. This is a complicated matter, therefore Officers sought an opinion from James Button & Co and this is reproduced below:

"Since 1st October 2015 a private hire operator in one district can sub-contract a booking to an operator licensed either in his district, or elsewhere (Greater London, any district in England or Wales except Plymouth, or Scotland). The sub-contracting operator must still dispatch a private hire vehicle and private hire driver both licensed by the same authority as the subcontracting officer.

The position with hackney carriages is slightly different, and has been the same since the private hire legislation was first made available in 1976. A hackney carriage can undertake pre-booked work within the district in which it is licensed, or anywhere else in England or Wales. There is no requirement for a booking agent for hackney carriages to be licensed, and such a person can take bookings for, and dispatch hackney carriages licensed anywhere in England or Wales (including Plymouth and Greater London). The hackney carriage must be driven by a hackney carriage driver licensed by the same authority that licensed the vehicle.

Therefore, a private hire operator can do the same.

This means that the Harlow operator can use Epping Forest hackney carriages to undertake pre-booked work in Harlow."

3. There is some prospect of the law being changed on cross border hiring but until that happens, there isn't much we can do. However, Officers were requested to bring the situation to the attention of the Committee.

4. In addition some Epping Forest licensed drivers are removing their hackney carriage roof signs and replacing them with 'Metro' roof signs when driving around Harlow; this contravenes our regulations and Officers have taken steps to address it.

5. Harlow Officers have also highlighted a recent case where a driver who had his licence revoked by Harlow, was recently licensed by Epping Forest and is now working for ABC in Harlow. Members are asked to consider any implications which may arise from this.



**Epping Forest
District Council**

Report to the Licensing Committee

Date of meeting: 18 October 2017

Subject: Consultation on Taxi Tariffs.

Responsible Officer: Jim Nolan (01992 564083).

Democratic Services: Gary Woodhall (01992 564470).

Recommendation(s):

(1) To note the results of the recent consultation on Taxi Tariffs throughout the District.

Report:

1. Members will recall a request from some members of the taxi trade to lower the Sunday tariff and to bring it in line with the rest of the week. Any change in tariff requires us to carry out a consultation exercise which was subsequently undertaken. The results of the consultation are attached at Appendix I to this report.

2. It appears that the trade are not as one with regard to the proposed change, indeed there are some who feel that the tariff should be increased across the board. Members are asked to consider the results of the consultation and indicate a way forward.

3. To aid discussion, the tariffs from some neighbouring Councils are attached at Appendix II to this report.

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**TRANSPORT
FOR LONDON**

Tariffs

As the regulator, TfL is responsible for reviewing and setting taxi fares and tariffs. This page provides details of the tariff rates, and the times when they apply.

▼ Tariff 1

▼ Tariff 3

▼ Tariff 2

▼ Tariff rate for longer journeys

There are three standard tariff periods, and when a certain tariff applies depends on the day of the week and the time of day you travel.

The tariff rate can change (e.g. from Tariff 1 to 2, 2 to 3 or 3 to 1) if a journey starts when one tariff rate applies but is still going when the next Tariff rate starts.

The meter automatically adds a charge based on time for any part of a taxi journey when the speed drops below 10.4mph. Other extra charges may be included in the final fare.

Tariff 1

For any hiring during Monday to Friday between 05:00 and 20:00, other than on a public holiday:

- For the first 234.8 metres or 50.4 seconds (whichever is reached first) there is a minimum charge of £2.60
- For each additional 117.4 metres or 25.2 seconds (whichever is reached first), or part thereof, if the distance travelled is less than 9656.1 metres there is a charge of 20p
- Once the distance has reached 9656.1 metres then there is a charge of 20p for each additional 86.9 metres or 18.7 seconds (whichever is reached first), or part thereof

Tariff 2

For any hiring either during Monday to Friday between 20:00 and 22:00 or during Saturday or Sunday between 05:00 and 22:00, other than on a public holiday:

- For the first 191 metres or 41 seconds (whichever is reached first) there is a minimum charge of £2.60

- For each additional 95.5 metres or 20.5 seconds (whichever is reached first), or part thereof, the distance travelled is less than 9,656.1 metres there is a charge of 20p
- Once the distance has reached 9,656.1 metres then there is a charge of 20p for each additional 86.9 metres or 18.7 seconds (whichever is reached first), or part thereof

Tariff 3

For any hiring between 22:00 on any day and 05:00 the following day or at any time on a public holiday:

- For the first 162.4 metres or 35 seconds (whichever is reached first) there is a minimum charge of £2.60
- For each additional 81.2 metres or 17.5 seconds (whichever is reached first), or part thereof, the distance travelled is less than 9,656.1 metres there is a charge of 20p
- Once the distance has reached 9,656.1 metres then there is a charge of 20p for each additional 86.9 metres or 18.7 seconds (whichever is reached first)

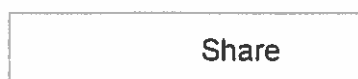
Tariff rate for longer journeys

When a taxi journey reaches six miles the tariff rates changes. This new rate is sometimes referred to as Tariff 4.

The tariff rate for journeys over six miles is higher than the Tariff 1 and 2 rates but lower than the Tariff 3 rate.

| Tariff | Rate | Times when the tariff currently applies |
|---------------------------------------|----------------|---|
| Tariff 1 for journeys up to 6 miles | £2.74 per mile | Monday to Friday, 05:00-20:00 |
| Tariff 2 for journeys up to 6 miles | £3.37 per mile | Monday to Friday, 20:00-22:00 Saturday and Sunday, 05:00-22:00 |
| Tariff 3 for journeys up to 6 miles | £3.96 per mile | Every night, 22:00-05:00 Public holidays |
| Tariff rate for journeys over 6 miles | £3.70 per mile | At all times for journeys over 6 miles |

The information on this page is effective from Saturday 3 June 2017.



Brentwood Borough Council

Hackney Carriage Maximum Fares - revised 1st December 2016

| | Tariff 1* | Tariff 2* | Tariff 3* | Tariff 4* |
|------------------------|-----------|-----------|-----------|-----------|
| | 100.00% | 112.50% | 125.00% | 200.00% |
| Initial Price | £3.40 | £3.80 | £4.20 | £6.80 |
| Unit Price | £0.20 | £0.20 | £0.20 | £0.20 |
| | | | | |
| Yards to flag fall | 1053 | 1000 | 1020 | 1017 |
| Yards per drop | 158.00 | 141.00 | 126.00 | 79.00 |
| Initial Wait (seconds) | 240 | 227 | 227 | 245 |
| Unit Wait (seconds) | 36 | 32 | 28 | 19 |
| | | | | |

Extras :

For Each person in Excess of One: 20p

London Congestion Charge – As applied For each passenger in excess of one 20p

Soiling Charge – Outside £20 in addition to the metered fare, inside £50 in addition to the metered fare.

*Tariffs Explained:

Tariff 1: Mon – Fri 6am to 8pm and Sat 6am to 6pm

Tariff 2: Mon – Fri 8pm to 11pm, Sat 6pm to 11pm and Sun 6am to 6pm

Tariff 3: Mon to Sat 11pm to 6am Sun and public Holidays except Christmas and New Year 6pm to 6am

Tariff 4: Between 6pm on 24 Dec and 6am on 27 Dec and Between 6pm on 31 Dec and 6am on 2 Jan

For more information regarding the table of fares please email licensing@brentwood.gov.uk or telephone 01277 312500.

must be displayed in the vehicle.

Broxbourne council

Table of fares for hackney carriages from 1 November 2014

| Rate | Hiring time | Fare up to 1100 metres | Each additional unit of 166 metres or part thereof or every 38 seconds waiting time |
|------|--|------------------------|---|
| 1 | 6am to 10pm Monday to Saturday inclusive | £3.00 | 20p |
| 2 | 10pm to 6am Monday to Friday inclusive. 10pm Saturday to 6am Monday. All day Bank Holidays | £4.00 | 30p |
| 3 | Christmas Day, Boxing Day, New Year's Day and after 6pm Christmas Eve and New Year's Eve. | £5.00 | 40p |
| 4 | For vehicles licensed to carry up to 8 passengers and carrying 5 or more passengers substitute Rates, 2, 3 and 4 for Rates 1, 2 and 3. | £6.80 | 60p |

There is no charge for assistance dogs. There is no charge for all other dogs, although they are carried at the driver's discretion.

A charge of up to £75 can be made to passengers who cause soiling to the driver's vehicle.

Harlow District Council Hackney Carriage Revised Tariffs

With effect from 14/11/2014

S.65 Local Government (Miscellaneous Provisions) Act 1976 Part II

This vehicle is licensed by Harlow District Council as a Hackney Carriage. The fares and charges for journeys both within and outside the Council's boundaries are set out below. All enquiries should be made to the Licensing Team, Civic Centre, The Water Gardens, Harlow, Essex CM20 1WG

| Rate code on meter | 1 | 2 | 3 | 4 |
|--------------------|---|---|--|--|
| Tariff notes | Applies Mondays to Saturdays, except Bank Holidays, between 6.00am and 10.00pm and between 6.00am and noon on Xmas and New Years Eve Journeys outside the boundaries of Harlow during the above times – see Rate 3 | Applies Mondays to Saturdays between 10.00pm and 6.00am all hours Sunday and Bank Holidays and public holiday (except Christmas Day Boxing Day and New Years Day) and between noon and 6.00pm Xmas Eve and New Years Eve Journeys outside the boundaries of Harlow during the above times – see Rate 4 | Applies Mondays to Saturdays between 6.00am and 10.00pm (and be manually engaged) when the taxi <u>travels outside the boundaries of Harlow</u> unless the hirer (during the course of the journey) is returning to a final destination point within the boundaries of Harlow Applies from 6pm on Xmas and New Years Eve, and at any time on Xmas day, Boxing Day and New Years Day within the district of Harlow | Applies Mondays to Saturdays between 10.00pm and 6.00am and all day Sundays (and be manually engaged) when the taxi <u>travels outside the boundaries of Harlow</u> unless the hirer (during the course of the journey) is returning to a final destination point within the boundaries of Harlow |
| Distance (Miles) | Minimum fare £3.00 | Minimum fare £3.40 | Minimum fare £3.40 | Minimum fare £3.40 |
| 1 | £5.00 | £5.60 | £5.60 | £5.60 |
| 2 | £6.40 | £7.20 | £8.00 | £8.80 |
| 3 | £7.80 | £8.80 | £10.40 | £11.80 |
| 4 | £9.00 | £10.60 | £12.80 | £14.60 |
| 5 | £10.40 | £12.20 | £15.20 | £17.60 |
| 8 | £14.60 | £17.20 | £22.60 | £26.40 |
| 12 | £20.00 | £24.00 | £32.20 | £38.00 |

The fare payable will be calculated automatically and displayed on the meter. If the taxi speed drops below 10mph (approx) this will be charged by time rather than distance and will be higher than indicated above.

Extra Charges

| | |
|---|-----|
| For each adult in excess of one (but two children between the ages 2 and 14 shall count as one Adult for the purpose of the tariff) | 20p |
| Dogs except assistance dogs | 20p |
| Luggage other than that conveyed with the passengers in the passenger compartment, each item | 20p |

Damage & Soilage

The Driver may recover costs under Section 65 of part II of the Local Government (Miscellaneous Provisions) Act, 1976, from the hirer who will be responsible for any damage to (or human discharge left in) the taxi, which has been caused by the action of the hirer or traveling companion(s), and the hirer will be liable to meet the full cost of restoration work required to make good the effects of the aforementioned damage and or human discharge.



**Uttlesford District Council
Fares for Hackney Carriage Vehicles**

Hackney Carriage Number: _____ Passengers _____ Vehicle Registration Number: _____
 Licensed to carry _____ Proprietor: _____

TABLE OF FARES

| | | |
|--------|---|---|
| Rate 1 | (7.00am to 10.30pm Monday to Saturday) Up to 1364 yards After 1364 yards (for each additional mile) <i>Equivalent to each additional unit of 83 yards @ 10p</i> | Up to 4 passengers £3.20 £2.10 |
| Rate 2 | (10.30pm to 7.00am, Monday to Saturday, Midnight Saturday to 7.00am Monday, Public Holidays) Up to 1364 yards After 1364 yards for each additional mile <i>Equivalent to each additional unit of 83 yards @ 15p</i> | Up to 4 passengers £4.80 £3.15 |
| | (7.00am to 10.30pm Monday to Saturday) Up to 1364 yards After 1364 yards for each additional mile <i>Equivalent to each additional unit of 83 yards @ 15p</i> | 5-8 passengers £4.80 £3.15 |

EXTRAS

| | |
|----------------------|--------|
| Waiting time | £20.00 |
| Soiling Charge (max) | £80.00 |

Complaints should be referred to the proprietor in the first instance, and if necessary, then to the Uttlesford District Council, Council Offices, London Road, Saffron Walden quoting all the facts including the number of the Hackney Carriage Licence.

Dated: 1 October 2012

| | | |
|----------------------|--|---|
| Rate 3 | <p>(6.00pm Christmas Eve to Midnight Boxing Day, 6.00pm New Year's Eve to Midnight New Year's Day)</p> <p>Up to 1364 yards After 1364 yards (for each additional mile) <i>Equivalent to each additional unit of 83 yards @ 20p</i></p> <p>(10.30pm to 7.00am, Monday to Saturday, Midnight Saturday to 7.00 am Monday, Public Holidays)</p> <p>Up to 1364 yards After 1364 yards (for each additional mile) <i>Equivalent to each additional unit of 83 yards @ 20p</i></p> | <p>Up to 4 passengers</p> <p>£6.40 £4.20</p> <p>5-8 passengers</p> <p>£6.40 £4.20</p> |
| Rate 4 | <p>(6.00pm Christmas Eve to Midnight Boxing Day, 6.00pm New Year's Eve to Midnight New Year's Day)</p> <p>Up to 1364 yards After 1364 yards (for each additional mile) <i>Equivalent to each additional unit of 83 yards @ 30p</i></p> | <p>5-8 passengers</p> <p>£9.60 £6.30</p> |
| EXTRAS | | |
| Waiting time | | |
| Soiling Charge (max) | | |
| £20.00 | | |
| £80.00 | | |

Complaints should be referred to the proprietor in the first instance, and if necessary, then to the Uttlesford District Council, Council Offices, London Road, Saffron Walden quoting all the facts including the number of the Hackney Carriage Licence.

Dated: 1 October 2012

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Taxi fares

We regulate the fare you can charge your customers. This varies depending on the day and the time the hire begins.

Tariff

Tariff 1

Dates and times

- Monday to Saturday
- 6am to 11pm

Maximum charges

- £3.10 for first 620 yards or 2 minutes and 33 seconds
- £0.10 for each subsequent 81.5 yards: £0.10
- £0.10 for waiting time of 20.1 seconds

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Taxi fares

We regulate the fare you can charge your customers. This varies depending on the day and the time the hire begins.

Tariff

Tariff 2

Dates and times

- Everyday
- 11pm to 6am

Maximum charges

- £4.30 for first 755 yards or 1 minute and 13 seconds
- £0.10 for each subsequent 56 yards
- £0.10 for waiting time of 13.4 seconds

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Taxi fares

We regulate the fare you can charge your customers. This varies depending on the day and the time the hire begins.

Tariff

Tariff 3

Dates and times

- Sunday
- 6am to 11pm

Maximum charges

- £4.10 for first 450 yards or 1 minute and 13 seconds
- £0.10 for each subsequent 82.5 yards
- £0.10 for waiting time of 13.4 seconds

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Taxi fares

We regulate the fare you can charge your customers. This varies depending on the day and the time the hire begins.

Tariff

Tariff 4

Dates and times

- From 10pm on 24 December (Christmas Eve) to 6am on 27 December
- From 10pm on 31 December (New Year's Eve) to 12am on 1 January (New Year's Day)

Maximum charges

- £5.20 for first 520 yards or 2 minutes and 2 seconds
- £0.20 for each subsequent 91 yards
- £0.20 for waiting time of 21.3 seconds

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Report to Licensing Committee

Date of meeting: 18 October 2017



**Epping Forest
District Council**

Subject: Licensing Statistics

Responsible Officer: Kim Tuckey (01992 564034).

Democratic Services: Gary Woodhall (01992 564470).

Recommendations:

(1) That the licensing applications received by the Council during the period 1 May to 28 September 2017 be noted.

Report:

Applications Received

1. Under the Licensing Act 2003 and the Gambling Act 2005, Officers are required to report on numbers of applications received and the determinations of those applications. The following table outlines the applications received from 1 May to 28 September 2017.

Applications received under the Licensing Act 2003

| | |
|--|-----|
| Number of new applications | 13 |
| Number of renewals | 127 |
| Change of designated premises supervisor/variation | 37 |
| Number of applications considered by the sub-committee | 11 |
| Number of applications granted subject to conditions | 11 |
| Number of applications refused | 0 |
| Number of appeals to Magistrates | 0 |
| Number of revocations | 0 |
| Temporary event notices | 117 |
| Late Temporary event notices | 37 |

Application received online - EU directive

| | |
|-------------------------|----|
| Temporary event notices | 24 |
|-------------------------|----|

Reviews

| | |
|-------------|---|
| Application | 1 |
|-------------|---|

Personal licence applications

| | |
|--|----|
| Number of applications received | 48 |
| Number of applications granted under delegated authority | 48 |
| Number of applications refused | 0 |
| Number of appeals to Magistrates | 0 |

Gambling Act 2005

| | |
|-------------------------------------|---|
| Betting office applications granted | 0 |
| Club gaming permit granted | 0 |
| Notifications for 2 gaming machines | 2 |

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