



North Tyneside Council

Regulation and Review Committee

21 June 2017

Thursday 29 June 2017 Room 0.02, Council Chamber, Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside **commencing at 6.00 pm**

Agenda Item	Page
1. Apologies for Absence	
To receive apologies for absence from the meeting	
2. Appointment of Substitute Members	
To be notified of the appointment of any Substitute Members.	
3. To Receive any Declarations of Interest and Notification of any Dispensations Granted	
You are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest.	
Please complete the Declarations of Interests card available at the meeting and return it to the Democratic Services Officer before leaving the meeting.	
You are also invited to disclose any dispensation from the requirement to declare any registerable and/or non-registerable interests that have been granted to you in respect of any matters appearing on the agenda.	

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Agenda Item	Page
<p>4. Minutes</p> <p>To note the minutes of the Panel meetings held on 22 March, 5 April, 11 May, 15 May and 15 June 2017 and to confirm the minutes of the Committee meetings held on 4 April 2017.</p>	<p>3</p>
<p>5. Review of Fees and Charges for Hackney Carriage and Private Hire Licensing Scheme</p> <p>To consider objections received to the proposals to vary the schedule of fees and charges relating to the licensing of hackney carriage and private hire vehicles, their drivers and operators.</p>	<p>23</p>

To All Members of the Regulation and Review Committee

Councillor Anne Arkle	Councillor Pam McIntyre
Councillor Debbie Cox	Councillor Dave McMeekan
Councillor Peter Earley (Chair)	Councillor Les Miller
Councillor John Hunter (Deputy Chair)	Councillor Tommy Mulvenna
Councillor Marian Huscroft	Councillor Kate Osborne
Councillor Frank Lott	Councillor John O'Shea
Councillor Wendy Lott	Councillor Norman Percy
Councillor Gary Madden	Councillor Margaret Reynolds
Councillor Maureen Madden	Councillor Lesley Spillard

Regulation and Review Committee Panel

22 March 2017

Present: Councillor K Osborne (Chair)
Councillors P Earley, John Hunter, D McMeekan and L Spillard.

RQ60/03/17 Apologies for Absence

There were no apologies for absence received.

RQ61/03/17 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

RQ62/03/17 Exclusion Resolution

Resolved that under Section 100A(4) of the Local Government Act 1972 (as amended) and having applied a public interest test in accordance with Part 2 of Schedule 12A the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act.

RQ63/03/17 Combined Hackney Carriage/Private Hire Driver's Licence Referral – Mr D

The committee considered a report by the Senior Client Manager, Technical and Regulatory Services which outlined the background to a referral in respect of Mr D the holder of a combined hackney carriage/private hire driver's licence. The committee was requested to determine whether any disciplinary action was required and to assess Mr D's continued suitability to carry out the duties of a licensed driver.

Mr D and his representative Mr S attended the meeting.

The licensing officer presented the report and answered questions from Mr S and Members.

Mr S then addressed the committee on behalf of Mr D and answered questions from Members.

Following a summing up from the licensing officer and Mr S and Mr D all parties left the meeting room to enable consideration of the matter to be undertaken in private.

The options available to the committee were to:

- take no action;
- suspend the driver's licence; or
- revoke the driver's licence.

22 March 2017

In determining its response the committee had regard to Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 and the Council's Hackney Carriage and Private Hire Licensing Policy, in particular Chapter and 7 which makes reference to convictions, cautions, conduct and medical fitness.

The committee considered that it was an established principle that a licence was a privilege and not a right and took a very serious view of the behaviour outlined in the report and seriously considered all the options available to it. Having carefully considered the evidence presented at the meeting and the comments made, the committee determined that it could not be satisfied that Mr D remained a fit and proper person to hold a licence and that his combined hackney carriage and private hire driver's licence should be revoked.

Resolved that Mr D's combined hackney carriage and private hire drivers licence be revoked as the Authority could not be satisfied that he remained a fit and proper person to hold the licence under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976.

RQ64/03/17 Combined Hackney Carriage/Private Hire Driver's Licence Appeal – Mr N

The committee received a report by the Senior Manager, Technical and Regulatory Services which outlined the background to an appeal by Mr N against the refusal of the licensing section to grant him a combined hackney carriage/private hire driver's licence as the Authority was not satisfied that he was a fit and proper person to hold such a licence.

Mr N was present at the meeting accompanied by his wife and his representative, Mr W.

A licensing officer presented the report to the committee which included the information that Mr N had previously held a licence which had been revoked and that upon reapplication had successfully passed the knowledge test and the Group 2 standard medical, and had submitted a disclosure certificate from the Disclosure and Barring Service.

After the presentation, Mr W asked questions of the licensing officer to seek clarification on a number of matters.

Members then asked questions of the licensing officer.

Mr W then addressed the committee in support of Mr N's application and answered questions from Members. Mrs N also addressed the committee and Mr N answered questions.

Following a summing up from the licensing officer and Mr W and Mr N, all parties left the meeting to enable consideration of the matter to be undertaken in private.

The options available to the committee were to:

- Uphold the appeal and agree to grant the licence; or
- Dismiss the appeal and refuse to issue the licence.

The committee's main concern was the need to maintain high standards amongst licensed drivers and to ensure the protection of the travelling public. In determining its response the committee had regard to Section 51 of the Local Government (Miscellaneous Provisions)

Act 1976 and the Council's Hackney Carriage and Private Hire Licensing Policy, in particular Chapter 7 which made reference to convictions, cautions, conduct and medical fitness.

Resolved that the appeal be dismissed as the committee could not be satisfied that Mr N was a fit and proper person to hold a Combined Hackney Carriage/Private Hire Driver's Licence under Section 51 of the Local Government (Miscellaneous Provisions) Act 1976.

RQ65/03/17 Combined Hackney Carriage/Private Hire Driver's Licence Referral – Mr N

The committee considered a report by the Senior Client Manager, Technical and Regulatory Services which outlined the background to a referral in respect of Mr N the holder of a combined hackney carriage/private hire driver's licence. The committee was requested to determine whether any disciplinary action was required and to assess Mr N's continued suitability to carry out the duties of a licensed driver.

Mr N and his representative Mr W attended the meeting.

The licensing officer presented the report and answered questions from Mr W and Members.

Mr W then addressed the committee on behalf of Mr N and answered questions from Members.

Following a summing up from the licensing officer and Mr W and Mr N all parties left the meeting room to enable consideration of the matter to be undertaken in private.

The options available to the committee were to:

- take no action;
- suspend the driver's licence; or
- revoke the driver's licence.

In determining its response the committee had regard to Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 and the Council's Hackney Carriage and Private Hire Licensing Policy, in particular Chapter and 7 which makes reference to convictions, cautions, conduct and medical fitness.

The committee considered that it was an established principle that a licence was a privilege and not a right and took a very serious view of the behaviour outlined in the report and seriously considered all the options available to it. Taking all that had been presented to the Committee and contained within the papers submitted to the meeting, the committee determined that Mr N should be given a warning as to his future conduct. The committee decided that on this occasion a warning was the most appropriate sanction and would be sufficient deterrent to avoid repetition.

Resolved that Mr N be issued with a written warning and be reminded of the responsibilities which come with holding a combined hackney carriage and private hire drivers licence.

Regulation and Review Committee Panel

5 April 2017

Present: Councillor K Osborne (Chair)
Councillor P Earley, D McMeekan and W Lott

RQ73/04/17 Apologies for Absence

Apologies for absence were received from Councillor M Madden.

RQ74/04/17 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

RQ75/04/17 Exclusion Resolution

Resolved that under Section 100A(4) of the Local Government Act 1972 (as amended) and having applied a public interest test in accordance with Part 2 of Schedule 12A the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act.

RQ76/04/17 Stage Three Corporate Complaint - Ref: 101883804

The committee met to consider a complaint submitted against the Authority's Environment, Housing and Leisure Service. It had been agreed that the complaint proceed to Stage 3 of the Council's Corporate Complaints Procedure, which involved a hearing by the committee.

The complainant attended the meeting accompanied by a friend.

The officers in attendance from the service area were Dawn Statham, Neighbourhood Operations Manager, and Louise Foster, Service Development Officer. An officer from the Council's Customer, Member, Governor and Registration Services team was also present.

On behalf of the Environment, Housing and Leisure Service, Ms Foster set out a summary of the complaint which had been received on 30 November 2016 and related to the response of Housing Services to complaints from the complainant about another local authority tenant in a neighbouring maisonette, and the actions they had taken in response.

The complainant was given the opportunity to ask questions of the officers and did so.

Members also asked questions of the officer and sought clarification on a number of points.

The complainant was then invited to explain why they remained dissatisfied with the response to the complaint and what action was required to resolve the complaint in their opinion.

After the complainant's presentation, officers from the Environment, Housing and Leisure Service were given the opportunity to ask questions.

Members then asked questions and sought clarifications.

The officers from the Environment, Housing and Leisure Service and the complainant were all given the opportunity to sum up their respective cases and then left the meeting to enable the committee to determine the complaint in private.

The committee considered all the evidence presented at the meeting both written and verbal and noted the steps that had been taken to resolve the complaint at stages 1 and 2 of the complaints process. After receiving some legal advice on tenancy agreements the committee concluded:

- a) That it was a very difficult situation and it was clear officers had tried to find a resolution to the problem taking into account the personal circumstances of the other tenant which had required a deviation from the usual procedure on dealing with such matters.
- b) The decision to operate outside the usual procedure was a reasonable and appropriate response to the situation and the service had taken appropriate legal advice at every stage.
- c) Whilst understanding that it was frustrating for the complainant, the committee considered that the housing service had kept them informed in an appropriate way throughout.
- d) However, the situation had become untenable and as the behaviour of the other tenant was a breach of their tenancy agreement action needed to be taken.

The committee did not consider it appropriate to make any recommendations which related to the neighbouring tenant's home, this included the front garden, but were concerned about the fire and other risks identified within the home. Members agreed to encourage officers to use the following recommendations as an opportunity to address the issues inside the neighbouring tenant's home and to ensure that any action taken to reduce the risks within the property did not impact on the communal areas.

Resolved that the Head of Environment, Housing and Leisure be recommended to:

- (1) instruct Housing Services that on or by 1 May 2017 the tenant of the neighbouring property to the complainant be issued with a notice requiring the removal of the items stored in the communal hallway within seven days from the notice or the Authority would clear the hallway;
- (2) instruct Housing Services that on or by 1 May 2017 the tenant of the neighbouring property to the complainant be issued with a notice requiring the removal of the items stored in the shared rear yard within seven days from the notice or the Authority would clear the yard;
- (3) instruct Housing Services to consider fitting a device/making changes to the communal entrance of the property to ensure the door closes automatically and once closed can only be opened from the outside with a key; and
- (4) ensure that the action points detailed in the Safeguarding Assessment of the complainant's neighbour be followed up and completed in accordance with the timeframes agreed.

Regulation and Review Committee Panel

11 May 2017

Present: Councillor John O'Shea (Chair)
Councillor A Arkle, D Cox, and M Madden

RQ77/05/17 Apologies for Absence

Apologies were received from Cllr K Osborne.

RQ78/05/17 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

RQ79/05/17 Exclusion Resolution

Resolved that under Section 100A(4) of the Local Government Act 1972 (as amended) and having applied a public interest test in accordance with Part 2 of Schedule 12A the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act.

RQ80/05/17 Combined Hackney Carriage/Private Hire Driver's Licence Referral – Mr M

The committee considered a report by the Senior Client Manager, Technical and Regulatory Services, which outlined the background to a referral in respect of Mr M to consider whether the applicant is a fit and proper person to be licensed to drive a hackney carriage or private hire vehicle.

Mr M was present at the meeting.

The Licensing Officer presented the report and informed the committee that Mr M had applied for a combined hackney carriage/private hire driver's license on 10th January 2017. At the time he had disclosed that he had spent 3 years and 9 months living in Florida in the United States of America (USA).

Mr M had been informed by officers that, in accordance with Chapter 3 of the Council's Hackney Carriage and Private Hire Licensing Policy, he would be required to produce a Certificate of Good Conduct or equivalent from the USA as part of this application.

Mr M had applied for a Certificate but had informed officers that he was experiencing difficulties in obtaining the Certificate from the USA due to delays in the security process and difficulties in providing fingerprints taken in this country to the standard required by the FBI.

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Mr M had an opportunity to ask questions of the Licensing Officer.

Members asked questions of the Licensing Officer.

Mr M then addressed the committee.

Members asked questions of Mr M.

In response to questioning from the Committee Mr M stated that he intended to pursue the Certificate of Good Conduct and gave a commitment that, if a license was granted, he would continue to keep officers informed of progress towards this, until the Certificate could be provided.

Following a summing up from the Licensing Officer and Mr M, all parties left the meeting to enable consideration of the matter to be undertaken in private.

Options available to the committee were to: grant the license; or refuse to grant the license.

In determining the application the Committee had regard to the Council's Hackney Carriage and Private Hire Licensing Policy and in particular Chapter 8 in relation to referral matters, and Chapter 3 in relation to drivers and which refers to applicants who have spent time abroad.

Resolved that Mr M be granted a license as Members were satisfied, on the basis of the information submitted, that Mr M was a fit and proper person to be licensed.

RQ81/05/17 Combined Hackney Carriage/Private Hire Driver's Licence Disciplinary Referral – Mr R

The committee considered a report by the Senior Client Manager, Technical and Regulatory Services, which outlined the background to a referral in respect of Mr R to consider whether any disciplinary action in respect of this individual's combined hackney carriage/private hire driver's license is required, and if required, to determine the appropriate action to be taken.

Officers informed the Committee that a copy of the committee report with a letter inviting Mr R to attend the meeting had been hand delivered Mr R's home address and that no communication had been received from Mr R either in regard to the appeal or to repeated attempts by the licensing team to speak Mr R regarding the incident.

Mr R was not in attendance and the Committee determined to hear the case in Mr R's absence

The Licensing Officer presented the report which outlined the background to a referral in respect of a recent conviction which resulted in Mr R being disqualified from driving. Details of the circumstances of the offence and the sanctions imposed were included in the report.

Members asked questions of the licensing officer.

Following a summing up from the Licensing Officer, he left the meeting to enable consideration of the matter to be undertaken in private.

Options available to the committee were to: take no action; issue a warning as to the driver's future conduct; suspend the driver's licence; or revoke the driver's licence.

In determining the application the Committee had regard to the Council's Hackney Carriage and Private Hire Licensing Policy, in particular chapter 7 which makes reference to convictions, cautions, conduct and medical fitness.

Resolved that Mr R's license be revoked as the Committee did not consider there were any mitigating factors which would warrant a departure from the Council's Hackney Carriage and Private Hire Licensing Policy in relation to this matter, and the Committee could not be satisfied that Mr R remained a fit and proper person to hold a licence.

Regulation and Review Committee Panel

15 May 2017

Present: Councillor P Earley (Chair)
Councillor John Hunter, J O'Shea and D McMeekan

RQ82/05/17 Apologies for Absence

Apologies for absence were received from Councillor T Mulvenna.

RQ83/05/17 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

RQ84/05/17 Exclusion Resolution

Resolved that under Section 100A(4) of the Local Government Act 1972 (as amended) and having applied a public interest test in accordance with Part 2 of Schedule 12A the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act.

RQ85/05/17 Stage Three Corporate Complaint - Ref: 101908565

The committee met to consider a complaint submitted against the Authority's Environmental Health - Consumer Protection Group. It had been agreed that the complaint proceed to Stage 3 of the Council's Corporate Complaints Procedure, which involved a hearing by the committee.

The complainant was unable to attend and was represented by his father.

The officers in attendance from the service area were Joanne Lee – Public Protection Manager, Frances McClen – Environmental Health Group Leader.

Yvette Monaghan – Senior Manager Customer, Member, Governor and Registration was also present.

On behalf of the Environmental Health - Consumer Protection Group, Ms Lee set out a summary of the complaint which had been received on 3 January 2017 and related to the approach the Authority had taken to manage issues regarding a privately owned first floor property situated above the property owned by the complainant, where it was believed that the approach taken had delayed action that then had a direct financial effect to them.

The complainant was given the opportunity to ask questions of the officers.

Members also asked questions of the officer and sought clarification on a number of points.

The complainants representative was then invited to explain why they remained dissatisfied with the response to the complaint and what action was required to resolve the complaint in their opinion.

Following the complainant's presentation, officers from the Environmental Health - Consumer Protection Group were given the opportunity to ask questions.

Members then asked questions and sought clarifications.

The officers from the Environmental Health - Consumer Protection Group and the complainant were given the opportunity to sum up their respective cases and then left the meeting to enable the committee to determine the complaint in private.

The committee considered all the evidence presented at the meeting both written and verbal and noted the steps that had been taken to resolve the complaint at stages 1 and 2 of the complaints process.

After full consideration to all points raised the Committee:

- a. Accepted that the Authority had carried out its statutory duty throughout the case, therefore this part of the complaint was dismissed.
- b. It recommended that within reasonable cost and using all relevant legislation, the Authority aid every attempt to bring the privately owned property situated above the complainants' property into use and at the earliest opportunity.
- c. Throughout the period of time the issues with regards to this property, it noted that it was accepted that formal communication with the complainant was inadequate and information should have been provided more regularly.

It noted that an apology had been made at stage 2 and that officers had been asked to review how communications with other parties was done. This part of the complaint was upheld and the Committee decided that a goodwill payment of £150 be offered to the complainant for this failure.

Resolved that (1) the complaint from Mr A be dismissed; (2) within reasonable cost and using all relevant legislation, the Authority aid every attempt to bring the privately owned property situated above the complainants property into use and at the earliest opportunity; and (3) an offer of £150 goodwill payment be made to Mr A for the lack of formal communication.

Regulation and Review Committee Panel

15 June 2017

Present: Councillor P Earley (Chair)
Councillor D Cox, L Spillard and T Mulvenna

RQ01/06/17 Apologies for Absence

Apologies for absence were received from Councillor John Hunter.

RQ02/06/17 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

RQ03/06/17 Exclusion Resolution

Resolved that under Section 100A(4) of the Local Government Act 1972 (as amended) and having applied a public interest test in accordance with Part 2 of Schedule 12A the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act.

RQ04/06/17 Combined Hackney Carriage/Private Hire Driver's Licence Referral

The committee considered a report by the Senior Client Manager, Technical and Regulatory Services which outlined the background to a referral relating to a complaint relating to driving standards in respect of Mr B, the holder of a combined hackney carriage/private hire driver's licence. The committee was requested to determine whether any disciplinary action was required and to assess Mr B's continued suitability to carry out the duties of a licensed driver.

A Licensing Officer and Mr B attended the meeting.

The Licensing Officer presented the report, which included viewing a recording of the incident, and Members of the committee asked questions.

Mr B then addressed the committee. Members of the committee asked questions of Mr B and sought clarification on a number of matters.

Following a summing up from the Licensing Officer and Mr B they both left the meeting room to enable consideration of the matter to be undertaken in private.

The options available to the committee were to:

- take no action;

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- issue a warning as to the driver's future conduct;
- suspend the driver's licence; or
- revoke the driver's licence.

In determining its response the committee had regard to Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 and the Council's Hackney Carriage and Private Hire Licensing Policy, in particular chapter 7, section B, which makes reference to conduct.

The committee considered that it was an established principle that a licence was a privilege and not a right and took a very serious view of the behaviour outlined in the report and seriously considered all the options available to it. Taking all that had been presented to and contained within the papers submitted to the meeting, the committee determined that a warning was the most appropriate sanction and would be sufficient deterrent to avoid repetition.

Resolved that Mr B be issued with a written warning and be reminded of the responsibilities which come with holding a combined hackney carriage and private hire drivers licence.

RQ05/06/17 Combined Hackney Carriage/Private Hire Driver's Licence Referral

The committee considered a report by the Senior Client Manager, Technical and Regulatory Services which outlined the background to a referral relating to a complaint relating to a theft by Mr L, the holder of a combined hackney carriage/private hire driver's licence. The committee was requested to determine whether any disciplinary action was required and to assess Mr L's continued suitability to carry out the duties of a licensed driver.

A Licensing Officer and Mr L, accompanied by his pastor, attended the meeting.

The Licensing Officer presented the report and Members of the committee asked questions.

Mr L then addressed the committee. Members of the committee asked questions of Mr L and sought clarification on a number of matters. Mr L's pastor also addressed the committee in support of his parishioner.

Following a summing up from the Licensing Officer and Mr L, all parties left the meeting room to enable consideration of the matter to be undertaken by the committee in private.

The options available to the committee were to:

- take no action;
- issue a warning as to the driver's future conduct;
- suspend the driver's licence; or
- revoke the driver's licence.

In determining its response the committee had regard to Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 and the Council's Hackney Carriage and

Private Hire Licensing Policy, in particular chapter 7, section B, which makes reference to conduct.

The committee considered that it was an established principle that a licence was a privilege and not a right and took a very serious view of the behaviour outlined in the report and seriously considered all the options available to it. The committee determined that there was sufficient justification to deviate from the policy on the type of offence committed and a warning was the most appropriate sanction and would be sufficient deterrent to avoid repetition.

Resolved that Mr L be issued with a written warning and be reminded of the responsibilities which come with holding a combined hackney carriage and private hire drivers licence.

Regulation and Review Committee

4 April 2017

Present: Councillor K Osborne (Chair)
Councillors A Arkle, D Cox, P Earley, M Huscroft,
W Lott, G Madden, M Madden, D McMeekan,
T Mulvenna, A Percy and L Spillard.

RQ65/04/17 Apologies

Apologies for absence were submitted on behalf of Councillors John Hunter, L Miller, J O'Shea and J Stirling.

RQ66/04/17 Substitute Members

There were no substitute members appointed.

RQ67/04/17 Declarations of Interest

There were no declarations of interest or dispensations reported.

RQ68/04/17 Minutes

Resolved that the minutes of the panel meeting held on 26 January 2017 and the two panel meetings held on 17 February 2017 and the panel meeting held on 9 March 2017 be noted and the full committee meeting held on 24 January 2017 be confirmed and signed by the Chair.

PQ69/04/17 Review of Fees and Charges for Hackney Carriage and Private Hire Licensing Scheme

The committee received a report seeking authorisation to consult on proposed changes to the schedule of fees and charges relating to the licensing of hackney carriage and private hire vehicles, their drivers and operators.

The Local Government (Miscellaneous Provisions) Act 1976 permits local authorities to set fees for hackney carriage and private hire vehicles, drivers and operator licences to recover the cost of providing the licensing scheme. Such fees must be reasonable.

The committee was informed that the Taxi Licensing service was self-financing via a ring-fenced trading account and the structure of the existing Schedule of Fees and Charges had been in place since 2009. The fee structure had been amended in 2015 to take account of the changes introduced by the Deregulation Act 2015 which allowed licences to be held for longer. A fee structure for 3 yearly driver licences and 5 yearly operator licences was

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introduced. As part of the 2016/17 review officers had revisited the whole Schedule of Fees and Charges to ensure that the fees accurately reflected the work processes involved for each type of licence. Officers had carried out a detailed time and activity analysis exercise and consulted with the North Tyneside Council Hackney Carriage and Private Hire Licensing Forum.

As a result of the work a revised draft Schedule of Fees and Charges (based on a forecast of recovering the costs associated with forecast total expenditure) was produced which increased fees for driver licences and reduced the fees for vehicle licences. The increased driver fees reflected the increased time taken to deal with a driver application and the comprehensive checks that the application entailed. Fees for Operator licences had also decreased.

Prior to the implementation of a new Schedule, a Notice of any variation to the maximum fees would need to be advertised in a local newspaper with a date set 28 days from publication for making objections to the proposed variation of fees. If no objections were received the fee variation would have immediate effect at the end of the 28 day period specified or from a date specified after this. If any objections are received the matter would be referred back to Regulation and Review Committee.

Members then discussed the options available to them and made comments. The options were:

1. To note the revised draft Schedule of Fees and Charges detailed in Appendix 1 and agree the proposal to formally consult on them; or
2. To request that officers undertake further work on the revised draft Schedule of Fees and Charges.

The recommended option was to proceed with the changes and formally consult as they had remained unchanged for eight years and there was an inherent financial risk to the Council that if the fees and charges levied were insufficient to recover costs this could result in financial pressure within the general fund.

Resolved that a Notice in accordance with Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 for the proposed variation of the Hackney Carriage and Private Hire Licensing fees and charges, as set out in Appendix 1 to these minutes, be published.

RQ70/04/17 Hackney Carriage Unmet Demand Review 2017

A report from the Head of Environment, Housing and Leisure on the Hackney Carriage Unmet Demand Review was presented to the committee to allow it to consider whether the Authority should continue to apply the policy of limiting the number of Hackney Carriage Proprietor's Licences that it issued.

The Authority currently placed a limit of 204 on the number of hackney carriage vehicle licences issued and had eighteen Hackney Carriage Licences that have been returned and remained available for issue.

It was noted that the Department of Transport recommended that a review of demand for

hackney carriages should be undertaken every three years to ensure that the information on which the Council's policy was based was up to date. The previous unmet demand survey had been carried out in 2012.

The Authority's Technical Services partner, Capita, carried out an unmet demand survey in 2016. In addition to an online residents' survey and consultation with a wide variety of service users and the trade, there were also visual checks of the ranks in North Tyneside. The survey identified that there was no waiting list for licences, a number of licences were available and the average wait at a rank was 29 seconds. In light of this it was concluded that there was no significant unmet demand for hackney carriages in North Tyneside.

The survey had identified other issues relating to wheelchair access at ranks, the location of existing ranks and some high waiting times at a small number of ranks. A review of all hackney carriage ranks in the borough would be undertaken and reported back to a future meeting of the committee.

The committee concluded that based on the information provided in the Hackney Carriage Demand Survey there was no evidence of significant unmet demand for hackney carriages in North Tyneside and the limit on the number of hackney carriages should remain.

Resolved that North Tyneside Council continue to limit the number of Hackney Carriage Proprietors Licences to 204 on the grounds that there was no significant unmet demand for the services of hackney carriages within the Borough.

RQ71/04/17 Amendments to the North Tyneside Council Hackney Carriage and Private Hire Licensing Policy

The North Tyneside Council Hackney Carriage and Private Hire Licensing Policy had come into force on 1 April 2017 (previous minute PQ35/01/17) and the committee received a report which sought approval to make the following changes:

- a) to require new directors appointed to a limited company that hold a private hire operator's licence to undergo a criminal record check;
- b) to require new applicants for a hackney carriage or private hire driver's licence to complete on-line CSE awareness training prior to the issue of a licence; and
- c) to remove the requirement that decals be permanently affixed to private hire vehicles.

The original wording of c) had included hackney carriages as well as private hire vehicles but as the legislation relating to identifying badges being removed under certain circumstances only applied to private hire vehicles it was not appropriate to include hackney carriages in this amendment and the wording was removed.

Each proposed amendment was considered in turn.

In relation to amendment a) the Policy currently provided that once a licence had been issued to a limited company there was no requirement for any new directors appointed to the limited company to undergo a criminal record check; officers recommended that this be changed to require that each proposed new director would be required to provide a Basic

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Disclosure of convictions. If the applicant was already licensed as a driver with the Authority they would be exempt from this requirement.

Members asked questions about the process to be followed should the disclosure cause concern and whether the limited companies were required to inform the Authority of any changes to their Board of Directors. Officers provided the details of the procedure to be followed and confirmed that it was a condition of their licence that new appointments be notified to the licensing authority.

In relation to amendment b) the committee was informed that the Policy required all newly licensed drivers to undertake Child Sexual Exploitation (CSE) awareness training within three months of receiving their licence. The recommended amendment would require all new applicants for a hackney carriage or private hire driver's licence to complete an on-line CSE awareness training before a licence was issued once the on-line training was available. The cost of the training would be added as a fee. Currently the training was undertaken in face to face sessions which were conducted every three months, by allowing it completion on-line, and for it to be a pre-requisite of receiving a licence, the training could be undertaken at the driver's convenience and would reduce risk by ensuring that all drivers operating in the borough had an awareness of child sexual exploitation.

During discussion on amendment b) concerns were raised by Members relating to: impersonation as anyone could log in and complete the training and it reduced the importance of the issue; the lack of interaction with other learners to embed understanding; literacy levels in general and computer literacy or access to the appropriate equipment; the unreliability of the e-learning system; and the lack of testing of an applicant's understanding/knowledge after the module had been completed.

In relation to amendment c) the committee was informed that currently the Policy required the following condition, normally number 5, to be attached to a Hackney Carriage Proprietors Licence and Private Hire Vehicle Proprietors Licence:

“there shall be attached centrally to each front door of the vehicle the appropriate hackney carriage or private hire vehicle decals supplied by the Authority. The decals must be permanently affixed to the vehicle and these must be maintained in a satisfactory condition and be legible”.

However, section 75 of the Local Government (Miscellaneous Provisions) Act 1976 permitted the licence plate, disc or notice not to be displayed on a private hire vehicle in certain circumstances, for example for a wedding or when the vehicle had been contracted out for a period of over 24 hours. This legislation did not apply to hackney carriages. Officers considered that the condition should be removed from Hackney Carriage Proprietors Licences as the legislation did not apply to them and that condition 5 for Private Hire Vehicle Proprietors Licences should be worded in such a way as to allow decals to be removed from a private hire vehicle during certain hires. To facilitate this, the use of magnetic decals should be permitted and amended wording was recommended.

The Secretary of the North Tyneside Hackney Carriage Association (NTHCA), Mr Sneedon, was in attendance in the public gallery and the Chair informed the committee that she had agreed to his request to address the committee with regard to this proposed policy amendment. Mr Sneedon reminded the committee of the difference between private hire vehicles and hackney carriages and that his association preferred permanently fixed decals and had no issue with private hire vehicles being able to remove theirs in the appropriate

circumstances and with the appropriate permissions.

Members asked questions about the required notification period if drivers wanted to remove their decals and whether there would be a limit on the number of times it could be applied for and how this would be enforced. Officers assured the committee that the Authority would need to be notified in advance that it was proposed to remove the decals and for what reason and that this would be recorded on file.

Resolved that (1) the North Tyneside Council Hackney Carriage and Private Hire Licensing Policy be amended as follows:

a) Chapter 4, Paragraphs 9 to 11 be amended to include the following:

“Where a private hire operator’s licence is in force in the name of a limited company and a new director(s) is proposed to be appointed to that limited company then each proposed director will be required to provide a Basic Disclosure of convictions from Disclosure Scotland.

If the applicant is currently licensed as a driver with this Council they will be exempt from this requirement.”

b) Condition 5 attached to Private Hire Vehicle Proprietors Licence be amended to state:

“There shall be attached centrally to each front door of the vehicle the appropriate private hire vehicle decals supplied by the Authority. The decals must be securely affixed to the vehicle and these must be maintained in a satisfactory condition and be legible.”

And (2) that further work be undertaken in relation to the concerns expressed by the committee regarding the proposal to provide the child sexual exploitation training on-line only and a further report with more information on the proposal be submitted to a future meeting of the committee.

RQ72/04/17 Delegated Non-Executive Decision by Officers

The committee received a report from the Head of Environment, Housing and Leisure which detailed a decision taken under general delegation 9 of the Officer Delegation Scheme which allowed decisions to be taken by the Head of Service, in consultation with the Monitoring Officer and with the chair and deputy chair of the relevant committee, when it was not practical to convene a quorate meeting to take the decision.

The committee was informed that a decision was required to change the implementation date for the new table of Hackney Carriage fares from 27 February 2017 to 17 February 2017. At its meeting on 24 January 2017, Regulation and Review Committee approved the variation of Hackney Carriage fares following the receipt of objections. The committee agreed to implement the fare increase from 27 February 2017 to allow time for the amended fare tables to be printed (minute PQ35/01/17). On Monday 13 February 2017 it was identified that in accordance with Section 65(4) of the Local Government (Miscellaneous Provisions) Act 1976 the amended fare table needed to be implemented not later than two months since the end of the objection period to the notice varying the fares. As this date was 17 February 2017 it became necessary to implement the variation of the

Regulation and Review Committee

fares on either 17 February 2017 or an earlier date.

As it was not possible to convene a quorate meeting of the Regulation and Review Committee before the 17 February 2017 the decision to amend the implementation date for the new table of Hackney Carriage fares would have to be made by the Head of Environment, Housing and Leisure under general delegation 9 (GD9) in the Officer Delegation Scheme.

The Monitoring Officer was consulted on 14 February 2017. Councillor K Osborne, Chair of the Regulation and Review Committee and Councillor John Hunter, Deputy Chair of the Regulation and Review Committee, were consulted on 14 February 2017.

The decision to amend the implementation date for the new table of Hackney Carriage fares from 27 February 2017 to 17 February 2017 was taken on the 15 February 2017 and published on the Council's website in accordance with the required procedures.

Resolved to note the information submitted to the Regulation and Review Committee in relation to the decision taken by the Head of Environment, Housing and Leisure on 15 February 2017 to amend the implementation date for the new table of Hackney Carriage fares from 27 February 2017 to 17 February 2017.

NORTH TYNESIDE COUNCIL
Hackney Carriage and Private Hire Licensing
Schedule of Fees and Charges

Appendix 1

Type of Licence	Current Fee / Charge	Proposed Fee / Charge
Driver - New (hackney carriage, private hire)	1 Year: £100; 2 Year: £135; 3 Year: £170	1 Year: £140; 2 Year: £202; 3 Year: £264
Driver – New with Grandfather Rights (hackney carriage, private hire)	1 Year: £100; 2 Year: £135; 3 Year: £170	1 Year: £115; 2 Year: £177; 3 Year: £239
Driver - Renewal (hackney carriage, private hire)	1 Year: £70; 2 Year: £105; 3 Year: £140	1 Year: £106; 2 Year: £168; 3 Year: £230
Private Hire Vehicle - New (under 4 yrs old)	£264 (£226 + one vehicle test £38)	£209 (£171 + one vehicle test £38)
Private Hire Vehicle - New (over 4 yrs old)	£302 (£226 + two vehicle tests £76)	£247 (£171 + two vehicle tests £76)
Private Hire Vehicle - Renewal (under 4 yrs old)	£236 (£198 + one vehicle test £38)	£197 (£159 + one vehicle test £38)
Private Hire Vehicle - Renewal (over 4 yrs old)	£274 (£198 + two vehicle tests £76)	£235 (£159 + two vehicle tests £76)
Hackney Carriage Vehicle - New (under 4 yrs old)	£289 (£251 + one vehicle test £38) + £25 survey	£234 (£196 + one vehicle test £38) + £25 survey
Hackney Carriage Vehicle - New (over 4 yrs old)	£327 (£251 + two vehicle tests £76) + £25 survey	£272 (£196 + two vehicle tests £76) + £25 survey
Hackney Carriage Vehicle - Renewal (under 4 yrs old)	£261 (£223 + one vehicle test £38) + £25 survey	£222 (£184 + one vehicle test £38) + £25 survey
Hackney Carriage Vehicle - Renewal (over 4 yrs old)	£299 (£223 + two vehicle tests £76) + £25 survey	£260 (£184 + two vehicle tests £76) + £25 survey
Private Hire Operator - New	1 Year: £493; 5 Years: £1740	1 Year: £354; 5 Years: £1360
Private Hire Operator - Renewal	1 Year: £479; 5 Years: £1610	1 Year: £325; 5 Years: £1331
Additional Charges	Current Fee / Charge	Proposed Fee / Charge
Enhanced Disclosure fee (forwarded to DBS)	£44	£47 (includes £3 NEREO electronic check fee)
DVLA licence electronic check fee	£0	£1.00
Child Sexual Exploitation Awareness training	£0	£15
Knowledge test	£32	£35
Knowledge test re-sit	£32	£26
Vehicle test/retest	£38	£38
Partial vehicle retest	£19	£19
Replacement vehicle (inc. test fee)	£63 (£25 + vehicle test £38)	£76 (£38 + vehicle test £38)
Failure to present vehicle for test	£38	£38
Transfer of proprietor	£12	£14
Additional proprietor to licence	£12	£14
Amendment to /Additional/Duplicate licence	£7	£7
Notification of change of address	£7	£0
Replacement badge	£8 (each)	£8 (each)
Replacement decals	£10 (pair)	£10 (pair)
Replacement licence plate	£10 (each)	£10 (each)
Replacement Tariff card (fare table)	£1	£3
Cheque returned Refer to Drawer fee	£20	£20
Refund (admin fee)	£7	£7

North Tyneside Council

Report to Regulation and Review Committee

Date: 29 June 2017

ITEM 5

Title: Review of Fees and Charges for Hackney Carriage and Private Hire Licensing Scheme

Report from Service Area: Environment, Housing and Leisure

Report Authors: Colin MacDonald
Senior Manager, Technical & Regulatory Services
Tel: (0191) 643 6620

Joanne Lee, Public Protection Manager
Tel: (0191) 643 6901

Wards affected: All

PART 1

1.0 Purpose

The purpose of the report is to update Committee on the proposal to vary the Schedule of Fees and Charges relating to the licensing of hackney carriage and private hire vehicles, their drivers and operators in order for the Authority to recover the costs of providing the licensing scheme. This was considered by Committee at its meeting on 4 April 2017 and a period of consultation on the varied fees followed.

1.1 Recommendations

To consider the objections received and approve a Schedule of Fees and Charges.

1.2 Background Information

1.2.1 The Legislation

The Local Government (Miscellaneous Provisions) Act 1976 permits local authorities to set fees for hackney carriage and private hire vehicles, drivers and operator licences. The legislation permits the local authority to recover the cost of providing the licensing scheme and such fees must be reasonable.

Section 53(2) of the 1976 Act controls the levying of fees in respect of driver's licences for both hackney carriages and private hire vehicles and section 70 controls the levying of fees for hackney carriage proprietor's licences, private hire vehicle licences and private hire operator's licences.

1.2.2 Background to the Schedule of Fees and Charges

The Taxi Licensing service is self-financing via a ring-fenced trading account and the structure of the existing Schedule of Fees and Charges has been in place since 2009. The fee structure was amended in 2015 to take account of the change in legislation following the introduction of the Deregulation Act 2015. This introduced a fee structure for 3 yearly driver licences and 5 yearly operator licences.

In 2009, Officers carried out a detailed time and activity analysis exercise in order to quantify the nature of the tasks required to be undertaken by the Taxi Licensing service in order to deliver a suitable standard of service provision.

This exercise was structured around a workload analysis tool that was originally used by the Taxi Licensing service in 2004 when it commissioned management consultants to advise on business process improvements. Officers updated the tool to reflect current business processes and recent changes in legislation and this has provided the basis on which to apportion costs. This provides the basis of how costs should be recovered.

As is good practice, Officers have revisited the Schedule of Fees and Charges with a view to consider varying them in order to ensure that the fees accurately reflect the work processes relevant to each type of licence. This is to ensure that the Taxi Licensing service remains in a position to appropriately recover its costs in order to continue delivering a service that is fit for purpose.

1.2.3 Review 2017

At its meeting on 4 April 2017 Committee considered proposals to introduce a revised schedule of fees and charges. Committee noted the schedule of fees and agreed to the proposal to formally consult on them.

In accordance with the North Tyneside Hackney Carriage and Private Hire Licensing Policy a Notice advertising the proposed fees was placed in the Journal on Wednesday 26 April 2017. The closing date for objections was 23 May 2017. A copy of the advertised schedule of fees is attached at **Appendix 1**.

1.2.4 Objections Received

A total of 6 objections were received in response to the advertising of the proposed fees. Copies of the objections received are attached at **Appendix 2**.

Objections 1 – 4

The majority of the objections raised are Policy issues such as using the Council test station. The objectors have commented that 3 year badges have resulted in reduced costs to the department however it should be noted that whilst some costs have been reduced other costs remain the same for the maintenance of the licence.

Enforcement is undertaken in accordance with the North Tyneside Council Statement of Enforcement Policy and any enforcement undertaken will not discriminate between licensees.

The review of fees was advertised in accordance with the Licensing Policy and the relevant legislation. In addition the matter has been discussed with the North Tyneside Council Hackney Carriage and Private Hire Licensing Forum.

It is prudent financial management to have a surplus appropriate to the number of licences and it is considered that the current surplus held on this account is appropriate.

Objection 5

Officers can confirm that the separate fee of £1 for undertaking an electronic DVLA licence check is a third party external cost charged by DVLA to undertake a check on a

licence. This cost will only be charged on receipt of a new or renewal application for a hackney carriage/private hire driver's licence and should any additional checks be carried out during the term of the licence the additional cost incurred will not be passed on to the licence holder who is the subject of that check.

Officers have no objection to the £1 fee being moved to the substantive licence cost which will increase each proposed driver licence fee by £1.

Officers have reviewed the fees for the transfer of a proprietor/additional proprietor to licence and amendment to a licence and have concluded that these are included in the maintenance of the licence fee. It is therefore proposed to remove these.

With respect to refunds, Officers have agreed that there should be no charge if an application for a licence is refused or withdrawn, however, in the case of a licence being surrendered an administrative charge will apply equivalent to the process of calculating the refund and for the payment of the refund.

Objection 6

The objector has listed concerns about additional charges however the exact details of those concerns are not clear. The objector has referred to a knowledge test re-sit, the proposed fee for which has decreased. The proposed fee for a replacement tariff card has increased due to the increase in cost of providing the tariff card.

Taking into account the objections received, officers have produced an updated schedule of fees for consideration which is attached at **Appendix 3** to this report.

1.3 Decision Options

1.3.1 Option 1

Having considered the objections received approve the revised Schedule of Fees and Charges attached in **Appendix 3** to this report.

This is the recommended option.

Option 2

Request that officers undertake further work on the revised draft Schedule of Fees and Charges.

1.4 Appendices:

Appendix 1 – Advertised draft Schedule of Fees and Charges

Appendix 2 - Objections received

Appendix 3 – Proposed Schedule of Fees and Charges

1.5 Contact Officers:

Colin MacDonald, Senior Manager, Technical & Regulatory Services, Tel: 0191 643 6620

Joanne Lee, Public Protection Manager, Tel: 0191 643 6901

Alan Burnett, Principal Trading Standards & Licensing Officer, Tel: 0191 643 6621

Robert Crumpton, Senior Accountant - Engie, Tel: 643 7029

Alison Campbell, Senior Business Partner, Finance, Tel: 0191 643 7038

1.6 Background Information:

The following background papers have been used in the compilation of this report and are available for inspection at the offices of the author of the report.

1. Local Government (Miscellaneous Provisions) Act 1976
2. North Tyneside Council Hackney Carriage and Private Hire Licensing Policy
3. Workload analysis
4. Committee minutes 4 April 2017

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and Other Resources:

The Council's Taxi Licensing service is funded by a ring-fenced trading account and the fees and charges are reviewed annually. The Head of Environment, Housing and Leisure has delegated authority to set fees and charges and the procedure for varying fees is set out in specific legislation relating to hackney carriages and private hire and at Chapter 6 of the Council's Hackney Carriage and Private Hire Licensing Policy.

The opening reserve on the taxi account reserve at 1 April 2016 was £159,801.41.

The intention is to divide the reserve (after the balance as at 31st March 2017 has been calculated) into the following split account reserves:

- Contingency
 - £26,400 – Private Hire Vehicles
 - £4,200 – Hackney Carriage Vehicles
 - £28,800 – Drivers
 - £600 – Operators
- Balance of Unmet Demand Survey to the Hackney Carriage Vehicles
- Remaining Balance to be split:
 - 18% Hackney Carriage Vehicles
 - 82% Private Hire Vehicles

This division of the reserve has been discussed at a recent North Tyneside Council Hackney Carriage and Private Hire Licensing Forum meeting, where no concerns were raised.

2.2 Legal

2.2.1 Legislative Framework

The Local Government (Miscellaneous Provisions) Act 1976 makes provision for the licensing authority to charge fees in respect of licences for hackney carriage and private hire drivers, vehicles, and operators.

The legislation permits the local authority to recover the cost of providing the licensing scheme and such fees must be reasonable.

2.2.2 North Tyneside Council Hackney Carriage and Private Hire Licensing Policy

The procedure for varying fees is set out in legislation and at Chapter 6 of the North

Tyneside Council Hackney Carriage and Private Hire Licensing Policy.

Paragraph 6.5 of the policy states: A Notice of any variation to the maximum fees will be advertised in the Newcastle Evening Chronicle newspaper or similar newspaper with a date set 28 days from publication for making objections to the variation of fees.

Paragraph 6.6 of the policy states: If no objections are received the fee variation will have immediate effect at the end of the 28 day period specified for objections or from a date specified after this. If any objections are received the matter will be referred to Regulation and Review Committee for consideration

There is no requirement to follow the statutory consultation process for fees in relation to driver's licences however to ensure transparency the statutory consultation procedure is applied to both.

2.3 Consultation/Community Engagement:

Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 requires the Licensing Authority to formally consult if it determines that it will charge more than £25 for the grant of a hackney carriage or private hire vehicle licence and for the grant of an operators licence. The formal process is prescribed in section 70.

There is no requirement to follow the statutory consultation process for fees in relation to drivers licences however to ensure transparency the statutory consultation procedure will be applied to both.

A notice is required to be published in at least one local newspaper setting out the variation proposed and will allow for at least 28 days within which objections to the variation can be made.

The cost for placing an advertisement in the Newcastle Evening Chronicle to facilitate the consultation exercise will be met from the trading account.

The work that has been undertaken by officers to review the structure of the Schedule of Fees and Charges, as set out in Part 1 of this report, has involved dialogue with Trade representatives and discussed at meetings of the North Tyneside Hackney Carriage and Private Hire Licensing Forum.

2.4 Risk Management:

There is an inherent financial risk to the Council that if the fees and charges levied are insufficient to recover costs this could result in financial pressure within general fund.

2.5 Crime and Disorder:

There are no direct implications however should insufficient fees and charges be recovered this will result in a reduction in the service provided and that may impact on crime and disorder.

2.6 Environment and Sustainability:

It is not considered that there are any environment and sustainability implications arising directly from this report.

NORTH TYNESIDE COUNCIL
Hackney Carriage and Private Hire Licensing
Schedule of Fees and Charges

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Replacement decals	£10 (pair)	£10 (pair)
Replacement licence plate	£10 (each)	£10 (each)
Replacement Tariff card (fare table)	£1	£3
Cheque returned Refer to Drawer fee	£20	£20
Refund (admin fee)	£7	£7

Dawn Frankland

From: [REDACTED]
Sent: 26 April 2017 16:06
To: Taxi Licensing
Subject : Taxi license fee's [Scanned]

I would like to raise my objection to the proposed rise in fee's

You could site any of these reasons.

The department is none profit and currently has a surplus.

We are forced to use an mot station which eliminates competitive pricing.

The current cost is not value for money.

The office/department could be run more efficiently.

3 year badges have reduced cost to the department.

We are subject to rules imposed without fact or justification decided buy people not educated to the correct standard.

Enforcement is based on ability of individuals to contest (one rule for one and another for those more well off).

Poor communication as we are not contacted re policy reviews.

Failure to carry out basic paperwork to arrange cost of living increase.

Regards

[REDACTED]

Sent from my iPhone

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(2)

Dawn Frankland

From: [REDACTED]
Sent: 26 April 2017 16:41
To: Taxi Licensing
Subject: FEE CHANGE OBJECTION [Scanned]

I would like to raise my objection to the proposed FEE changes.
This department should be none profit. It currently has a surplus in its finances. For this main reason I must object.

I also resent being forced to use the council MOT station as this goes against freedom of trade.
I believe with my experience's with the office they are inefficient and have not modernised quickly enough to streamline and improve efficiency.

I also believe the communication from this office is purposefully poor so they can push things through without objection. They advertise in a paper few people read, staff advise all information is on the website when it isn't and signs are up in office's most only frequent Bi-yearly. This office has all drivers contact information and should use the Finacial surplus to contact all concerned about these matters.

Many thanks

[REDACTED]

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3

Dawn Frankland

From: [REDACTED]
Sent: 26 April 2017 17:31
To: Taxi Licensing
Subject: Raise an objection [Scanned]

The department is none profit and currently has a surplus.
We are forced to use an mot station which eliminates competitive pricing.
The current cost is not value for money.
The office/department could be run more efficiently.
3 year badges have reduced cost to the department.
We are subject to rules imposed without fact or justification decided buy people not educated to the correct standard.
Enforcement is based on ability of individuals to contest (one rule for one and another for those more well off).
Poor communication as we are not contacted re policy reviews.
Failure to carry out basic paperwork to arrange cost of living increase.

These are my objections....

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(4)

Dawn Frankland

From: [REDACTED]
Sent: 26 April 2017 18:15
To: Taxi Licensing
Subject: Fees [Scanned]

To whom it may concern,

I wish to raise an objection to the possibility of the raising of fees within your department, with the following reasons;

The department is none profit and currently has a surplus.

We are forced to use an m.o.t. station which eliminates competitive pricing.

The current cost is not value for money.

The office/department could be run more efficiently.

3 year badges have reduced cost to the department.

We are subject to rules imposed without fact or justification decided buy people not educated to the correct standard.

Enforcement is based on ability of individuals to contest (one rule for one and another for those more well off).

Poor communication as we are not contacted re policy reviews.

Failure to carry out basic paperwork to arrange cost of living increase.

[REDACTED]
current licensed p.h. driver...

Sent from my Samsung device

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Fax: 0191 2475855

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Mrs Joanne Lee
Public Protection Manager
North Tyneside Council
Quadrant
The Silverlink North
Cobalt Business Park
Newcastle upon Tyne
NE27 0BY

Our Ref: DBW / BLT & ECT & Premier
Your Ref:
Date: 24 May 2017
Please ask for: David Wilson

Sent by email only to:
Joanne.Lee@northtyneside.gov.uk

Dear Mrs Lee,

**Review of Fees and Charges
Hackney Carriage and Private Hire Licensing**

I act on behalf of Blueline Taxis, EastCoast Taxis and Premier Transport.

My clients and I should wish to take this opportunity to thank licensing and finance officers for the very considerable time we know has been spent by all in putting forward the proposals approved by Regulation and Review Committee for consultation on 4 April 2017.

Although the majority of the proposals are welcomed and accepted by my clients, there are a few items of charge in respect of which they make formal objection, namely:

Driver – New / New with Grandfather Rights / Renewal (1, 2 & 3 year licences)

In relation to all types of driver licences, for all durations, it is noted that the annual maintenance part of the fee has increased from £35 to £62.

This represents a very significant increase in respect of this part of the fee(s) of 77 per cent.

In the absence of any explanation as to why it is proposed to increase the annual maintenance part of the total licence fee(s) by this sum, my clients must object to this unexplained proposed increase.

It is also noted that there is a proposed separate / additional fee of £1 for undertaking an electronic DVLA licence check.

Website:
www.a2zlicensing.co.uk
Email:

Proprietor:
David B Wilson Cert HELL, MLoL, MBII.tp
owns and independently operates a franchise of a2z Licensing (UK) Ltd.

My clients are of the view that the costs of undertaking electronic DVLA driving licence checks, including any annual fee payable to the DVLA for access to the service, should be included in the annual maintenance part of the licensing fee.

Additionally, whilst the Council intends to check every driver's DVLA driving record annually, there may be occasions when some drivers are checked more frequently and it is both illegal and impracticable to contemplate charging drivers an additional fee of £1 to check their driving licence record during the period of their licence.

Transfer of proprietor / Additional proprietor to licence / Amendment to licence / Notification of change of address / Refund

It is noted that the Council has, quite properly, decided to no longer charge a fee in relation to notification of a change of address by a driver, vehicle owner or private hire operator.

However, the very same reason for not charging a fee in relation to notification of change of address, namely that there is no statutory right to charge such a fee, also applies to each of the above additional charges.

My clients appreciate that it is unfair to charge those members of the trade who never do any of the things that attract these additional charges by spreading the total charges out amongst all licence holders, but accept that this is what the law requires. Depending upon the number of each of these transactions, it is anticipated that, in reality, the additional charge to each licence would be negligible and may not result in any change to the fees charged.

With regards to the implementation of the new fees and charges, my clients respectfully ask that the Council, as well as fixing a date that complies with the statutory requirement to be within two months of the date specified in the statutory notice, allows for some notice to be given to the trade and commences at the beginning of a week, if not the first of the month.

I should be obliged if the Chair of Regulation and Review Committee would kindly agree to me addressing Committee in respect of the objections herein on behalf of my clients when this matter is formally considered by the Committee.

Yours sincerely,



David B Wilson

Licensing Consultant, Mediator and Trainer
Consulting Editor, Paterson's Licensing Acts 2015-17
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6

Dawn Frankland

Subject: FW: fees [Scanned]

From: Bob Snedden [REDACTED]
Sent: 24 May 2017 19:19
To: Joanne Lee
Cc: Elizabeth Kerr
Subject: Re: fees [Scanned]

Hello Joanne,

The reason we required the surplus figures is that we object to some of the increases in the Additional Charges that have been published,

DBS fee, DVLA electronic check fee, knowledge test re-sit, notification of change of address, replacement tariff card.

Speaking rights are requested for the relevant meeting.

Best wishes,

Bob

N.T.H.C.A. object to a charge more than the DBS £44 cost.This has not been charged previously.

Object to a charge of £1 for DVLA electronic check. This has not been charged previously.

Object to Notification of change of address fee being removed.(it is an offence not to do so)

Object to Replacement Tariff card charge of £3,this is a statutory requirement that a current Tariff card be displayed in vehicle therefore if a charge is to be made it should be minimal and remain at £1 which is cost price.

Object to Knowledge test re-sit fee reduction,it should remain as now Knowledge test cost.

Speaking rights are still requested to give explanations to elected members.

Best wishes,

Bob Snedden

NORTH TYNESIDE COUNCIL
Hackney Carriage and Private Hire Licensing
Schedule of Fees and Charges

Appendix 3

Type of Licence	Current Fee / Charge	Proposed Fee / Charge
Driver - New (hackney carriage, private hire)	1 Year: £100; 2 Year: £135; 3 Year: £170	1 Year: £141; 2 Year: £203; 3 Year: £265
Driver – New with Grandfather Rights (hackney carriage, private hire)	1 Year: £100; 2 Year: £135; 3 Year: £170	1 Year: £116; 2 Year: £178; 3 Year: £240
Driver - Renewal (hackney carriage, private hire)	1 Year: £70; 2 Year: £105; 3 Year: £140	1 Year: £107; 2 Year: £169; 3 Year: £231
Private Hire Vehicle - New (under 4 yrs old)	£264 (£226 + one vehicle test £38)	£209 (£171 + one vehicle test £38)
Private Hire Vehicle - New (over 4 yrs old)	£302 (£226 + two vehicle tests £76)	£247 (£171 + two vehicle tests £76)
Private Hire Vehicle - Renewal (under 4 yrs old)	£236 (£198 + one vehicle test £38)	£197 (£159 + one vehicle test £38)
Private Hire Vehicle - Renewal (over 4 yrs old)	£274 (£198 + two vehicle tests £76)	£235 (£159 + two vehicle tests £76)
Hackney Carriage Vehicle - New (under 4 yrs old)	£289 (£251 + one vehicle test £38) + £25 survey	£234 (£196 + one vehicle test £38) + £25 survey
Hackney Carriage Vehicle - New (over 4 yrs old)	£327 (£251 + two vehicle tests £76) + £25 survey	£272 (£196 + two vehicle tests £76) + £25 survey
Hackney Carriage Vehicle - Renewal (under 4 yrs old)	£261 (£223 + one vehicle test £38) + £25 survey	£222 (£184 + one vehicle test £38) + £25 survey
Hackney Carriage Vehicle - Renewal (over 4 yrs old)	£299 (£223 + two vehicle tests £76) + £25 survey	£260 (£184 + two vehicle tests £76) + £25 survey
Private Hire Operator - New	1 Year: £493; 5 Years: £1740	1 Year: £354; 5 Years: £1360
Private Hire Operator - Renewal	1 Year: £479; 5 Years: £1610	1 Year: £325; 5 Years: £1331
Additional Charges	Current Fee / Charge	Proposed Fee / Charge
Enhanced Disclosure fee (forwarded to DBS)	£44	£47 (includes £3 NEREO electronic check fee)
DVLA licence electronic check fee	£0	£1.00 (on new application/renewal)
Child Sexual Exploitation Awareness training	£0	£15
Knowledge test	£32	£35
Knowledge test re-sit	£32	£26
Vehicle test/retest	£38	£38
Partial vehicle retest	£19	£19
Replacement vehicle (inc. test fee)	£63 (£25 + vehicle test £38)	£76 (£38 + vehicle test £38)
Failure to present vehicle for test	£38	£38
Transfer of proprietor	£12	£0
Additional proprietor to licence	£12	£0
Amendment to /Additional/Duplicate licence	£7	£0
Notification of change of address	£7	£0
Replacement badge	£8 (each)	£8 (each)
Replacement decals	£10 (pair)	£10 (pair)
Replacement licence plate	£10 (each)	£10 (each)
Replacement Tariff card (fare table)	£1	£3
Cheque returned Refer to Drawer fee	£20	£20
Refund on surrender of licence (admin fee)	£7	£7