

LICENSING AND GENERAL PURPOSES COMMITTEE

16 January 2023

Minutes of the Licensing and General Purposes Committee meeting held at the Council Chamber, Town Hall, Bexhill-on-Sea on Monday 16 January 2023 at 6:30pm.

Committee Members present: A.S. Mier (Chair), S.J. Coleman (Vice-Chair), G.S. Browne (remote), S.J. Errington, K.M. Field (in part), N. Gordon, K.M. Harmer (ex-officio), C.A. Madeley, R.B. Thomas and H.L. Timpe.

Other Members present: Councillors P.C. Courtel.

Advisory Officers in attendance: Chief Executive, Head of Service Environmental Services, Licensing and Community Safety and Democratic Services Officer.

Also Present: 1 member of the public in the Council Chamber and 6 members of the public via the live webcast.

LG22/9. **MINUTES**

The Chair was authorised to sign the Minutes of the meeting of the Licensing and General Purposes Committee held on 31 August 2022 as a correct record of the proceedings.

LG22/10. **APOLOGIES AND SUBSTITUTES**

Apologies for absence were received from Councillors Curtis and Hacking.

LG22/11. **DISCLOSURES OF INTEREST**

There were no disclosures of interest made.

PART II – DECISIONS TAKEN UNDER DELEGATED POWERS

LG22/12. **SURVEILLANCE ACTIVITY ANNUAL UPDATE AND CCTV POLICY**

Members received the report of the Chief Executive providing an update on surveillance activity over the previous year, in-line with the inspecting officer's recommendations.

There had been no use of legally approved surveillance powers in 2022; the last time the Council had applied for and were granted surveillance powers by a Magistrate was in 2015.

The Council owned and operated CCTV equipment on its own property, for the detection of crime and to deter crime. The Council's policy was detailed at Appendix 1 to the report. CCTV on the streets of Rother was monitored by the police from a control room in Eastbourne.

Members noted that the surveillance activity met the key recommendations of the Surveillance Commissioner's report. The next inspection was anticipated in 2023.

RESOLVED: That the Council's 2022 annual update report on covert surveillance and policy on CCTV installed on its premises be noted.

LG22/13.

FEES AND CHARGES

Members received and considered the report of the Head of Environmental Services, Licensing and Community Safety outlining the Council's proposed licensing fees to be charged from April 2023. The fees were set to recover the full administration costs of issuing licences and costs associated with ensuring compliance with conditions attached to licences, but not the costs associated with the enforcement of unlicensed premises and activities.

Appendix A to the report set out the discretionary fees proposed to be charged from April 2023, with changes highlighted in red. Where fees were proposed to increase, they were to be increased by 10%. The hiring of horse fees included the veterinary inspection costs, which increased each year and become increasingly difficult to employ. The fees set by the Licensing Act 2003 had not been increased, despite requests by the Local Government Association. Maximum fees under the Gambling Act 2005 were also set by statute. The Council charged the maximum amounts.

Members had the opportunity to ask questions and the following points were noted:

- dog breeders' inspections were dependent on the individual breeder's risk rating, 1 to 5, i.e. a risk rating of 1 triggered an inspection each year and a risk rating of 5 every three years. This was reflected in the fees; and
- an applicant for a skin and body piercing licence who could provide evidence that they were registered with another authority would receive a 50% discount due to required standards having already been achieved.

RESOLVED: That the licensing fees and charges set out in Appendix A be approved and applied from 1 April 2023.

LG22/14.

HACKNEY CARRIAGE FARES

Members received the report of the Head of Environmental Services, Licensing and Community Safety which detailed how the Council set hackney carriage fares in the district by adopting a fare card. Fares had last been increased in May 2022 (by 10%) and before that in December 2016. A 10% increase in fares was advertised in December 2022 and representations were received. These maximum fares applied to hackney carriages only (which could operate from taxi ranks) not to private hire vehicles. The fares did not apply to journeys starting or ending outside the district.

The AA had reported that fuel prices had increased by 24% between October 2016 and 2021. The consumer price index (CPI) in October

was 11.1% and in November 2022 was 10.7%. It was important that hackney carriage fares were increased periodically to attract new hackney carriage owners and drivers to work in Rother, as drivers needed to be able to earn a sufficient income.

To benefit the public and make the fare card easier to understand, the proposed fare table had been simplified and attached at Appendix A to the report. The fare card showed the maximum fare that could be charged, but a driver could charge less.

There was a cost to hackney carriage owners in recalibrating their meters and a cost to the Council in administering this change; the exercise was not therefore to take place too frequently. When an increase was made it needed to be at least 5%, to justify the costs involved.

Representations were received from licensed drivers only, representing 7% of drivers consulted. Four objected to the fare increase. Four supported the fare increase. Three supported the fare increase but not the simplified tariffs. The Representations were attached at Appendix B to the report.

Members had the opportunity to ask questions and the following points were noted during discussions:

- Members raised concerns that drivers could lose fares if an increase of 10% was applied in the current economic climate;
- the Council set the maximum fare that could be charged, but drivers could charge a lesser fare if they so wished;
- a meter could hold two tariffs, Rother fares and the driver's own fares and either could be applied;
- Members raised concerns that the simplified fare card may discourage drivers working during the early hours, but in practice the early hours fares were rarely implemented as private hire vehicles were used during those hours or the journey was outside the district; and
- an increase to the day fares lessened the impact of reducing early hours fares overall.

RESOLVED: That the Hackney Carriage Fares at Appendix B be approved from April 2023.

LG22/15.

HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE FEES

Members received the report of the Head of Environmental Services, Licensing and Community Safety which detailed how the Council set fees for taxi licensing, which had to be reasonable with a view to recovering the cost of issue, administration and enforcement of conditions, but not raising revenue.

Operator and vehicle licence fees were last increased in 2011 and increases were proposed that considered the time required to process and enforce conditions attached to licences. The budget for taxi licensing decreased following the creation of the shared service in 2013 and during the pandemic, income reduced. Officers had

estimated the time involved in issuing and enforcing conditions for different licences, which were set out in Appendix A to the report.

Subsection 70(3) of the Local Government (Miscellaneous Provisions) Act 1976, set out special requirements in relation to hackney carriage and private hire operator and vehicle licences. In these cases, a notice had to be published in a local newspaper stating the proposed fees and giving 28 days for objections to be received. If there were no objections, the increase may be implemented, but otherwise the matter must be reported back to the Committee for consideration of the objections.

If no objections received, the new fees, as detailed in Table C within the report would be implemented from 1 April 2023.

RESOLVED: That:

- 1) the Council commence a consultation on increasing operator and vehicle licence fees and if there are no objections received, fees shown at Appendix C are increased from 1 April 2023; and
- 2) driver licence fees at Appendix C are increased from 1 April 2023.

CHAIR

The meeting closed at 7:07pm

Discretionary Fees

**Animal Welfare Act 2006
Animal Welfare Licensing Fees (3 years)**

Item	Unit	2022/23	2023/24
Home Boarding / Dog Day Care	Each	£230.00 (Combined fee) ¹	£230.00 (Combined fee) ¹
		-or- £220.00 for Processing & £25.00 for Issue of Licence plus actual vet costs if required	-or- £220.00 for Processing & £25.00 for Issue of Licence plus actual vet costs if required
Animal Boarding / Selling Pets	For each activity; cat boarding, dog boarding or selling animals	£250.00 (Combined fee) ¹	£250.00 (Combined fee) ¹
		-or- £245.00 for Processing & £25.00 for Issue of Licence plus actual vet costs if required	-or- £245.00 for Processing & £25.00 for Issue of Licence plus actual vet costs if required
Breeding of Dogs	Each	£250.00 (Combined fee) ¹	£250.00 (Combined fee) ¹
		-or- £245.00 for Processing & £25.00 for Issue of Licence plus actual vet costs if required	-or- £245.00 for Processing & £25.00 for Issue of Licence plus actual vet costs if required

Exhibition of Animals	Each	£250.00 (Combined fee) ¹ -or- £245.00 for Processing & £25.00 for Issue of Licence plus actual vet costs if required	£250.00 (Combined fee) ¹ -or- £245.00 for Processing & £25.00 for Issue of Licence plus actual vet costs if required
Regrading Request (except Riding Establishments)	Each		£100.00
Hiring of Horses: 1 – 10 horses	Each	£495.00 (Combined fee) ¹ -or- £485.00 for Processing & £30.00 for Issue of Licence. £395.00 for Re-grading. Includes initial vet costs.	£549.00 (Combined fee) ¹ -or- £538.00 for Processing & £30.00 for Issue of Licence. £438.00 for Re-grading. Includes initial vet costs.
Hiring of Horses: 11 – 25 horses	Each	£595.00 (Combined fee) ¹ -or- £485.00 for Processing & £30.00 for Issue of Licence. £495.00 for Re-grading. Includes initial vet costs.	£660.00 (Combined fee) ¹ -or- £649.00 for Processing & £30.00 for Issue of Licence. £549.00 for Re-grading. Includes initial vet costs.

		£700.00	£777.00
		(Combined	(Combined
		fee) ¹	fee) ¹
		-or-	-or-
Hiring of Horses:	Each	£690.00 for	£766.00 for
26 – 40 horses		Processing	Processing
		& £30.00	& £30.00
		for Issue of	for Issue of
		Licence.	Licence.
		£590.00 for	£666.00 for
		Re-grading.	Re-grading.
		Includes	Includes
		initial vet	initial vet
		costs.	costs.

Local authorities are required to charge separate fees for processing applications and issuing the licence and carrying out enforcement. However, if the two fees are paid at the same time, then the administration costs are lower. If an application is withdrawn the issue fee is refunded.

Animal Welfare Licensing Fees

Continued

Item	Unit	2022/23	2023/24
Dangerous Wild Animals (grant or renewal): small individual animal or small collection (Two year licence)	Each	£240.00 plus actual vet costs	£272.00 plus actual vet costs
Dangerous Wild Animals (grant or renewal): large individual or groups (Two year licence)	Each	£295.00 plus actual vet costs	£327.00 plus actual vet costs
Dangerous Wild Animals: Farm Type Activity – Grant: Two year licence (E.g. Ostrich, Wild Boar etc.)	Each	£790.00 plus actual vet costs	£877.00 plus actual vet costs
Dangerous Wild Animals: Farm Type Activity – Renewal: Two year licence (E.g. Ostrich, Wild Boar etc.)	Each	£305.00 plus actual vet costs	£339.00 plus actual vet costs
Dangerous Wild Animals: Variation of Licence (Two year licence)	Each	£245.00 plus actual vet costs	£272.00 plus actual vet costs
Zoo Licence: Application	Each	£1,020.00 plus actual team & vet costs	£1,132.00 plus actual team & vet costs
Zoo Licence Renewal - 6 Years	Each	£970.00 plus actual team & vet costs	£1077.00 plus actual team & vet costs
Zoo Licence: Transfer	Each	£100.00 plus actual team & vet costs	£111.00 plus actual team & vet costs
Zoo (Dispensation)	Each	£215.00	£239.00
Variation of licence	Each	£105.00	£117.00

**Local Government (Miscellaneous Provisions) Act 1976
Hackney Carriage and Private Hire Licensing Fees**

		2022/23	2023/24
Relief Vehicle	3 month licence	£130.00	£130.00
Relief Vehicle renewal	3 month licence	£70.00	£70.00
Inspections and visits carried out away from Council offices at the Licence Holder's request	Each	£60.00	£60.00
Change of licence on same vehicle	Each	£60.00	£60.00
Transfer on vehicle ownership	Each	£60.00	£60.00
Replacement external vehicle plates where lost or damaged	Each	£60.00	£60.00
Replacement internal vehicle plates where lost or damaged	Each	£30.00	£30.00
Replacement Driver's Badge where lost or damaged	Each	£30.00	£30.00
Replacement Licence	Each	£30.00	£30.00
Exemption certificate (if not part of an application)	Each	£100.00	£100.00
Guidance Booklet (printed)	Each	£10.00	£12.00
Withdrawn applications administration fee	Per application	£138.00	£153.00
Additional administration costs per hour or part thereof	Per application	N/A	£36
Additional administrative fee for application visits made at a distance greater than 5 miles outside of the Council's district boundary	Per new driver application - First hour	£65.00	£77.00
	Per new driver application - each additional hour or part thereof	£45.00	£53.00
	Per renewal or vehicle application - First hour	£65.00	£77.00
	Per renewal or vehicle application - Each additional hour or part thereof	£45.00	£53.00
Item	Unit	2022/23	2023/24
Door Signs	Each	£20.00	£23.00
DBS (if fee paid by Council)	Each	£60.00	£71.00
DBS (if not part of an application)	Each	£220.00	£258.00
Knowledge Tests -first	Each	Free	Free
Second test	Each	£50.00	£59.00
Third or more test	Each	£70.00	£82.00
English Proficiency Test	Each	£40.00	£47.00

**Local Government (Miscellaneous Provisions) Act
1982-Sex Establishment Licensing Fees**

Item	Unit	2022/23	2023/24
Initial Application	Per application	£6,300.00	£6,300.00
Annual Fee	Per licence	£5,250.00	£5,250.00

Skin and Body Piercing etc

Item	Unit	2022/23	2023/24
Registration of persons ¹	Per registration	£90.00	£105.00
Registration of premises or parts of the premises used in connection with the business ²	Per registration	£255.00	£294.00

¹If the applicant can provide evidence of registration with another local authority for the same type of piercing then a discount of 50% is available

²If the premises is already registered, but new applicant, option to reduce registration fee by up to 50%

Other Licences

Item	Unit	2022/23	2023/24
Public Health Acts Amendment Act 1907			
Pleasure Boatman's Licence - annual	Each	£40.00	£47.00
Pleasure Boat Operator Licence	Annual	£250.00	£294.00
Pleasure Boat Operator Licence	3 year	£700.00	£821.00
Keddle Nets	3 years	£300.00	£330.00
Hypnotism Act 1952 licence	Each	£100.00	£118.00
Environmental Information Enquiries	Each	£90.00	£105.00
Photocopies of Public Register etc	Per hour or part thereof	£50.00	£59.00

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Street Trading in Bexhill

Street Trading during an organised event	Commercial event	Referred to Committee for decision	Fee for a consent per stall/pitch per day
No	N/A	Yes	Set by Committee
Yes	No, charitable or non-profit ¹	No, delegated to Officers	Free
Yes	Yes ²	No, delegated to Officers	£25

¹An event is classed as charitable/non-profit if the event organisers are a registered charity, are substantially supporting a registered charity or a charity that benefits people locally. The event may generate an income, however all profits are to be used for community projects or for charitable purposes. Event organisers must be able to supply event accounts and the registered Charity Number (if applicable)

²An event is classed as commercial if the event organisers are a profit making organisation, the event is planned to generate an income that is for benefit of the organiser or another commercial organisation.

A fee may be payable for a consent per stall/pitch per day in other consent streets that do not meet the specific criteria.

The fee for Street Trading for one year for Bexhill Farmers Market, Devonshire Square is £250.

Street Trading in Ticehurst

£125 per annum for each day of trading

MOBILE HOMES ACT 2013

Relevant Protected Sites	Band				
	A (2 – 5)	B (6 - 24)	C (25 - 99)	D (100+)	E (Single unit sites and family sites)
New Application for Site Licence	£175.00	£300.00	£330.00	£350.00	£175.00
Transfer of Site Licence	£60.00	£115.00	£115.00	£115.00	£60.00
Amendment of Site Licence	£60.00	£115.00	£115.00	£115.00	£60.00
Annual Fee	No Fee Charged	£185.00 Plus £0.5 per unit for registration of fit and proper person	£215.00 Plus £0.5 per unit for registration of fit and proper person	£285.00	No Fee Charged
Depositing of park rules with Local Authority	£40.00	£75.00	£75.00	£75.00	£40.00

Initial application to be registered as fit and proper person: £90 (£80 in 2022/23)

Appointed Manager Fee: £100

If an application to be included on the register is not approved the fee will not be refunded.

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Fare Card

with effect from 24 April 2023 as follows:-

	<u>06:00 TO 22:59</u>	<u>23:00 TO 05:59</u> <u>AND</u> <u>BANK HOLIDAYS</u>	<u>CHRISTMAS EVE</u> <u>AFTER 18:00</u> <u>CHRISTMAS DAY</u> <u>BOXING DAY</u> <u>NEW YEAR EVE</u> <u>AFTER 18:00</u> <u>NEW YEAR'S DAY</u>
Any distance up to 138.1 yards	£3.30	£4.80	£6.40
Each additional 138.1 yards up to one mile	20p	30p	40p
Each additional 167.6 yards	20p	30p	40p
Waiting time	20p for 30 seconds	30p for 44 seconds	40p for 59 seconds

For each person conveyed in excess of one 30p
 For each dog conveyed (no charge for assistance dogs) 20p
 Soiling charge from £100

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Proposed Fees 2023/24

Type of Licence	Proposed fee 23/24
Dual Driver (new-1 year)	£260
Dual Driver (new-3 years)	£520
Dual Driver (renewal-1 year)	£240
Dual Driver (renewal-3 years)	£480
HC vehicle - renewal	£280
HC vehicle - new	£320
PH vehicle - renewal	£280
PH vehicle - new	£320
PH Operator (3 years, <20 vehicles)	£320
PH Operator (5 years, <20 vehicles)	£520
PH Operator (3 years, >20 vehicles)	£640
PH Operator (5 years, >20 vehicles)	£1,000

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