

A meeting of the **LICENSING AND PROTECTION PANEL** will be held in **CIVIC SUITE 1A, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, PE29 3TN** on **WEDNESDAY, 26 OCTOBER 2011** at **2:00 PM** and you are requested to attend for the transaction of the following business:-

**Contact
(01480)**

APOLOGIES

1. MINUTES (Pages 1 - 6)

To approve as a correct record the Minutes of the meeting of the Panel held on 9th June 2011.

2. ELECTION OF CHAIRMAN

3. NATIONAL FOOD HYGIENE RATING SCHEME (Pages 7 - 12)

To receive a report by the Head of Environmental and Community Health Services.

**C Lloyd
388290**

4. THE ENVIRONMENTAL PROTECTION (CONTROLS ON OZONE-DEPLETING SUBSTANCES) REGULATIONS 2011 (Pages 13 - 16)

To receive a report by the Head of Environmental and Community Health Services.

**C Lloyd
388290**

5. THE TRADE IN ANIMALS AND RELATED PRODUCTS REGULATIONS 2011 (Pages 17 - 18)

To receive a report by the Head of Environmental and Community Health Services.

**C Lloyd
388290**

6. PRIVATE HIRE DRIVING TESTS (Pages 19 - 38)

To receive a report by the Head of Legal and Democratic Services on the adoption of the Driving Standards Agency (DSA) driving test for Private hire and Hackney Carriage drivers.

**Mrs C Allison
388010**

7. HACKNEY CARRIAGE FARES (Pages 39 - 46)

To receive a report on Hackney Carriage Fares by the Head of Legal and Democratic Services.

**Mrs M Bissett
388846**

8. LICENSING AND PROTECTION APPLICATIONS SUB-GROUP (Pages 47 - 72)

To receive the Minutes of the meetings of the Licensing and Protection Applications Sub-Group held on 16 December 2010, 22 December 2010, 10 February 2011, 29 March 2011, 7 June 2011 and 25 August 2011.

**Mrs A Jerrom
388009**

9. TRAINING

To discuss future training provision for Panel Members.

Dated this 18 day of October 2011



Head of Paid Service

Notes

1. *A personal interest exists where a decision on a matter would affect to a greater extent than other people in the District –*
 - (a) *the well-being, financial position, employment or business of the Councillor, their family or any person with whom they had a close association;*
 - (b) *a body employing those persons, any firm in which they are a partner and any company of which they are directors;*
 - (c) *any corporate body in which those persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or*
 - (d) *the Councillor's registerable financial and other interests.*
2. *A personal interest becomes a prejudicial interest where a member of the public (who has knowledge of the circumstances) would reasonably regard the Member's personal interest as being so significant that it is likely to prejudice the Councillor's judgement of the public interest.*

Please contact Mrs Amanda Jerrom, Democratic Services, Tel No 01480 388009/e-mail: Amanda.Jerrom@huntingdoshire.gov.uk if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Committee/Panel.

Specific enquiries with regard to items on the Agenda should be directed towards the Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

Agenda and enclosures can be viewed on the District Council's website –
www.huntingdoshire.gov.uk (under Councils and Democracy).

If you would like a translation of Agenda/Minutes/Reports or would like a large text version or an audio version please contact the Democratic Services Manager and we will try to accommodate your needs.

Emergency Procedure

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit.

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Agenda Item 1

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION PANEL held in the Civic Suite, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN on Thursday, 9 June 2011.

PRESENT: Councillor K J Churchill – Chairman.

Councillors I J Curtis, J W Davies, J J Dutton, G J Harlock, A R Jennings, A J Mackender-Lawrence and T D Sanderson.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors K M Baker, R S Farrer, Mrs P A Jordan and S M Van De Kerkhove.

4. MINUTES

The Minutes of the meetings of the Panel held on 26th January and 18th May 2011 were approved as a correct record and signed by the Chairman.

5. MEMBERS' INTERESTS

Councillor K J Churchill declared a personal interest in Minute No. 11/06 by virtue of his position as a Cambridgeshire Magistrate.

6. HACKNEY CARRIAGE AND PRIVATE HIRE ENFORCEMENT - PENALTY POINTS SYSTEM

Pursuant to Minute No. 09/10, the Panel gave consideration to a report prepared by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) proposing the adoption of a Penalty Points System for hackney carriage and private hire operators, proprietors and drivers within the District. Having been acquainted with the background to the scheme, together with the steps undertaken by the Licensing Authority to consult with licensees on the proposals, Members noted concerns raised by Councillor J J Dutton in respect of private hire vehicles occupying the marked disabled bays opposite the Saxongate Community Learning Centre on the High Street, Huntingdon. Having concurred that no further consultation with licensees would be required, the Panel

RESOLVED

- (a) that, subject to minor textual amendments, the Penalty Points System for private hire operators, proprietors and drivers be approved with effect from 1st July 2011; and
- (b) that the Licensing Manager be authorised, to amend as appropriate, the existing list of offences in light of any changes to legislation.

7. ADVERTISING BY WAY OF DIGITAL DISPLAY SCREENS

With the aid of a report by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) the Panel gave consideration to a report providing details of an enquiry which had been received for the installation of digital display screens to be fitted on the rear of the front headrests of hackney carriages and private hire vehicles. The Panel were informed that any advertising would comply with the British Code of Advertising Practice and subject to inspection checks by the enquirer. Having concurred with the view that any advertising should also be verified by the District Council and in agreeing that a limit on the size of the screens to be installed should be set, the Panel

RESOLVED

- (a) that the enquiry relating to the installation of digital display screens to be fitted on the rear of the front headrests of hackney carriages and private hire vehicles be approved subject to the screen size being no greater than 7 inches;
- (b) that any advertising displayed on the screens be verified by the District Council;
- (c) that the cost of undertaking inspection checks be borne by the advertisers;
- (d) that the scale of fees for advertising on the display screens be determined by the Licensing Manager, after consultation with the Chairman and Vice-Chairman of the Panel; and
- (e) that amendments to the hackney carriage and private hire vehicle and drivers schedule of conditions of licence be approved as outlined in paragraph 2.3 of the report now submitted.

8. FARES INCREASE

Owing to a miscalculation with the revised fares proposed within the report by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) the Panel were informed that consideration of an increase in hackney carriage fares would be deferred for deliberation by the Panel at a future meeting. In so doing, Members requested for updated Retail Price Index and Consumer Price Index figures to be incorporated within the revised report and noted that a full consultation with hackney carriage proprietors would be required as part of the process.

9. GUIDELINES RELATING TO THE RELEVANCE AND TREATMENT OF CONVICTIONS - HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS

By means of a report by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) the Panel were acquainted with proposed policy guidelines relating to the relevance

and treatment of convictions in respect of initial applicants for hackney carriage and private hire drivers licences and existing licence holders. By way of background, the Panel were advised that the existing guidelines issued in a joint Circular by the Department for Transport and the Home Office were now regarded as dated which had prompted the development of such a Convictions Policy. Having concurred that the Policy would introduce clear guidelines and enable consistency in future decision making in relation to the consideration of convictions, cautions, offences and information supplied by the Criminal Records Bureau, Police and other agencies, the Panel

RESOLVED

that, subject to minor textual amendments, the Guidelines Relating to the Relevance and Treatment of Convictions be approved.

10. LICENSING OF STRETCH LIMOUSINES

The Panel considered a report by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) seeking approval of the introduction of special conditions for the licensing of stretched limousines. In so doing, the Panel were informed that guidance issued by the Department of Transport encouraged local authorities to licence such vehicles as private hire vehicles taking into account local circumstances. In receiving details of the proposed scale of fees to be levied to cover the costs of the licence and vehicle testing, Members received clarification from the Licensing Officer on the methodology employed to calculate these figures. Having agreed that the relevant section should be amended to more accurately reflect what was being proposed, it was

RESOLVED

that, subject to clarification and amendment as necessary of condition 5.1, the special conditions for the licensing of stretched limousines be approved by the Panel.

11. FOOD SAFETY SERVICE PLAN 2011/12

The Panel considered a report by the Head of Environmental and Community Health Services (a copy of which is appended in the Minute Book) to which was attached an executive summary of the proposed Service Plan for Food Safety 2011/12. The Plan had been developed in accordance with the requirements of the Food Standards Agency and incorporated the aims and objectives of the service within the resources available, together with a review of the work undertaken during the previous year.

Members were informed that the work of the Environmental and Community Health Services Division was linked to the new Council Plan 2011-2015 and to the community priority to “encourage new jobs, homes and facilities to meet our needs.” Attention was also drawn to the underlying links to the emerging County Health and Wellbeing Strategy, the Sustainable Community Strategy for Huntingdonshire, the Council’s Environment Strategy and the National Health Improvement Agenda.

Members were advised that the food service had experienced a 20% reduction in staff resources during the previous year attributable to long term absences within the team which had led to a re-prioritisation of work in order to enable 95.6% of high risk and 78% of low risk premises requiring inspection to be inspected.

Members noted that the Scores on the Doors Food Hygiene Rating Scheme, introduced in October 2008, had proved extremely popular, with over 100,000 hits on the Council's website to access the results. The scheme also had encouraged food businesses to improve standards and had led to an increase in the number of 3 to 5 star rated premises and a reduction in poor performers. The Health Protection Manager drew the Panel's attention to a similar scheme launched by the Food Standards Agency (FSA) and Members were informed of the possibility that the Council might be required to sign up to this scheme. In acknowledging the level of resources that had already been invested by the Council on the existing scheme, the Panel placed on record their congratulations on the successes achieved to date.

Members were informed of the work undertaken by the Food Service during the Secret Garden Party licensed annual music and arts festival event, which had resulted in a significant level of resource being deployed before and during the event. The Panel were informed that the resources employed had been met and absorbed within existing budgets.

Members noted that over 200 complaints from local residents regarding unfit or unhygienic food premises and 94 food alerts from the FSA had been responded to by the service over the year.

In noting that the number of training sessions provided by the Council had decreased over the years, the Panel were informed that this was attributable to a lack of resource. It was however noted that this was not an area of concern given that there were a number of other training providers who were able to deliver food hygiene training courses across the District. Having been informed that the delivery of the Service Plan for 2011/12 would include further development of the alternative enforcement strategy, maintenance and promotion of the Scores on the Doors Scheme and joint working with partners, Members

RESOLVED

that the Council be recommended to approve the Service Plan for Food Safety 2011/12.

12. HEALTH AND SAFETY ENFORCEMENT SERVICE PLAN 2011/12

The Panel considered a report by the Head of Environmental and Community Health Services (a copy of which is appended in the Minute Book) to which was appended an executive summary of the Health and Safety Enforcement Plan 2011/12. The Plan had been developed in accordance with guidance issued by the Health and Safety Executive and contained sections on the aims and objectives of the service and the resources available, together with a review of

the work undertaken in the previous year.

Members were informed that the Council was responsible for enforcing health and safety legislation at over 2000 businesses within the District. Despite resources for the service being 25% less than originally anticipated, the Panel were encouraged to note that a very high customer satisfaction rating of 95% had been achieved.

The Panel were informed of the implementation of the Cambridgeshire Health and Safety Enforcement Flexible Warrant Scheme which had been established under the Health and Executive. The Warrant Scheme enhanced the enforcement powers of Officers, enabling them to be able to deliver a higher standard of protection for workers and visitors to premises of a hazardous nature and working outside of the District as necessary.

Given the reduction in staff resources available in 2010/11, the Panel were informed that priority was only accorded by the service to undertake inspections of those premises which were regarded as high risk. Members placed on record their concerns at the lack of resources available to undertake inspections in the ensuing year and have therefore requested the Executive Councillor for Healthy and Active Communities to investigate the matter and to report back thereon at a future Panel meeting.

RESOLVED

- (a) that the Service Plan for Health and Safety Enforcement 2011/12 be approved; and
- (b) that a report on the resources available to undertake inspections as outlined within the Service Plan for Health and Safety Enforcement 2011/12 be submitted to a future meeting of the Panel..

13. THE SUNBEDS (REGULATIONS) ACT 2010

With the aid of a report by the Head of Environmental and Community Health Services (a copy of which is appended in the Minute Book) Members were informed of the introduction of The Sunbeds (Regulations) Act 2010.

In noting that the Act sought to prevent persons aged under 18 from using sunbeds, Members were advised that businesses would be prohibited from offering or allowing persons aged under 18 to use or have access to such facilities.

RESOLVED

- (a) that the report and the new duties under The Sunbeds (Regulations) Act 2010 be noted;
- (b) that the Interim Managing Director for Communities, Partnerships and Projects be authorised to appoint Environmental Health Officers and Environmental Health Protection Officers as “authorised persons” to enforce the provisions of The Sunbeds (Regulations)

Act 2010; and

- (c) that, following consultation with the Chairman of the Panel, the Head of Environmental and Community Health Services be authorised to initiate prosecutions under The Sunbeds (Regulations) Act 2010.

14. REPRESENTATIONS ON OUTSIDE ORGANISATIONS

Having considered a report by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) in relation to the appointment and nomination of representatives to serve on a variety of organisations, it was

RESOLVED

that nominations be made to the following organisations indicated as follows:

Organisation	Representative(s) For 2011/12
Cambridgeshire Consultative Group for the Fletton Brickworks Industry	E R Butler
Little Barford Power Station Liaison Committee	A Hansard
Needingworth Quarry Local Liaison Committee	T V Rogers and P M D Godfrey
Warboys Landfill Local Liaison Committee	P L E Bucknell

Chairman

NATIONAL FOOD HYGIENE RATING SCHEME
(Report by Head of Environmental and Community Health Services)

1. Introduction

- 1.1 The purpose of this report is to seek Members' approval to migrate from the Council's current 'Scores on the Doors' (SOTD) scheme to the National Food Hygiene Rating Scheme (FHRS) operated by the Food Standards Agency (FSA) and to apply to the FSA for a grant to fund the associated costs.

2. Background Information

- 2.1 In June 2008 Members approved the adoption of the current 5-star Scores on the Doors Scheme whereby the food hygiene ratings of Huntingdonshire's food businesses are published on a website.
- 2.2 The SOTD scheme, which applies to all caterers and takeaway businesses, involves food hygiene rating scores that are assessed during a routine inspection being published on the Council's website in a star rating format. The information provided is easy for the public to understand and enables them to make an informed choice about where to eat out. Businesses can be awarded up to five stars. The higher the standard of compliance, the more stars are awarded. Very poor standards are rated as zero. Businesses are provided with certificates and window stickers which can be displayed in their premises.
- 2.3 Huntingdonshire is one of 125 Local Authorities in England and Wales currently operating the Scores on the Doors scheme hosted on a website maintained by Transparency Data, a private IT company, under the terms of a fee-paying contract. This scheme has operated very successfully and has been a factor in improving food hygiene standards within local food businesses, and promoting and empowering consumer choice. Since the scheme went live in Huntingdonshire the website has received over 170,000 'hits' (approx 1000 'hits' a week).
- 2.4 In November 2010, following a period of consultation with local authorities, the Local Government Group, the Chartered Institute of Environmental Health, consumers, the food industry, the Better Regulation Executive and the Local Better Regulation Office, the FSA launched its own scheme under the title of the National Food Hygiene Rating Scheme. Their aim is that it will be up and running in all local authorities in England, Wales and Northern Ireland in time for the 2012 Olympics and Paralympics. The Government is also keen for there to be a single food hygiene rating scheme operating across the whole of the UK, a position endorsed by Lord Young in his report entitled 'Common Sense, Common Safety' published in October 2010.

- 2.5 The National FHRs is similar to our current 5-star scheme but operates a different banding for assessing ratings and scores and uses different symbols



- 2.6 Since the launch of the National FHRs around 70 local authorities have joined the scheme and a further 50 have migrated from their current scheme. This effectively means that currently there are two hygiene rating schemes operating across the country.
- 2.7 In order to expedite the process of establishing the National FHRs as the single UK scheme, the FSA have now 'bought out' Transparency Data's intellectual and property ownership rights for the software and have also purchased all of the local authority contracts from the company. In effect, this means that after 31 March 2012 our current service provider and IT platform will cease to be maintained.
- 2.8 The FSA has recently announced that it will be developing the IT system for publishing ratings to ensure that it has the functionality needed by local authorities and is as easy as possible for consumers to use. Their website will now be revamped using Transparency Data's expertise.
- 2.9 The FSA has also made a commitment to support local authorities migrating to the National FHRs by:
- providing a free IT platform (with helpdesk support) for publishing ratings. Local Authorities will be able to have a link from their websites direct to the FSA hosting platform.
 - covering the cost of certificates and stickers for businesses.
 - providing grant funding for local authorities to cover the costs of preparatory activities necessary prior to launch.
 - establishing a 'Priorities Fund' to cover the costs that authorities may face from unexpectedly high levels of re-visit requests from businesses – this will provide insurance for the period in which the FHRs is bedding in and likely demand for re-visits becomes clearer.
 - issuing the FHRs 'Brand Standard' which provides advice and guidance to local authorities on implementation and operation of the scheme.
 - producing a 'Communications Toolkit' that includes advice and guidance on promoting the scheme locally, including case studies and template press releases.

- providing template materials for use with businesses and consumers and leaflets to explain what the scheme is about
- promoting the scheme on a national basis.

3. Implications

3.1 This Council has previously chosen not to migrate to the FSA's National FHRS because of the associated costs (estimated at about £14K), the implications on current staff resources, the requirement to carry out re-scoring inspections at the request of businesses. The FSA's website for hosting the scheme was also vastly inferior to the IT platform we are currently using.

3.2 However, in view of the facts identified above and the opportunity to apply for grant funding from the FSA to help meet the associated costs of migrating, this position needs to be reviewed.

3.3 The FSA states that having a single national scheme means that consumers will be able to compare like for like wherever they are and means that businesses can have the reassurance that they are being treated fairly and consistently with their local, regional and national competitors.

3.4 The FHRS is similar in many respects to the current SOTD scheme, however there are some significant differences:

- The scope of the FHRS includes a number of premise types which are currently not rated on our SOTD scheme and excludes producers and home caterers several of which we currently have included on the scheme
- There is a formal right of appeal if a business is dissatisfied with their rating and a right to request a revisit for the purposes of re-scoring. This requirement will obviously have some staff resource implications. The FSA has indicated however that should there be an 'excessive' number of requests for revisits which impacts on a local authority's planned intervention programme then, where appropriate, they will make additional funding available.
- The certificates and window stickers are FSA branded, although local authorities will need to pay to have their logos included.
- Our current SOTD website also lists those premises which have received healthy eating awards, such as 'Tips on Chips'. The FSA website will not be able to host local awards.
- Under the FSA's FHRS the banding ranges used to determine a business's hygiene rating, while based on the same national assessment criteria, are interpreted differently. This in effect will mean that, based on current data, the number of businesses in Huntingdonshire receiving a 5-score award (classified as excellent) will significantly increase under the FHRS when compared to the existing SOTD 5-star scheme. This may reduce the incentive for many businesses to improve their hygiene management.

Tables 1 and 2 below show the effect of proposed changes:

Current SOTD Scheme	Descriptor	No of premises	Percentage
5 Stars	Excellent	242	33.75%
4 Stars	Very good	232	32.35%
3 Stars	Good	165	23.01%
2 Stars	Fair	55	7.67%
1 Star	Poor	14	1.95%
No Stars	Needs major improvement	9	1.20%

Table 1. Current SOTD Scheme Food Hygiene Ratings

FSA's National FHRS	Descriptor	No of premises	Percentage
5 Plates	Very good	430	59.97%
4 Plates	Good	116	16.17%
3 Plates	Generally satisfactory	119	16.59%
2 Plates	Improvement necessary.	17	2.37%
1 Plate	Major improvement necessary.	28	3.90%
No Plates	Urgent improvement necessary.	7	0.97%

Table 2. Proposed food Hygiene Ratings under the FSA's FHRS

- 3.5 There would be significant resource implications in migrating from our current scheme to the FSA's National FHRS. This will include publicising the new scheme, answering queries from businesses and the public, producing certificates and window stickers and recalling the existing ones, reviewing the database and downloading data to the new website. There would also be ongoing additional work once the new scheme is established, such carrying out re-scoring visits where requested.
- 3.6 The FSA has recognised that local authorities will need some financial assistance in migrating to the FHRS and to that end have ring fenced grant funding for 2011/12 and have asked local authorities to make applications .
- 3.7 It is evident that Increasing numbers of local authorities are committing to the FSA's FHRS and by the end of March 2012 it is anticipated that over 65% will be operating the scheme or preparing to launch it.
- 3.8 The FSA's long term aim is for 100% of local authorities operating the scheme and to ensure that this becomes a reality a bill is currently being drafted which could make participating in the scheme compulsory for local authorities.

4. Conclusion

- 4.1 There is evidence that the Council's 'Scores on the Doors' scheme is very popular with both customers and businesses. It has had a positive effect on

business performance and food hygiene compliance and has helped to empower consumers in making an informed choice about where to eat out.

- 4.2 The existing SOTD scheme will soon no longer be viable. If the Council wishes to continue running a successful food hygiene rating scheme then it needs to consider migrating to the FSA's National Food Hygiene Rating Scheme and apply for grant aid to assist in this process.
- 4.3 Migrating to the FSA's FHRS will enable the service to continue to promote the Council's vision of work in partnership to support strong communities and assisting individuals in taking responsibility for their health and wellbeing

5. Recommendations

It is recommended that Members:

- a. Note the content of this report on the FSA's National Food Hygiene Rating Scheme;
- b. Authorise the Head of Environmental & Community Health Services to submit an application for grant funding from the FSA with a view to migrating from the current SOTD scheme; and
- c. Authorise the Head of Environmental & Community Health Services to migrate from the existing SOTD scheme to the FSA's National Food Hygiene Rating Scheme subject to confirmation of a successful application for funding.

BACKGROUND INFORMATION

The Food Hygiene Rating Scheme : guidance for local Authorities on implementation and operation – the 'Brand Standard'

Contact Officer: Chris Lloyd - Health Protection Manager

 **01480 388290**

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THE ENVIRONMENTAL PROTECTION (CONTROLS ON OZONE-DEPLETING SUBSTANCES) REGULATIONS 2011

(Report by the Head of Environmental & Community Health Services)

1. INTRODUCTION

- 1.1 The purpose of this report is to inform members about the introduction of the above regulations which are designed to control the production, import, export, placing on the market, recovery, recycling, reclamation, destruction and use of substances that deplete the ozone layer and to seek delegated authority to appoint suitably qualified officers to enforce the provisions of the regulations on behalf of the Council.
- 1.2 These Regulations give effect to the provisions of Regulation (EC) No 1005/2009. They revoke and replace the Environmental Protection (Control on Ozone-Depleting Substances) Regulations 2002 and the Environmental Protection (Control on Ozone-Depleting Substances) (Amendment) Regulations 2008. They are made by the Secretary of State under powers conferred by section 2 (2) of the European Communities Act 1972.

2. SUPPORTING/BACKGROUND INFORMATION

- 2.1 The ozone layer protects life on earth from harmful UV radiation. Following discovery of the ozone hole in the 1980's global action was taken to phase out ozone-depleting substances under the Montreal protocol. This international agreement addresses the negative health and environmental impacts of UV radiation by a regulated phase out of ozone-depleting substances.
- 2.2 As part of the European Union's obligations under the Montreal Protocol, the Community has taken action through Regulation (EC) 1005/2009 to control the production, use and emissions of ozone-depleting substances. Some ozone-depleting substances such as chlorofluorocarbons (CFCs) and halons have already been phased out in the UK and recent regulations have been directed at the residual use and control of hydrochlorofluorocarbons (HCFCs) in refrigeration and air-conditioning equipment that was installed before a total ban was introduced on the use of HCFCs between 2000 and 2004.
- 2.3 Ozone-depleting substances have been generally replaced by F gases, the most common of which belong to a class of chemicals known as hydrofluorocarbons (HFCs). These are man-made gases that are used in a number of different sectors. Other F gases are perfluorocarbons (PFCs), which are used in the fire-fighting and electronics sectors, and sulphur hexafluoride (SF₆), which has been used in diverse applications such as training shoes and as cover-gas in magnesium casting operations.
- 2.4 The Environmental Protection (Controls on Ozone-Depleting Substances) Regulations 2011 identify offences, assign penalties applicable for breaches

of the Regulations and provide powers for local authorities to appoint authorised persons to enforce these regulations.

- 2.5 The new regulations came into force on 20 July 2011 and make it an offence for any person or a body corporate to breach a provision of EU Regulation 1005/2009 as set out in Schedule 2 of the regulations which relates to the production, import, export, placing on the market, recovery, recycling, reclamation, destruction and use of substances that deplete the ozone layer.
- 2.6 Provision is made in regulation 8 for the appointment of persons (“authorised persons”) to enforce these regulations. The regulations are now enforced by the Environment Agency, **local authorities**, Port Health Authorities and Her Majesty’s Revenue and Customs.
- 2.7 Provisions setting out the powers of authorised persons are contained in Regulation 9 and Regulations 4 and 5 contain provisions relating to offences and penalties. In addition to powers of entry, appointed officers will have a range of additional powers including power to request information or records, serve enforcement notices, and to make examination or investigation as necessary.

3. IMPLICATIONS

- 3.1 There is no additional funding attached to the regulations and no staffing implications. The duties will be absorbed by existing staff.
- 3.2 Local authorities will regulate premises that we already have cause to visit under other legislation where ozone-depleting substances are in use, mainly in large-scale refrigeration plant and air conditioning systems.
- 3.3 Trade associations and small firms in the sectors likely to be affected by the proposals have been contacted by the Department for Business, Innovation and Skill (BIS) on behalf of the Department for Environment, Food and Rural Affairs (DEFRA) who led on the production of an Impact Assessment on the implementation of these regulations. It is anticipated that the impact of these regulations will be minor.
- 3.4 Their analysis suggests that micro and very small businesses are unlikely to be impacted by the regulations given that their systems are usually below the 3kg threshold for leak checks and record keeping. It is therefore considered that the impact on micro business will be minimal.

4. CONCLUSION

- 4.1 These new duties are statutory requirements and are consistent with the Council’s vision statement on climate change.

5. RECOMMENDATIONS

It is recommended that Members:

- a. note the content of this report and the new duties established under The Environmental Protection (Controls on Ozone-Depleting Substances) Regulations 2011;
- b. Authorise the Head of Environmental & Community Health Services to appoint Environmental Health Officers and Environmental Protection Officers as “authorised persons” to enforce the provisions of The Environmental Protection (Controls on Ozone-Depleting Substances) Regulations 2011; and
- c. Authorise the Head of Environmental & Community Health Services to initiate prosecutions under The Environmental Protection (Controls on Ozone-Depleting Substances) Regulations 2011 after consultation with the Chairman and Deputy Chairman of the Licensing & Protection Panel.

BACKGROUND INFORMATION

The Environmental Protection (Controls on Ozone-Depleting Substances) Regulations 2011

Contact Officer: Chris Lloyd - Health Protection Manager
☎ 01480 388290

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THE TRADE IN ANIMALS AND RELATED PRODUCTS REGULATIONS 2011 (Report by the Head of Environmental & Community Health Services)

1. INTRODUCTION

- 1.1 The purpose of this report is to inform Members about the introduction of the above regulations which give effect to EU law concerning the importation of animals and animal products from other Member States and third countries and to seek delegated authority to appoint suitably qualified officers to enforce the provisions of the regulations on behalf of the Council.
- 1.2 The Regulations amalgamate and simplify the current three Statutory Instruments which cover the veterinary checks regime on intra-Union trade in live animals and animal products and import conditions for live animals and animal products from third countries into one Statutory Instrument. They are made by the Secretary of State under powers conferred by Section 2 (2) of the European Communities Act 1972.
- 1.3 As a result of the introduction of this legislation the following regulations are now replaced
 - The Products of Animal Origin (Import and Export) Regulations 1996;
 - The Products of Animal Origin (Third Country Imports) (England) Regulations 2006; and
 - The Animals and Animal Products (Import and Export) Regulations 2006.

2. SUPPORTING/BACKGROUND INFORMATION

- 2.1 The Instrument enforces EU legislation on the intra-Union movement of live animals and their genetic material. It also provides enforcement authorities with the means of enforcing EU legislation laying down controls on imports of animal products from third countries.
- 2.2 It establishes a system for trade between member States in live animals and genetic material and for the importation of live animals, genetic materials and products of animal origin from outside the European Union.
- 2.3 The new regulations came into force on 25 May 2011 and are enforced by the Secretary of State, port health authorities, local authorities and the United Kingdom Border Agency. They provide inland authorities (such as Huntingdonshire District Council) with the duty to seize and dispose of illegally imported products of animal origin (POAO).
- 2.4 The Regulations establish various offences, assign penalties applicable for breaches of the Regulations, for both individuals and bodies corporate, and provide powers for appointed persons to apply EU rules to the importation of animals and animal products and to enforce these Regulations.

- 2.5 Provisions setting out the powers of authorised persons are contained in Regulation 34. In addition to powers of entry, appointed officers will have a range of powers, including power to request information or records, inspect foods, take samples, examine records and seize any suspect food as appropriate, take samples and to make examination or investigation as necessary. Regulations 39-41 contain provisions relating to offences and Regulation 42 contain provisions relating to penalties.

3. IMPLICATIONS

- 3.1 There is no additional funding attached to the regulations and no staffing implications. The duties will be absorbed by existing staff within the Environmental and Community Health Services Division. It should be noted however that there is no specific power to recover the costs associated with seizure and destruction.
- 3.2 As this is consolidating legislation there will be no impact on businesses.
- 3.3 Local authorities will, where appropriate, regulate imported food at premises that we already have cause to visit under other legislation relating to food safety and food controls.
- 3.4 The Regulations provide authorised officers with powers of entry to any premises, vehicle, stall, ship or aircraft for the purposes of enforcing these regulations. Any person who intentionally obstructs an authorised officer acting in accordance with these regulations will be guilty of an offence.

4. CONCLUSION

- 4.1 These new duties are statutory requirements and require this authority to act as an enforcing authority and enforce the provisions of the regulations.

5. RECOMMENDATIONS

It is recommended that Members:

- a. note the content of this report and the new duties established under The Trade in Animals and Related Products Regulations 2011;
- b. authorise the Head of Environmental & Community Health Services to appoint Environmental Health Officers and Environmental Protection Officers as “authorised persons” to enforce the provisions of The Trade in Animals and Related Products Regulations 2011; and
- c. authorise the Head of Environmental & Community Health Services to initiate prosecutions under The Trade in Animals and Related Products Regulations 2011 after consultation with the Chairman and Deputy Chairman of the Licensing & Protection Panel.

BACKGROUND INFORMATION

The Trade in Animals and Related Products Regulations 2011

Contact Officer **Chris Lloyd – Health Protection Manager**
☎ **01480 388290**

LICENSING AND PROTECTION PANEL

26 OCTOBER 2011

ADOPTION OF THE DRIVING STANDARDS AGENCY (DSA) DRIVING TEST FOR PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS (Report by the Head of Legal and Democratic Services)

1. INTRODUCTION

- 1.1 The Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847 create a statutory duty for Local Authorities to licence Private Hire and Hackney Carriage drivers and to ensure that the service to the public is accessible and safe.
- 1.2 The Council currently provides in-house driver testing conducted by an officer. To maintain high driving standards it is proposed to replace the current in-house system with the nationally recognised test provided by The Driving Standards Agency (DSA) which is specifically designed for Private Hire and Hackney Carriage Drivers.

2. BACKGROUND INFORMATION

- 2.1 The DSA is the Government appointed agency charged with setting driving standards and delivering consistent high quality driving tests to ensure safe driving. It conducts approximately 2 million driving tests in Great Britain each year, addressing all types of drivers.
- 2.2 Since 1999, the DSA has offered an assessment that is independent, standardised and specifically tailored to Private Hire and Hackney Carriage licensing. The DSA conducts approximately 15,000 taxi assessments each year on behalf of 176 local authorities who have already adopted this test for prospective Private Hire and Hackney Carriage drivers. The DSA considers it has the experience to deliver a test with credibility, targeted at improving the standards of taxi drivers which provides assurance of driving skills to the licensing authorities and the general public.
- 2.3 A booklet providing more details of the Agency (now out of print), the fees and the driver test is attached at Appendix A. Details are also available via the business link website www.businesslink.gov.uk/taxi Tests are conducted by specifically trained Secretary of State approved driving examiners, take 35-40 minutes and the nearest test centres are at Peterborough, Bedford, Cambridge (Cowley Road) and Cambridge (Chesterton Road). Any applicant who fails the DSA test has a right of appeal through the DSA.
- 2.4 The grant of a DSA pass certificate does not automatically give the holder a right to obtain a licence with this authority and any application is still subject to the Council's other normal procedures and checks, including a criminal records check and a satisfactory medical check .

- 2.5 It is not intended to introduce the test retrospectively for existing drivers, so provided existing drivers do not allow their licence to lapse, they will not be subject to the new testing requirements, unless there are serious concerns as to their fitness to hold a licence due to driving problems. Where these concerns are held, it would be for the Head of Legal and Democratic Services to determine whether the test should be undertaken and in each case decided on its individual merits and upon consultation with the Chairman and Vice Chairman of the Panel.
- 2.6 The Council does not charge separately for the in-house driving test as it currently forms a part of the service included in the overall charge for a new licence of £70. No change is proposed to this fee. There is a considerable amount of officer time allocated in the arranging and undertaking of each test. Although the DSA test will be at an additional cost to the applicant (£79.66 during normal hours or £96 on Saturdays/ evenings), it will cover additional areas not currently provided by our in-house testing. The fee will be paid by the applicant direct to the DSA and there will be no administrative costs to the Council.

3. CONSULTATION

- 3.1 Prior to submission of this report, the Council has consulted with the trade by means of a letter which was sent to 668 individual licence holders, proprietors and operators. Recipients were given 6 weeks to respond. No responses were received.

4. CONCLUSION

- 4.1 Public safety which includes the maintaining of high driving standards is of paramount importance. The adoption of the above proposal will help maintain high standards of driving and at the same time provide a consistency of approach through one standard, impartial and nationally recognised qualification supplied by an executive agency of the Department of Transport. It will ensure that all applicants have achieved a high standard of driving relating the Private Hire and Hackney Carriage Vehicles.
- 4.2 Outsourcing to the DSA removes the risk of not having a qualified officer available to undertake in-house testing and consequently being unable to provide the present in-house service. Adoption is also less likely to leave the Council open to challenge on driver standards with possible financial implications and legal proceedings.

5. RECOMMENDATIONS

- 5.1 It is therefore
RECOMMENDED
- (a) that the existing in-house driver testing arrangements be replaced with a requirement that an appropriate formal driving qualification be undertaken and obtained for all new applicants for Private Hire and Hackney Carriage driver's badges and for cases where there are serious concerns as to the fitness of an existing driver to hold a licence due to driving problems;
 - (b) that the appropriate qualification be the DSA driver's assessment for Private Hire and Hackney Carriages, or future equivalent;

- (c) that the new requirement be brought into effect for new applications from 1st January 2012; and
- (d) that delegated authority be given to the Head of Legal and Democratic Services, after consultation with the Chairman and Vice Chairman of the Panel, to determine whether a test should be undertaken in circumstances where there are serious concerns as to the fitness of an existing driver to hold a licence and that each case should be considered on its individual merits.

BACKGROUND INFORMATION

DSA Private Hire- Hackney Carriage Assessment

Contact Officer: Christine Allison, Licensing Manager
☎ 01480 388010

Filepath: <http://teams.huntsdc.gov.uk/admin/Democratic%20Services/Shared%20Documents/Forms/AllItems.aspx>

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Useful Contacts

Booking practical taxi assessments

Website:

www.transportoffice.gov.uk

Phone: 0300 200 1122

Minicom: 0300 200 1166

Driving Standards Agency

PO Box 280

Newcastle upon Tyne

NE99 1FP

Customer enquiry unit

Email: customer.services@dsa.gsi.gov.uk

Phone: 0300 200 1122

Fax: 0300 200 1155

Driving Standards Agency

PO Box 280

Newcastle upon Tyne

NE99 1FP

The Driving Standards Agency recognises and values its customers. We will treat all our customers with respect, and deliver our services in an objective, polite and fair way.

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INVESTOR IN PEOPLE

An executive agency of the
Department for
Transport

02/06/08



Private Hire - Hackney Carriage Assessment

All you need to know about
DSA's quality assured taxi
assessment services





Let us Reward your Good Driving Skills with up to 25% Discount off your Insurance Premium

Pass your DSA hackney carriage/private hire test and immediately access top quality insurance underwritten by Norwich Union at exclusive rates

TFP Schemes is the market leading Private and Public Hire insurance specialist providing one of the most competitive policies in the market.

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**TFP TAXI
029 20 30 10 30**

*(Please quote ref DSA Scheme)
www.tfpschemes.co.uk*

Make sure your 'Taxi Test' brings you immediate benefits

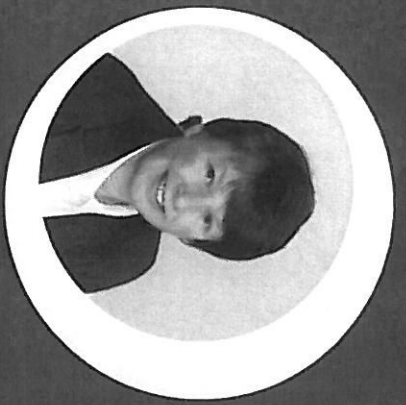
TFP Taxi – backed by Norwich Union and in partnership with the Driving Standards Agency.



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contents

①	Introduction
③	Environmental Issues
⑤	Preparing for Your Assessment
⑨	Booking Your Assessment
⑪	Identity
⑫	At the Driving Test Centre
⑬	Important Information About Your Assessment
⑮	Assessment Explained
⑰	Customer Service
⑳	Annex 1 - Test Centres
㉕	Annex 2 - Cabology Questions



The Driving Standards Agency is committed to improving driving standards through its testing and assessment activities. All drivers must take responsibility for developing the correct attitude and approach towards safe and considerate driving. This combined with a sound knowledge of defensive driving will make our roads safer for all road users.

As a professional driver you have a special responsibility to ensure that your passengers have a safe, comfortable and enjoyable journey. You may have years of driving experience and will be able to demonstrate a good standard of driving on the taxi assessment.

The principles of good driving practice are set out in our official publication *The official DSA guide to Driving - the essential skills*. Study these principles and by putting them into practice you can demonstrate to your passengers and other road users that you are a professional driver.

Transport is an essential part of modern life, but there are environmental consequences. I would encourage you to read the chapter 'Eco-safe driving and the environment' in the guide. If you follow the principles set out you will

become a more environmentally-friendly driver – your journeys will be more comfortable and eco-safe driving could considerably reduce your fuel bills and the emissions that cause damage to the atmosphere.

There are millions of journeys made every year by Hackney Carriage and Private Hire Vehicles. You should consider taking professional instruction prior to taking the test in order to develop your skills. This will result in journeys being completed in safety and comfort for your passengers, and will ensure a service delivered by professional taxi drivers who take pride in their driving and the service they give to their customers.

Rosemary Thew
Driving Standards Agency - Chief Executive

The Role of the Driving Standards Agency (DSA)

DSA is charged with setting driving standards and delivering consistently high quality driving tests to help ensure safe driving. DSA has a wealth of experience in assessing all types of drivers. It is responsible for conducting 2 million driving tests in Great Britain each year for cars, motorcycles, LGV's (Large Goods Vehicles), PCV's (Passenger Carrying Vehicles) and other special vehicles. DSA also train, test and monitor the performance of all examiners, sets the standards and syllabus against which all Approved Driving Instructors teach and authorises motorcycle training bodies to provide Compulsory Basic Training.

Our Aims for the Private Hire/Hackney Carriage Assessment are to:

- Improve road safety.
- Ensure high and consistent standards are used in assessing drivers and driving instructors throughout Great Britain.
- Provide fair tests which keep to a nationwide standard within an acceptable timescale.

- Provide value for money.

- Treat all customers in a polite and helpful way at all times.

- Provide a national network of test centres.

- Run an efficient user-friendly service to book tests.

- Promptly tell candidates their results.

- Provide constructive feedback at the end of each practical test.

- Handle enquiries and complaints promptly and efficiently, to meet expectations.

- Work closely with business and trade associations to improve services to the public.

Your Private Hire/Hackney Carriage Assessment

Before you are issued with a Hackney Carriage or Private Hire Licence you must pass a DSA assessment. It is recommended that you familiarise yourself with the contents of the assessment, which are set out on the following pages. We strongly recommend that you take professional instruction prior to taking the assessment.



Environmental Issues

Guidance on the environmental issues surrounding buying, driving, maintaining and servicing your taxi

Reducing dangerous exhaust emissions is the responsibility of all drivers. Here is some advice which will help you to minimise your taxi's damaging emissions.

Buying a taxi

Environmentally-friendly options include hybrid vehicles (electric and diesel powered) and dualfuel vehicles (LPG or Liquid Petroleum Gas and petrol). Running a diesel engine on 'City Diesel' cuts down sulphur pollution. Automatic transmission and air conditioning increase fuel consumption.

Driving your taxi

You can save fuel by adopting a smooth driving technique. Looking well ahead and being aware of possible hazards can allow you time to consider options without harsh braking and acceleration. This will reduce the wear and tear on your vehicle and should reduce your stress levels too. Other issues you should be considering include:

- reading the road and direction signs to allow you time to prepare for hazards or any change of direction you need to take at junctions

- maintaining moderate speeds can considerably reduce your fuel bill. You can use up to 30% less fuel if you drive at 50mph instead of 70 mph

- using a map or satellite navigation system to plan your journey will help you avoid getting lost and travelling further than necessary

- sitting in queues of traffic with the engine running produces a high level of pollution: switch off your engine if you are in stationary traffic for a long time
- luggage on a roof rack increases fuel consumption. A streamlined roof box is more efficient and secure.

Maintaining your taxi

Badly maintained vehicles use more fuel and emit more exhaust fumes. Your vehicle should be regularly serviced and well maintained, especially if it is an older model.

Check your tyres. Under-inflated tyres will not only increase the fuel consumption, but could adversely affect the handling of your vehicle. Badly aligned wheels can also have this effect. Check your tyres regularly.

Servicing your taxi

Do not discard dirty engine oil down a drain, this will pollute the fresh water system. Take the oil to a service station or local authority site for recycling.

Do not pour anti-freeze into the water system, it is poisonous to fish, wildlife and people. Dispose of old batteries, anti-freeze and used tyres at a local authority site.



Contact points

The Environmental Transport Association publishes a 'Car buyer's guide' which ranks new cars according to their environmental credentials.

For more information please use the following details.

Phone 0845 389 1010
Website www.eta.co.uk

For more information on the Air Pollution Bulletin please use the following details.

Website www.airquality.co.uk
Teletext Page 156
Phone 0800 55 66 77

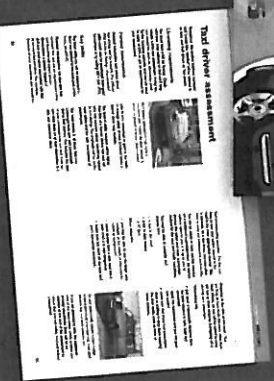
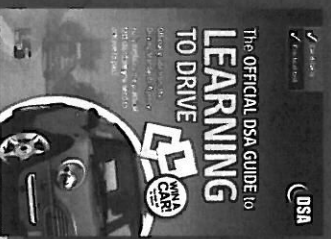
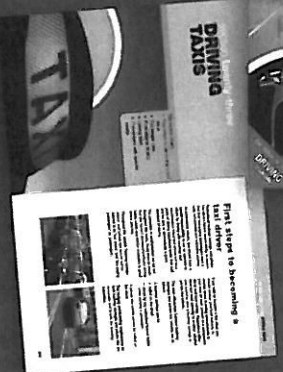
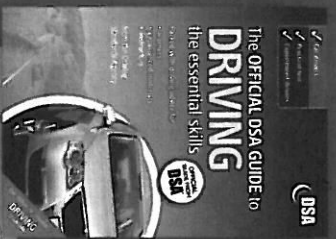
Preparing for Your Assessment

As a professional driver you have a special responsibility to set an example to other road users by driving with courtesy and consideration.

The official range of books from DSA provide expert advice on best driving practices to ensure that you and your passengers have a safe, comfortable and enjoyable journey.



5



The Official DSA Guide to Driving – the essential skills

ISBN 9780115528170 Price £12.99

This indispensable driving manual is packed with advice to help you become a safer driver.

A chapter devoted to taxi drivers covers:

- first steps to becoming a taxi driver – regulations and medical checks
- passenger care – passenger comfort, seat belts and dealing with lost property
- professional driving – skills, environmental consideration, awareness, communication, tiredness and distractions
- driving taxis – stopping at the roadside, manoeuvring
- passengers with special needs and requirements.

The Official DSA Guide to Learning to Drive

ISBN 9780115528583 Price £7.99

The only official guide which explains the standards required to pass today's practical driving test and assessment for taxi drivers. This new edition includes references to *The Official Highway Code 2007*. The book includes information about the 24 key skills examined and the level of ability you need to demonstrate, as a professional driver.

A section on the assessment for taxi drivers covers:

- licensing requirements
- key skills; including taxi manoeuvring exercise and stopping at the side of the road
- what to expect at your assessment and the wheelchair exercise.

6

The Official Highway Code 2007 Edition

ISBN: 9780115528149 Price: £2.50

Essential reading for all road-users in England, Scotland and Wales. This updated edition of the only *Official Highway Code* contains the very latest rules of the road. Many of these rules are legal requirements and must be adhered to in order to avoid penalty (fines, penalty points, disqualification or even prison). *The Official Highway Code* reflects the most up-to-date legislation that road-users must adhere to, advice on road safety and best practice.

Rheolau'r Ffordd Fawr Swyddogol (Welsh Language version)

ISBN: 9780115528606 Price: £2.50

Northern Ireland Highway Code

ISBN: 9780337088865 Price: £2.50

The Official Highway Code Interactive CD-ROM

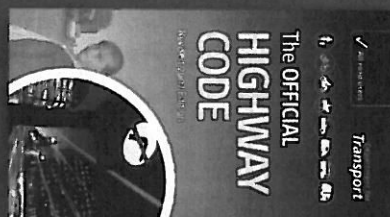
ISBN: 9780115528460 Price: £9.99

The CD-ROM version of *The Official Highway Code* provides an innovative and interactive alternative for users. It is an engaging, fun, and educational product aimed at accelerating the learning process and providing a thorough understanding of road safety and best practice.

Know Your Traffic Signs

ISBN: 9780115528552 Price: £4.99

Your taxi assessment will include five questions on traffic signs, so pick up a new edition of this comprehensive guide which explains the vast majority of traffic signs that any driver is likely to encounter. A valuable reference for professional drivers, even those with years of experience.



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Booking Your Assessment

Booking your assessment

Remember, it is important to book your assessment early. The more flexible you can be in selecting a driving test centre where you wish to take your assessment, the earlier we may be able to book you an appointment. Secure an appointment even before your police check or your medical.

Practical assessments are available at some test centres on Saturdays, Sundays and on weekday evenings (in the summer).

Booking online or by telephone

You can book your assessment by either of these methods and you'll be given the date and time of your assessment immediately.

You can book online at www.transportoffice.gov.uk

To book by telephone, call 0300 200 1122. If you are a Welsh speaker call 0300 200 1133. If you are hard of hearing ring our minicom number 0300 200 1144 to book your assessment.

When booking you'll need to explain that you want to take a taxi assessment and provide:

- your driver number (from your licence)
- Credit or debit card details. Please note that the card holder must be present.

Booking by post

Fill in the application form for the type of assessment you wish to take and send it, together with the correct fee, to the address shown on the back of the form. You can get application forms from driving test centres, your instructor, or ring 0300 200 1122.

You may pay by cheque, postal order or with credit/debit card. Postal orders or cheques should be made payable to the Driving Standards Agency. Please do not send cash. You'll receive an appointment letter within 10 days.

Appointment letter

Whether you book your assessment online, by telephone or by post you will receive an appointment letter or e-mail to take with you when you go for your assessment. It will include:

- the time and place of your assessment
- the address of the test centre

Taxi assessment fees

You can change or cancel your assessment online at www.transportoffice.gov.uk. Alternatively, you can change or cancel an assessment appointment by calling 0300 200 1122.

You need to give at least three clear working days notice for change or cancellation of an assessment, not counting the day the DSA receive your request and the day of the assessment (Saturday is counted as a working day). If you don't give enough notice you'll lose your fee.

The assessment is intended to fulfil one of the requirements under local council taxi licensing procedures. The assessment will be carried out in accordance with the criteria drawn up by DSA to meet the Local Authorities Service Standards. A certificate will be issued when you pass the assessment and there is no further fee for this.

Taxi Assessment fees

	Normal Hours	Saturdays and Evenings
Z Hackney Saloon / Private Hire	£269.00	£283.00
Saloon	£79-66	£96-00
Highway Code / Traffic Signs / Cabology Questions.		
Z1 Hackney Wheelchair enhanced	£280.50	£297.00
Wheelchair Accessible Vehicles	£92-94	£112-34
Highway Code / Traffic Signs / Cabology Questions.		
Z2 Wheelchair Exercise	£223.00	£228.00
	£26-56	£32-68

Note: Assessment fees are correct at time of press, but please check at time of booking.
Taxi fees include VAT.

Wef 4th January 2011

Identity

We will check your identity at your assessment

- It is an offence to impersonate a candidate at test, or to arrange for someone to take a test for you
- DSAs dedicated Fraud & Integrity Team investigate every suspected impersonation
- Working with the Police, Crown Prosecution Service and the Courts, DSA will prosecute those found to be involved in impersonations.

If you suspect anyone of committing an offence of this nature please contact the Fraud & Integrity team by telephone: 02920 581 155 (office hours) or 02920 581290 (answer machine 24hrs) or email: Integrity.Team@dssa.gsi.gov.uk



11

At the Driving Test Centre

You must bring the following items to your assessment. If you do not, your assessment may not be conducted and you may lose your fee.

- An appropriately insured and taxed / licensed vehicle suitable for the assessment
 - Your appointment letter or email confirmation
 - A UK photo card licence. Both parts of the licence (photo card and paper counterpart) must be presented.
- OR
- An old style valid, signed, Great Britain or Northern Ireland paper driving licence and a valid passport.

REMEMBER
NO LICENCE - NO PHOTO
NO
ASSESSMENT
YOU WILL LOSE YOUR FEE!

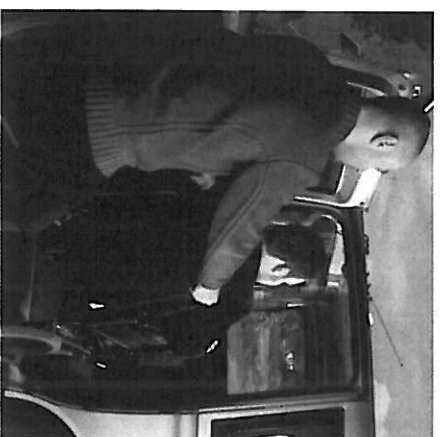
Note: You will need to bring an additional interior mirror for the examiner's use during the assessment.

12

Important Information About Your Assessment

During your assessment - what the examiner looks for:

- To pass you are permitted to accumulate up to 9 driving faults, if you accumulate 10 or more driving faults you will fail. Any serious or dangerous fault will be immediately recorded as a failure but the assessment will still continue finally returning to the driving test centre. The taxi assessment is reflective of modern driving practices and the standard is set at a level suitable for full driving licence holders, so it is important that you do not adjust your driving to what you may feel the examiner would expect to see, do not drive in an unnatural manner.
- You may be asked to complete an emergency stop, i.e Demonstrate that you can stop the vehicle as in an emergency, promptly and under control (avoid skidding).
- You will be asked to carry out two manoeuvres one of which will be your own choice e.g reverse around a corner. In both cases you will be expected to demonstrate your ability to manoeuvre your vehicle under control and with good all round effective observations, giving consideration to other road users and pedestrians.
- You will be asked on a number of occasions to pull up on the left at a safe and convenient place, as if a fare is either going to get in or out of your vehicle. Avoid parking next to lampposts and trees - this could be potentially hazardous for your passenger.
- Whenever you have been stationary at the side of the road, remember your important safety check - check your blind spot (look over your right shoulder) before pulling away.
- You need to use all your mirrors effectively (interior and exterior) at the appropriate times and you should demonstrate that you are aware of what is happening around your vehicle at all times.
- You need to signal correctly and in good time to let other road users know your intention - other road users need to see and understand what you plan to do.
- You will be expected to understand and comply with traffic signs and road markings as they are there to help you anticipate and plan your journey. You will also need to see and react to signals given by the police, traffic wardens etc. and signals given by other road users.
- You must be able to demonstrate your ability to make progress when the speed signs and the road and traffic conditions dictate it is safe to do so. Equally it is important to demonstrate that you recognise and comply when in a lower speed limit area.



It is important that you read The Highway Code and be familiar with your vehicle. It is strongly advisable to consider taking professional instruction prior to taking the assessment.

Wheelchair Accessible Vehicles

- You should demonstrate your ability to securely erect the wheelchair ramps (whatever style of ramp is fitted to your vehicle).
- Safely install the wheelchair in your vehicle, backing the chair to the fold down seats, then securing both wheelchair brakes.
- Secure seat belts/safety harness and also secure wheel belts/clamps if fitted to your vehicle.
- Having satisfied yourself that the wheelchair is secure as if to start a journey, then reverse the entire procedure.
- Use sound judgement and planning when overtaking, meeting oncoming vehicles and when turning right in front of on coming traffic. At no time be in a situation where you cause another vehicle to brake or swerve to avoid you.
- Demonstrate that you are aware of other road users at all times, plan ahead, predict how the actions of others will affect your driving and react in good time. Be aware of vulnerable road users such as pedestrians, cyclists, motorcyclists etc. and act in good time, rather than at the last moment.
- You will be asked a few questions on The Highway Code, some general cabology questions and asked to identify a few traffic signs. This may include such questions as the length, width or height, tyre pressures, what to do if you found an item of lost property in your cab etc.

Assessment Explained

1a Eyesight test

At the start of the assessment the examiner will ask you to read a vehicle registration number. If you require glasses or contact lenses, you must wear them whenever you drive. If you had problems with the eyesight test, perhaps you should consider consulting an optician.

6 Turn in the road

You will need to display the low speed control and observation skills necessary to carry out this exercise safely with due regard for other road users and pedestrians.

7 Vehicle checks

Not applicable

1b Highway Code Safety

You will be asked questions on The Highway Code, traffic signs and 'Cabology' questions (General questions relating to taxis and taxi driving)

8 Taxi manoeuvre

You must be able to display the ability to turn your taxi around by whatever means available, making sure you make effective, all round observation showing consideration to other road users and pedestrians.

2 Controlled stop

You will need to be able to display a high level of skill in bringing your vehicle to a stop, safely, promptly and under full control avoiding locking the wheels. Remember that in wet weather it can take twice as long to stop safely.

You should control your vehicle smoothly making proper use of the clutch, accelerator, brakes and steering. You should not use a driveway or allow your vehicle to mount the pavement as this could damage your vehicle.

3, 4 and 5 Reverse exercises

You will need to display the ability to control the vehicle safely whilst reversing to the left, to the right, and when parking on the road or in a parking bay.

You must make good effective all round observation throughout the manoeuvre and show consideration to other road users.

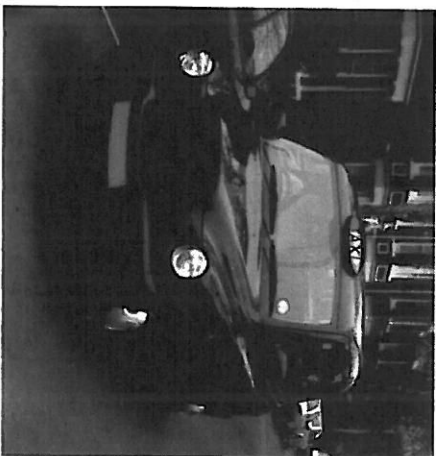
9 Taxi wheelchair

You should be able to securely erect wheelchair ramps, safely install the wheelchair and an imaginary wheelchair occupant into your vehicle, ensuring the wheelchair and its occupant are secured in readiness for the journey then reverse the entire process.

10 Vehicle & trailer combinations

(uncoupling / re-coupling)

Not applicable



11 Precautions

Before you start the engine make sure that you are comfortably seated and all controls can be safely operated.

12 Control

This section covers, where appropriate, the safe and controlled use of accelerator, clutch, gears, footbrake, parking brake and steering.

Always try and use the vehicle controls as smoothly as possible. This means less wear and tear on your vehicle and a smoother ride for your passengers. Make proper use of your accelerator and clutch to make a smooth start. Always depress the clutch just before you stop. Select the correct gear to match the road and traffic conditions. Change gear in good time but not too soon before a hazard. Do not allow the vehicle to coast by running on in neutral or with the clutch depressed.

There should be no need to look down at the gear lever when changing gear. Use the footbrake smoothly and progressively. Brake in plenty of time for any hazard. Make full use of the parking brake whenever it would help you to prevent the vehicle

rolling backwards or forwards and if you are parking. Steer the vehicle as smoothly as possible.

Avoid harsh steering or steering too early or too late, as it may cause you to hit the kerb or swing out towards another road user.

13 Move off

You will need to demonstrate your ability to move off smoothly and safely on the level, on a gradient and at an angle taking the correct precautionary observations.

14 Use of mirrors - Rear observations

Use all the mirrors fitted to your vehicle safely and effectively. You must always check carefully before signalling, changing direction or changing speed. Use the Mirrors-Signal-Manoeuvre (MSM) routine effectively.

15 Signals

You must signal clearly to let others know what you intend to do. You should only use the signals shown in The Highway Code if it would help other road users (including pedestrians).

Always signal in good time and ensure that the signal has been cancelled after the manoeuvre has been completed. Do not beckon to pedestrians to cross the road.

16 Clearance to obstructions

Allow plenty of room to pass stationary vehicles, obstructions and be prepared to slow down or stop. A door may open, a child may run out or a vehicle may pull out without warning.

17 Response to signs/signals

You should understand and be able to react to all traffic signs and road markings. You must act correctly (refer to Highway Code) at traffic lights and check that the road is clear, before proceeding when the green light shows. Obey signals given by police officers, traffic wardens and school crossing patrols. Look out for signals given by other road users, including people in charge of animals, and be ready to act accordingly (refer to Highway Code).

18 Use of speed

You should make safe, reasonable progress along the road bearing in mind the road, traffic and weather conditions and the road signs and speed limits. Make sure that you can stop safely and well within the distance you can see to be clear. Do not speed.

19 Following distance

Always keep a safe distance between yourself and other vehicles. Remember, on wet or slippery roads it takes much longer to stop. When you stop in traffic queues, leave sufficient space to pull out if the vehicle in front has problems.

20 Maintain progress

In order to pass your assessment you must show that you can drive at a realistic speed appropriate to the road and traffic conditions. You should approach all hazards at a safe, controlled speed without being over cautious or interfering with the progress of other traffic. Always be ready to move away from junctions as soon as it is safe and correct to do so. Driving excessively slowly can create dangers for yourself and other drivers.

21 Junctions (including roundabouts)

You should be able to judge the correct speed of approach so that you can enter a junction safely and stop if necessary. Position your vehicle correctly. Use the correct lane - if you are turning right, keep as near to the centre of the road as is safe. Avoid cutting the corner when turning right. If turning left, keep over to the left and do not swing out. Watch out for cyclists and motorcyclists coming up on your left and pedestrians who are crossing. You must make effective observation before moving into a junction and make sure it is safe before proceeding.

22 Judgements

Only overtake when it is safe to do so. Allow enough room when you are overtaking another vehicle. Cyclists and motorcyclists need as much space as other vehicles; they can wobble or swerve suddenly. Do not cut in too quickly after overtaking. Take care when the width of the road is restricted or when the road narrows. If there is an obstruction on your side or not enough room for two vehicles to pass safely, be prepared to wait and let the approaching vehicles through.

When you turn right across the path of an approaching vehicle, make sure you can do so safely; other vehicles should not have to stop, slow down or swerve to allow you to complete your turn.

23 Positioning

You should position your vehicle sensibly, normally well to the left. Keep clear of parked vehicles and position correctly for the direction that you intend to take. Where lanes are marked, keep to the middle of the lane and avoid straddling lane markings. Do not change lanes unless necessary.

24 Pedestrian Crossings

You should be able to recognise the different types of pedestrian crossing and show courtesy and consideration towards pedestrians. At all crossings you should slow down and stop if there is anyone on the crossing. At zebra crossings you should slow down and be prepared to stop if there is anyone waiting to cross. Give way to any pedestrians on a pelican crossing when the amber lights are flashing. You should give way to cyclists as well as pedestrians on a toucan crossing and act correctly at puffin crossings (refer to Highway Code).

25 Position / Normal Stops

Choose a safe, legal and convenient place to stop, close to the edge of the road where you will not obstruct the road and create a hazard. You should know how and where to stop without causing danger to other road users.

26 Planning

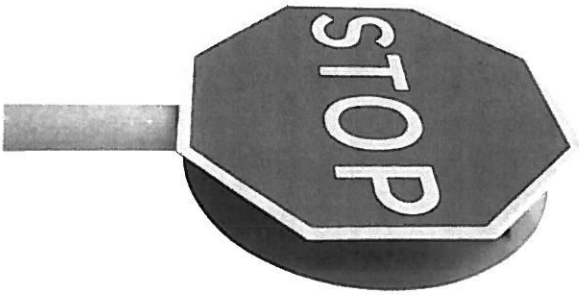
You must be aware of other road users at all times. You should always think and plan ahead so you can judge what other road users are going to do, predict how their actions will affect you and react in good time. Take particular care to consider the actions of the more vulnerable groups of road users such as pedestrians, cyclists, motorcyclists and horse riders. Anticipate road and traffic conditions and act in good time, rather than reacting to them at the last moment.

27 Ancillary Controls

You should understand the function of all the controls and switches, especially those that have a bearing on road safety. These include indicators, lights, windscreen wipers, demisters and heaters. You should be able to find these controls and operate them correctly, when necessary, without looking down.

28 Eco Safe Driving

Driving skills should demonstrate recognition of the principles of Eco Safe Driving, including appropriate use of the vehicle controls.



Customer Service

Service standards

We judge our performance against the following standards (printed in our Business Plan) which we review each year:

- We will keep 98% of practical test appointments that are in place three days prior to the test.
- National average waiting times will be no longer than six weeks for practical car tests.
- Implement a first contact resolution system for all telephone calls resulting in 80% of all enquiries being resolved at the first attempt which may necessitate the call being transferred to a different department.
- We will answer 97% of all letters and e-mails within 10 working days.
- Our on-line booking service will be available 99% of the time over 24 hours, 7 days a week.

Taxi assessments are generally available at designated test centres between 8.20am and 3.30pm Monday to Friday. Assessments at some centres are provided when there is enough demand and they can be justified economically. We also provide Saturday and weekday-evening assessments at some centres, but you will have to pay extra.

Keeping you informed

We will give you information by:

- publishing a range of books
- issuing news releases to the media
- putting up posters in test centres
- publishing our Business Plan which sets out our aims and targets (and our Annual Report and Accounts, which shows our performance against them)
- updating our website (www.dsa.gov.uk) and www.transportoffice.gov.uk.

Listening to you

To make sure we listen to you, we will:

- make it easy for you to get in touch so you can give us your comments and complaints,
 - carry out all areas of our work in a fair, independent, polite and helpful way.
- Your comments will help us develop our services.

How you can help us

Please come to assessments:

- on time and properly prepared

- with the correct documents (if you do not have your driving licence and you're taking an assessment, please contact customer enquiry unit as you will not be able to take the assessment without it),
- with a roadworthy vehicle that meets the test vehicle requirements.

Please tell us when we do well. If we don't meet your expectations please tell us how we can improve our services. Our test centre staff can help with some enquiries.

We will regularly check that complaints are dealt with promptly. We will also examine any trends and deal efficiently with any issues raised.



Equal opportunities

We are committed to equal opportunities for everyone and provide a number of facilities for candidates who have special needs or physical disabilities. We recognise and value our customers.

We will treat all our customers with respect and deliver our services in an objective, polite and fair way.

Please tell us if:

- you are deaf or have severe hearing difficulties
- you are in any way restricted in your movements
- you have any physical disability.

Putting things right

We always aim to keep an assessment appointments, but occasionally we have to cancel a assessment at short notice (short notice means fewer than three clear working days). If we cancel your assessment, we will try to book your next appointment within three weeks.

Refunding fees and expenses

We will either refund the assessment fee or arrange another assessment at no further cost to you in the following circumstances:

- If we cancelled your assessment
- If you cancelled and gave us at least three clear working days' notice (a working day includes Saturday)
- If you cancelled your assessment at short notice for medical reasons (we need to see a letter or certificate from your doctor)

- If you keep the assessment appointment, but the assessment does not take place or is not finished for a reason that is not your fault or the fault of the vehicle in which you were taking your assessment.

We will also refund certain expenses that you had to pay on the day of the assessment if we cancelled your assessment at short notice, unless it was because of bad weather or poor light.

We do consider reasonable claims for:

- any standard pay or earnings you lost through taking unpaid holiday leave (usually for half a day) after tax and National Insurance contributions but not including any overtime or commission payments and;
- the cost of hiring a vehicle for the assessment, including travelling to and from the test centre if you were taking a practical assessment. We will refund your mileage if you have used your own vehicle to travel to and from the test centre. We will generally pay up to one and a half hours of vehicle hire.

We do not pay the cost of any training courses that you arranged before a particular assessment appointment or extra training that you decide to take while waiting for a rescheduled assessment.

Reimbursement of expenses

If you want to claim a refund, please fill in the 'reimbursement of candidate's out-of-pocket expenses' claim form available from test centres and our website. You will also need to send us:

- receipts for travel costs you paid on the day of the assessment
- if employed, a letter from your employer on headed paper showing your lost earnings (not including income tax and National Insurance) normally for half a day only, on the date of your assessment
- receipts for any other expenses that you had to pay on the day.

Claims should be sent to the Customer Enquiry Unit, the address is on the back of this brochure. Please make sure you make any claim within six months of the date of your cancelled assessment otherwise we may not pay it.

Data Protection Act 1998

We know how important it is to make sure that we handle any information you give us properly and in line with the Data Protection Act 1998. We mainly use the information to help us:

- book and manage theory and practical tests
- manage our registers of trainers and instructors
- carry out research to improve road safety and our performance.

Under certain circumstances, the Act allows us to give information to other organisations such as the police, to help them with their enquiries. We may also give information to:

- other government departments for statistical analysis, scientific, technical, health, social or economic research, collecting tax or similar charges
- non-government organisations if they can prove that they have a legal reason to ask for it.

Finally, at times we may need to contact you to make sure that we have your agreement to:

- ask your employer or your instructor or trainer (or both) about an out-of-pocket expense claim
- answer a question or complaint from someone else for you.

We will try to make sure that this does not cause unreasonable delay in dealing with any claims or questions.

Complaints procedure

Step one

Complaints about assessments - You can e-mail, write to or phone customer enquiry unit (see back page for useful contacts) if you have any questions or complaints about:

- assessment cancellations
- out-of-pocket expenses
- lost applications
- delays in providing assessments
- assessment results
- how the assessment was carried out.

Please give the reasons for your complaint and the solution you are looking for. We will send other enquiries and complainants to the appropriate office for them to deal with.

Data Protection Act - In line with the Data Protection Act 1998 we cannot investigate or respond to any complaint someone makes to us for you without your permission in writing. If someone else writes to us for you, please make it clear that they have your permission to do this.

Step two

If you have followed the procedure in step one and are not satisfied with the response, you may write to our Chief Executive at DSA Head Office, Nottingham. We aim to answer complaints within 10 working days.

Step three

If you have followed steps one and two and are still not satisfied, you may also get advice from a Member of Parliament (MP).

You may also ask to have your complaint investigated by:

- the Independent Complaints Assessor, by contacting our DSA Chief Executive
- the Parliamentary Commissioner for Administration (the Ombudsman), through an MP.

You can get more information from DSA Head Office, Nottingham.

Right to appeal - If you don't pass your assessment, you will obviously be disappointed. Although your examiner's decision can't be changed, if you think your assessment wasn't carried out in line with the regulations you have the right to appeal.

If you live in England or Wales, you have six months after the assessment in which to appeal.

If you live in Scotland, you have 21 days after the assessment in which to appeal.



Annex 1

Driving Test Centres

Driving Test Centres listed below in bold text can offer the Wheelchair Assessment as part of the test

Aldershot (Farnborough)	Exeter	Nottingham (Colwick)
Ashford (Kent)	Farnborough (Aldershot)	Nuneaton
Aylesbury	Folkestone	Peterborough
Ayr	Gillingham	Pontefract
Barnet	Girvan	Poole LGV
Barnsley	Goodmayes	Portsmouth
Barnstaple	Gosport	Preston
Barry	Grantham	Reading
Basingstoke	Gravesend	Redditch (Worcestershire)
Bedford	Guildford L	Reigate
Birmingham (Shirley)	Halifax	Rotherham
Birmingham (South Yardley)	Hastings	Rugby
Bishop Auckland	Heckmondwike	Sevenoaks
Bishops Stortford	Hendon	Sheffield (Handsworth)
Blackburn	High Wycombe (Bucks)	Skipton
Bletchley	Hinckley	Slough
Blyth	Horsforth	Southampton (Forest Hills)
Borehamwood	Hove	Southampton (Maybush)
Bournemouth	Huddersfield	St Albans
Bradford (Eccleshill)	Hull	Stevenage
Bradford (Heaton)	Isleworth	Swansea
Bridgend	Keighley	Taunton
Bridlington	Kilmarnock	Telford
Brighton	Leeds (Harehills)	Thornaby
Bristol (Brislington)	Leicester (Gipsy Lane)	Tolworth
Bristol (Southmead)	Leicester (South Wigston)	Tunbridge Wells
Bristol (St George)	Leicester (Welford Road)	Wakerfield
Broadstairs (Thames)	Letchworth	Warrington
Burton-on-Trent	Lincoln	Warwick
Bury St Edmunds	Longbenton	Watford
Bury (Lancs)	Loughborough	Wednesbury
Cambridge (Chesteron Road)	Lower Gornal	Weston-Super-Mare
Cambridge (Cowley Road)	Luton	Weybridge
Cannock	Maldstone	Widnes
Canterbury	Melton Mowbray	Winchester
Cardiff (Fairwater)	Merthyr Tydfil	Wisbech
Carlisle	Middlesbrough	Wolverhampton
Chertsey	Nelson	Workington
Coventry (Bayton Road)	Newbury	Worthing
Crawley	Newport	Yeovil
Croydon	Newton Abbot	
Darlington	North Allerton	
Derby (Sinfyn Lane)	Northampton	
Doncaster	Norwich (Jupiter Road)	
Eastbourne	Nottingham (Chalfont Drive)	

Note: Taxi Assessment Centres were current at time of press but are subject to change, please check at time of booking.

Annex 2

Cabology Questions

Only the questions in bold print will be used on Black Cab style taxi tests.

Example questions:

Q. What is the length, width and/or height of the cab you are now with?

A. See page 26

Q. What are the correct tyre pressures for the cab you are now with?

A. See page 26

Q. Whilst driving a taxicab, how would you know if the rear automatic door locking system became inoperative?

A. The warning light on the dashboard will illuminate (green with black key icon)

Q. If the tyre pressures of the vehicle you are driving are 35psi at the front and 40psi at the rear, what would you consider the correct pressure for the spare to be?

A. 40psi, because it would be easier to deflate than inflate a tyre at the roadside

Q. As a Hackney Carriage driver, what is your main responsibility?

A. The safety and comfort of your passengers.

Q. How would you show consideration for passengers alighting from your vehicle?

A. Stop close to the kerb and avoid proximity to obstructions (street furniture, trees etc)

Q. As a licensed taxi driver, what must you carry with you at all times?

A. Cab drivers licence and badge (displayed in a conspicuous place)

Q. If you found an item of property left in your taxicab, what would you do with it?

A. Hand it into a Police Station within 24 hours.

Q. What is the minimum legal requirement of a tyre tread depth?

A. 1.6mm.

Q. If the tyre pressures of the vehicle you are driving are 35psi at the front and 40psi at the rear, what would you consider the correct pressure for the spare to be?

A. 40psi, because it would be easier to deflate than inflate a tyre at the roadside.

Q. As a Private Hire taxi driver, what is your main responsibility?

A. The safety and comfort of your passengers.

Q. How would you show consideration for passengers alighting from your vehicle?

A. Stop close to the kerb and avoid proximity to obstructions (street furniture, trees etc)

1. TAXI SPECIFICATIONS

TX1:

Length 4580m/m 180.45in

Width (mirrors out) 2036m/m 80.22in

Height 1834m/m 72.26in

Tyre pressures: front 35psi rear 40psi

LT1, FX4 Fairway:

Length 4580m/m 180.45in

Width 1750m/m 69.00in

Height 1755m/m 69.50in

Tyre pressures: front 35psi rear 36psi

Metrocab series 3 & TTT:

Length 4505m/m 177.38in

Width 1770m/m 69.69in

Height 1755m/m 69.50in

Tyre pressures: front 38psi rear 38psi

TX11:

As for TX1 except for length, which is: 4575mm 180.00in



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HACKNEY CARRIAGE FARES (Report of the Head of Legal and Democratic Services)

1. INTRODUCTION

- 1.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 enables the District Council to fix fares within the District for time, distance and other charges in connection with the hire of hackney carriages.
- 1.2 A report was presented to the Panel at their last meeting on the 9th June 2011 as a result of a request which had been received from a hackney carriage proprietor for the Council to consider an increase in the table of fares. Members decided to defer the report owing to an inaccuracy in the method of calculating the new tariffs which caused a creeping tariff to be introduced to the financial detriment of the public.
- 1.3 The Council has now sought the advice of Mr Brian Roland of the National Private Hire Association who is an expert in the field of calculating taxi tariffs for Local Authorities. His advice was that the problem with the proposed tariffs could not be satisfactorily resolved and as a result he supplied the Council with a new set of appropriate tariffs which resulted in (a) an increase in the initial flag from £2.50 to £2.70 and (b) changes in the unit price travelled from 10p to 20p, with a compensatory reduction in the distance travelled to compensate for the increase in the unit price.
- 1.4 This required the Council to undertake a further consultation with hackney carriage proprietors and was carried out between 15th July 2011 and 5th August 2011. We are now reporting on the results of the consultation and are recommending that the revised tariffs be considered for approval

2. BACKGROUND INFORMATION

- 2.1 The table of hackney carriage fares was last reviewed in November 2008 and the increase implemented on 12th January 2009. A copy of the current table of fares is attached at Appendix A. Since the last increase, the latest indices available for the Consumers Price Index (CPI) shows an increase between January 2009 and May 2011 of 9.9% which included a 2.5% increase in the level of VAT.
- 2.2 The proposed revised fares which were consulted upon can be found at Appendix B. They indicate an overall increase in tariff 1 of 6.86% and tariff 2 of 6.12%, as shown by the calculator, attached as Appendix C. They are considered to be a reasonable increase which will be affordable to the public, yet remain viable for hackney carriage proprietors. The views of hackney carriage proprietors were sought and out of a total of 63 licensed hackney carriages in the District we received responses from proprietors who account for 33 of these licensed vehicles. 4 proprietors who operate 25 vehicles agreed with an increase in the tariffs as proposed whilst 7 proprietors who operate 8 vehicles disagreed. Based on this consultation response, more agreed than disagreed to the proposed increase.
- 2.4 It is necessary to publish a variation of the table of fares in at least one local newspaper and to consider any objections received. If no objections are received, the new fares will come into operation from a specified date. Where an objection is made, and not withdrawn, the Council are required to consider the objection and to consider a further date not later than two months after the first specified date on which the table of fares shall come into operation with or without modification.

2.5 It is suggested that the Licensing and Protection Applications Sub Group be authorised to deal with any objections should they arise.

3. RECOMMENDATION

3.1 It is therefore

RECOMMENDED

(a) that the revised table of fares for hackney carriages at Appendix B be approved to take effect from 1st December 2011; and

(b) that the Licensing and Protection Applications Sub Group be authorised to consider any objections arising from (a) above and to determine the table of fares accordingly.

BACKGROUND PAPERS

File

F:\Licensing\PH & Taxis\Panel Meetings - Reports Material\LicensingPanelReports

CSENS/JIF/TABLE OF FARES contained in the office of the Head of Legal & Democratic Services.

Contact Officer – Mrs Maija Bissett, Licensing Officer on 01480 388846.

TABLE OF HACKNEY CARRIAGE FARES

**Fares for Distance
(inclusive of Value Added Tax)**

Maximum Fares	
TARIFF 1	
If the distance does not exceed 430 yards	£2.50
For each subsequent 95 yards or uncompleted part thereof	£0.10
If the distance does not exceed 1760 yards	£3.90
For each subsequent 126 yards or uncompleted part thereof	£0.10
TARIFF 2	
For hiring's begun between 11.30pm and 7.30am and any hiring's begun on any Bank Holiday and any Sunday:	
If the distance does not exceed 297 yards	£2.50
For each subsequent 77 yards or uncompleted part thereof	£0.10
If the distance does not exceed 1760 yards	£4.40
For each subsequent 93 yards or uncompleted part thereof	£0.10
WAITING TIME (for both Tariffs 1 and 2)	
For each period of 27 seconds or uncompleted part thereof	£0.10
EXTRA CHARGES	
For persons soiling the Hackney Carriage	£50.00

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PROPOSED FARE SCALE

TABLE OF HACKNEY CARRIAGE FARES

**Fares for Distance
(inclusive of Value Added Tax)**

Maximum Fares	
TARIFF 1	
If the distance does not exceed 234.6666 yards	£2.70
For each subsequent 234.6666 yards or uncompleted part thereof	£0.20
If the distance does not exceed 1760 yards	£4.10
For each subsequent 234.6666 yards or uncompleted part thereof	£0.20
TARIFF 2	
For hiring's begun between 11.30pm and 7.30am and any hiring's begun on any Bank Holiday and any Sunday:	
If the distance does not exceed 160 yards	£2.70
For each subsequent 176 yards or uncompleted part thereof	£0.20
If the distance does not exceed 1760 yards	£4.70
For each subsequent 176 yards or uncompleted part thereof	£0.20
WAITING TIME (for both Tariffs 1 and 2)	
For each period of 27 seconds or uncompleted part thereof	£0.10
EXTRA CHARGES	
For persons soiling the Hackney Carriage	£50.00

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TARIFF CHANGES		T1	Current	Proposed	T2	Current	Proposed	
Soiling Charge			£50.00	£50.00		£50.00	£50.00	
Waiting Time:			27 Seconds	27 Seconds		27 Seconds	27 Seconds	
Flag Fall			£2.50	£2.70		£2.50	£2.70	
Initial Yardage			430	234.6666 Yards		279	160 Yards	
Unit thereafter			95	234.6666 Yards		77	176 Yards	
Price unit			0.10	0.20 Pence		0.10	0.20 Pence	
Flag drop at 1760 yards			£3.90	£4.10	Flag drop at 1760 yards	£4.50	£4.70	
Unit thereafter			126	234.6666 Yards		93	176 Yards	
Price unit			0.10	0.20 Pence		0.10	0.20 Pence	
				%Change			% Change	
Flag			£2.50	£2.70		£2.50	£2.70	8.00%
Distance (Miles)	1		£3.90	£4.10		£4.40	£4.70	6.81%
	2		£5.30	£5.70		£6.30	£6.70	6.34%
	3		£6.70	£7.10		£8.20	£8.70	6.09%
	4		£8.10	£8.70		£10.10	£10.70	5.94%
	5		£9.50	£10.10		£12.00	£12.70	5.83%
	6		£10.90	£11.70		£13.90	£14.70	5.75%
	7		£12.30	£13.10		£15.80	£16.70	5.69%
	8		£13.70	£14.70		£17.70	£18.70	5.65%
	9		£15.10	£16.10		£19.60	£20.70	5.61%
	10		£16.50	£17.70		£21.50	£22.70	5.58%
Average Percentage increase up to ten miles			Tariff 1		6.86%	Tariff 2		6.12%
			Running mile		£1.50	Running mile		£2.00

TARIFF STATISTICS AS PUBLISHED IN THE PRIVATE HIRE & TAXI MONTHLY NEWS

JULY 2011 EDITION

TARIFF 1	EA AVERAGE	CURRENT	PROPOSED	NAT AVERAGE
FLAG	2.80	2.50	2.70	2.59
1 MILE	3.64	3.90	4.10	3.41
2 MILE	5.25	5.30	5.70	5.24

LEAGUE POSITIONS AS AT JULY 2011

Cambridge (33) last increase August 2010
 South Cambs (47) last increase November 2010

5 MILE	10.25	9.50	10.10	10.42
10 MILE	18.34	16.50	17.70	19.22

TARIFF 2	EA AVERAGE	CURRENT	PROPOSED	NAT AVERAGE
FLAG	3.73	2.50	2.70	3.44
1 MILE	4.70	4.50	4.70	4.66
2 MILE	6.79	6.40	6.70	6.92
5 MILE	13.05	12.10	12.70	13.73
10 MILE	23.61	21.60	22.70	25.28

Huntingdon (175) January 2009 (new position if proposed tariffs approved estimated to be between 100 to 110)

Peterborough (244) last increase July 2008

East Cambs (306) last increase July 2010

Fenland (364) last increase April 2011

(There are 377 Councils in the league listings)

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION APPLICATIONS SUB-GROUP held in the Burgess Hall, Westwood Road, St Ives, Cambs PE27 6WU on Thursday, 16 December 2010.

PRESENT: Councillor J T Bell – Chairman.

Councillors K M Baker, K J Churchill and Mrs P M Shrapnel.

24. MINUTES

The Minutes of the meeting of the Sub-Group held on 2nd November 2010 were approved as a correct record and signed by the Chairman.

25. MEMBERS' INTERESTS

No declarations were received.

26. APPLICATION

(In attendance was the applicant Mr G Kidd, Director of Cocktails Ltd and his barrister Mr R Barca. Also in attendance was the barrister acting on behalf of Sawtry Parish Council, Mr J Rankin, and those members of the public that had requested to speak against the application.)

Consideration was given to a report by the Head of Democratic and Central Services containing details of an application by Cocktails Ltd of Canklow Meadows Industrial Estate, Rotherham for a licence for a sex shop at the former Little Chef premises, Toll Bar Way, Sawtry made under the Local Government (Miscellaneous Provisions) Act 1982.

In view of the volume and nature of the objections to this application the Sub Group had decided to hear representations by the applicant and objectors before reaching a decision. This had been agreed in advance by the applicant. (A copy of the report by the Head of Democratic and Central Services in respect of the application is appended in the Minute Book).

Following an explanation of the procedure to be followed at the hearing which was approved by the Sub Group, the applicant addressed the Sub Group with regard to his application by way of answering questions posed by his barrister.

Following his submission, the applicant answered questions raised by Members of the Sub Group, the barrister for Sawtry Parish Council and a number of objectors who had received permission to speak at

the hearing.

The barrister acting on behalf of the Parish Council then called three objectors who expanded upon their objection to the application and were questioned by the barrister acting on behalf of the applicant. Six individual objectors then addressed the Sub Group and were questioned by the applicant's barrister.

At the conclusion of the presentations and questions, the barrister acting for Sawtry Parish Council and the applicant in turn summed up their submission to the Sub Group.

(N.B. The meeting was adjourned at 10.45am and reconvened at 11.00am and at 12.10pm and reconvened at 1.35pm.

27. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

that the public be excluded from the meeting because the business to be transacted contains exempt information relating to an individual and is subject to an obligation of confidentiality.

28. RE- ADMITTANCE OF THE PUBLIC

The Sub Group retired to another room to consider the evidence submitted and determine the application at 3.20pm. The Sub Group then returned to the Burgess Hall to announce their decision at 5.45pm.

29. DETERMINATION

Further to Minute No. 10/26 ante, the Sub Group concluded that, in the light of the evidence that had been presented that was relevant, the site was sufficiently far in distance from Sawtry and properties in Coppingford Road that it could not be said to be an inappropriate location for a sex shop. In so doing, the Sub Group had regard to the views of the Police which had been attached as an appendix to the report of the Head of Democratic and Central Services submitted to the meeting.

In considering the question of locality, the Sub Group noted the fact that there appeared to be a growing tendency for sex shops to be situated in former cafes that were no longer used on trunk roads. While not forming a decision as to the respective merits of such locations for such establishments as opposed to town centre or edge of town locations, the Sub Group did not consider that it would be appropriate for there to be a proliferation of such establishments in a relatively short stretch of the A1 and A1(M) trunk road. (The Sub Group's decision and the reasons for that decision as announced at

the meeting is attached in the Minute Book).

RESOLVED

- (a) A distance of 500 metres either side of the carriageway of the A1 and A1(M) trunk road in Huntingdonshire be regarded as a relevant locality for the purposes of paragraph 12 of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 and the number of sex shops that are considered appropriate within that locality is one; and
- (b) that the application by Cocktails Ltd for a licence for a sex shop at the former Little Chef premises, Toll Bar Way, Sawtry, be approved subject to the regulations for the licensing of sex establishments approved by the Council as varied below and the following special conditions:-
 - (i) The variation of standard condition 5 to read 'Except with the previous consent of the Council and on Christmas Day and Good Friday, the premises shall not be open to the public as a sex shop on Mondays to Saturdays exclusive before 9.00 a.m. and shall not be kept open after 9.00 p.m.'
 - (ii) The variation of standard condition 6 to read 'Except with the previous consent of the Council and on Christmas Day and Easter Sunday, the premises shall not be open to the public as a sex shop on Sundays before 10.00 a.m. and shall not be kept open after 7.00 p.m.'
 - (iii) The variation of standard condition 23 to read 'The playing of music is permitted within the premises while they are open to the public by way of background entertainment only.'

Special Conditions

- (i) One television screen measuring not more than 32" shall be permitted in the premises on which DVDs may be played in accordance with the standard condition 25. The television screen shall be situated where it cannot be seen in the direct line of sight of a customer entering the premises.
- (ii) The window display at the premises shall contain items of clothing only that are for sale at the premises.
- (iii) No signs that are internally illuminated, neon signs or totem signs shall be installed at the premises. All wording for signs to be installed at the premises shall be approved in advance by the licensing authority.
- (iv) Notwithstanding the content of special condition of (iii) above, the licensee is required to obtain advertisement regulations approval for the erection of any signs at the premises from the local planning authority.

- (v) CCTV shall be installed at the premises with cameras located both internally and externally which shall record images continuously for a maximum period of 30 days and such images shall be made available on request to the Police and the licensing authority.
 - (vi) The screen of trees fronting Toll Bar Way shall be retained to a minimum height of 4 metres so long as the premises are licensed for use as a sex shop and planting shall take place to ensure that a continuous length of trees south of the access to the car park screens the premises from sight from Toll Bar Way. The infill planting shall be of a minimum height of 2 metres and of similar species of tree to the existing screening.
 - (vii) A close boarded fence of 1.8 metres in height shall be erected between the car park and the adjacent motel.
 - (viii) Access gates shall be provided at the entrance to the car park which shall be closed and locked when the premises are closed to the public.
 - (ix) The use of the premises as a sex shop shall be restricted to the ground floor of the premises.
 - (x) There shall be no residential occupation of the first floor of the premises.
 - (xi) No goods shall be advertised for sale or on display in the lobby entrance to the premises.
 - (xii) The use of the word Sawtry shall not be used in any advertising of the premises by the licensee.
 - (xiii) Enhanced CRB checks shall be undertaken of all people employed at the premises which shall be submitted to the licensing authority before such persons' employment commences. The licensing authority shall have the right to refuse to permit the employment of any person at the premises on the grounds that they are not considered to be a fit and proper person.
 - (xiv) There shall be a minimum of two members of staff on duty at any time while the premises are open to the public.
 - (xv) The licensee shall operate a Challenge 25 policy whilst the premises are open to the public.
- (c) that the licence hereby granted will expire on 31st March 2012.

Chairman

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION APPLICATIONS SUB-GROUP held in Civic Suite 1A, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN on Wednesday, 22 December 2010.

PRESENT: Councillor – J T Bell Chairman.

Councillors K M Baker, J T Bell,
K J Churchill and Mrs P E Shrapnel.

30. MINUTES

Approval of the Minutes of the meeting of the Sub-Group held on 16th December 2010 be deferred until the next meeting.

31. MEMBERS' INTERESTS

Councillor K J Churchill declared a personal interest by virtue of his position as a Cambridgeshire Magistrate.

32. EXCLUSION OF THE PUBLIC

RESOLVED

that the public be excluded from the meeting because the business to be transacted contains exempt information relating to individuals and is subject to an obligation of confidentiality.

33. HACKNEY CARRIAGE AND PRIVATE HIRE - NEW APPLICATION

The Sub-Group was acquainted with Appendix B of a report by the Head of Democratic and Central Services (a copy of which is appended in the Annex to the Minute Book) containing details of an application for a hackney carriage and private hire driver's licence from an individual who was currently licensed by Peterborough City Council.

As the individual referred to was not in attendance, it was

RESOLVED

that consideration of the application be deferred pending the outcome of the driver's forthcoming appearance in the Magistrates Court which might have relevance to his application.

34. HACKNEY CARRIAGE AND PRIVATE HIRE - PREVIOUS APPLICANT WHO FAILED TO ATTEND A PREVIOUS MEETING

The Sub-Group was acquainted with Appendix C of a report by the Head of Democratic and Central Services (a copy of which is appended in the Annex to the Minute Book) containing details of a renewal application for a hackney carriage and private hire driver's licence from a driver who had failed to notify the Council of convictions incurred prior to and whilst operating as a licensed driver.

The Sub-Group had been apprised of the situation at a previous meeting and had deferred their decision at the request of the driver pending the outcome of his court appearance.

As the driver was not in attendance, it was

RESOLVED

- (a) that the application for renewal of the hackney carriage and private hire driver's licence be determined in the applicant's absence and be refused on the grounds that the driver had been disqualified from driving for 6 months and his DVLA driving licence had been revoked by the Court; and
- (b) that the applicant be informed that a future application will not be entertained until the expiry of three years from the date of restoration of his driver's licence.

35. HACKNEY CARRIAGE AND PRIVATE HIRE - EXISTING LICENCE HOLDER

The Sub-Group was acquainted with Appendix D of a report by the Head of Democratic and Central Services (a copy of which is appended in the Annex to the Minute Book) in relation to an existing licensed driver. The driver appeared before the Sub-Group and was invited to explain the nature of allegations made against him.

Having considered the issues involved and having been satisfied by the assurances given by the applicant which included character references from his employer and customers, the Sub-Group

RESOLVED

that no further action be taken against the driver given that the incident pertaining to the allegation occurred whilst not operating as a licensed hackney carriage and private hire driver.

36. HACKNEY CARRIAGE AND PRIVATE HIRE - EXISTING LICENCE HOLDER

Arising from Appendix E of a report by the Head of Democratic and Central Services (a copy of which is appended in the Annex to the

Minute Book), the Sub-Group was requested to consider the case of an existing hackney carriage and private hire driver whose licence had been suspended following the receipt of information concerning a serious allegation which had been made against him.

As the individual referred to was not in attendance to explain the allegation, it was

RESOLVED

- (a) that the decision on whether the licence should be reinstated be made in the driver's absence; and
- (b) that the licence be revoked on the grounds that the individual is not a fit and proper person to hold such a licence owing to the nature of the allegation made against him whilst operating as a hackney carriage and private hire driver.

Chairman

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HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION APPLICATIONS SUB-GROUP held in the Civic Suite, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN on Thursday, 10 February 2011.

PRESENT: Councillor J T Bell – Chairman.

Councillors R S Farrer, Mrs P A Jordan and Mrs P E Shrapnel

37. MINUTES

The Minutes of the meetings of the Sub-Group held on 16th and 22nd December 2010 were approved as correct records and signed by the Chairman.

38. MEMBERS' INTERESTS

No declarations were received.

39. EXCLUSION OF THE PUBLIC

RESOLVED

that the public be excluded from the meeting because the business to be transacted contains exempt information relating to individuals and is subject to an obligation of confidentiality.

40. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING

(a) New Application

The Sub-Group was acquainted with Appendix C of a report by the Head of Democratic and Central Services (a copy of which is appended in the Annex to the Minute Book), containing details of an application for a hackney carriage and private hire driver's licence for a person who did not meet the Council's published criteria to hold such a licence. The applicant appeared before the Sub-Group to explain the circumstances as to why he considered he should be granted a licence.

Having considered the issues involved and the

representations made by the applicant who had also provided a Certificate of Good Conduct, the Sub-Group

RESOLVED

that the application for a hackney carriage and private hire driver's licence be granted and verification of the document be sought from the Pakistani authorities.

(b) New Application

(The applicant was accompanied by her support worker and a character witness)

The Sub-Group was acquainted with Appendix D of a report by the Head of Democratic and Central Services (a copy of which is appended in the Annex to the Minute Book) containing details of an application for a hackney carriage and private hire driver's licence from a person who did not meet the Council's established criteria to hold such a licence. The applicant who appeared before the Sub-Group accompanied by her support worker and a character witness, read a statement to explain the circumstances as to why she should be granted a licence. Having been made aware of the circumstances involved, the Sub-Group

RESOLVED

the application for a hackney carriage and private hire driver's licence be granted.

41. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - EXISTING LICENCE HOLDER

Consideration was given to Appendix E of a report by the Head of Democratic and Central Services (a copy of which is appended in the Annex to the Minute Book) containing details relating to an existing licensed private hire operator. The operator appeared before the Sub-Group and was invited to explain his reason for operating an unlicensed private hire vehicle.

Having considered the issues involved and having been satisfied by the assurances given by the operator that improved procedures had been instigated, the Sub-Group

RESOLVED

that no further action be taken in this respect, but the operator be warned that repetition of such an offence may result in the removal of his operators' licence.

42. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - EXISTING LICENCE HOLDER

(The driver was accompanied by his employer)

The Sub-Group was acquainted with Appendix F of a report by the Head of Democratic and Central Services (a copy of which is appended in the Annex to the Minute Book) in relation to an existing hackney carriage and private hire driver's licence. The driver appeared before the Sub-Group and he was invited to explain his reason for breaching licence condition 18(1) by failing to ensure that his vehicle was licensed in accordance with the Council's regulations. Following questions raised by the Sub-Group, the applicant left the meeting.

Having considered the issues involved and having been satisfied that improved procedures had been put in place by the individual's employer, the Sub Group

RESOLVED

that no further action be taken with regard to the hackney carriage and private hire driver's licence held by the individual, however the driver be advised to ensure that in future the vehicle is licensed in accordance with the Council's regulations before commencement of duty.

43. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - NEW APPLICATION

The Sub-Group was acquainted with Appendix B of a report by the Head of Democratic and Central Services (a copy of which is appended in the Annex to the Minute Book) containing details of an application for a hackney carriage and private hire driver's licence from a person who did not meet the Council's published criteria to hold such a licence.

As the individual referred to was not in attendance, it was

RESOLVED

that consideration of the application be deferred.

Chairman

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HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION APPLICATIONS SUB-GROUP held in Meeting Room 01b, Ground Floor, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Tuesday, 29 March 2011.

PRESENT: Councillors K M Baker, Mrs P A Jordan and JS Watt.

APOLOGY: An apology for absence from the meeting was submitted on behalf of Councillor J T Bell.

44. ELECTION OF CHAIRMAN

RESOLVED

that Councillor K M Baker be elected Chairman of the Sub-Group for the duration of the meeting.

Councillor K M Baker in the Chair

45. MINUTES

The Minutes of the meeting of the Sub-Group held on 10th February 2011 were approved as a correct record and signed by the Chairman.

46. MEMBERS' INTERESTS

No declarations were received.

47. EXCLUSION OF THE PUBLIC

RESOLVED

that the public be excluded from the meeting because the business to be transacted contains exempt information relating to an individual and is subject to an obligation of confidentiality.

48. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING

(a) New Application

The Sub-Group was acquainted with Appendix B of a report by the Head of Democratic and Central Services (a copy of which is appended in the Annex to the Minute Book) containing details of an application for a hackney carriage and private hire driver's licence from a person who did not meet the Council's established criteria to hold such a licence. The driver appeared before the Sub-Group and gave an explanation of the circumstances relating to his current driving convictions. Following questions raised by the Panel, the applicant left the meeting. Having considered the issues involved, the Panel

RESOLVED

- (a) that the application for a hackney carriage and private hire driver's licence be refused on the grounds that the applicant is not a fit and proper person to hold a licence owing to the fact that he appeared to have little regard for the conditions pertaining to his provisional driving licence. The Sub-Group were not satisfied that the applicant would understand the conditions attached to such a licence; and
- (b) that the applicant be informed that the Sub-Group would be prepared to consider a future application once the driver held a clean driving licence and could clearly demonstrate that he had a clear understanding of the conditions attached to a hackney carriage and private hire driver's licence.

(b) New Application

The Sub-Group was acquainted with Appendix C of a report by the Head of Democratic and Central Services (a copy of which is appended in the Annex to the Minute Book) containing details of an application for hackney carriage and private hire driver's licence from a person who did not meet the Council's published criteria to hold such a licence owing to the information contained within his Criminal Records Bureau report. The applicant appeared before the Sub-Group to explain the circumstances as to why he felt he should be granted a licence. Having considered the issues involved and the representations made by the applicant, the Sub-Group

RESOLVED

that consideration of the application be deferred and delegated authority be given to the Head of Democratic and Central Services or in his absence the Central Services Manager after consultation with the Chairman of the Sub-Group to consider the issue of a licence pending the production and verification of documentary evidence in support of his previous employment.

(c) New Application

The Sub-Group was acquainted with Appendix D of a report by the Head of Democratic and Central Services (a copy of which is appended in the Annex to the Minute Book) containing details of an application for a hackney carriage and private hire driver's licence from a person who did not meet the Council's published criteria to hold such a licence.

As the individual referred to was not in attendance, it was

RESOLVED

that consideration of the application be deferred.

Chairman

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HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION APPLICATIONS SUB-GROUP held in Ground Floor Meeting Room 1a, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN on Tuesday, 7 June 2011.

PRESENT: Councillor K J Churchill, I J Curtis, J W Davies and G J Harlock

1. ELECTION OF CHAIRMAN

RESOLVED

that Councillor K J Churchill be elected Chairman of the Sub-Group.

Councillor K J Churchill in the Chair

2. MINUTES

The Minutes of the meeting of the Sub-Group held on 29th March 2011 were received.

3. MEMBERS' INTERESTS

Councillor K J Churchill declared a personal interest by virtue of his position as a Cambridgeshire Magistrate. Councillor J W Davies declared a personal interest by virtue of his position as Ward Member for the area in which one of the applicants resides.

4. APPOINTMENT OF VICE-CHAIRMAN

RESOLVED

that Councillor J W Davies be appointed Vice-Chairman of the Sub-Group.

5. EXCLUSION OF THE PUBLIC

RESOLVED

that the public be excluded from the meeting because the business to be transacted contains exempt information relating to an individual and is subject to an obligation of confidentiality.

6. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING

(a) New Application

(The applicant was accompanied by his Solicitor)

The Sub-Group was acquainted with Appendix B of a report by the Head of Legal and Democratic Services (a copy of which is appended in the Annex to the Minute Book) containing details of an application for a hackney carriage and private hire driver's licence from a person who did not meet the Council's established criteria to hold such a licence. The applicant appeared before the Sub-Group accompanied by his solicitor and gave an explanation of the circumstances relating to his current conviction and the previous refusal of a licence by the Sub-Group. Following questions raised by the Sub-Group, the applicant left the meeting. Having considered the issues involved and the nature of the applicant's current employment status which required him to be trustworthy and responsible, the Sub-Group

RESOLVED

- (a) that the application for a hackney carriage and private hire driver's licence be approved.

(b) New Application

(The applicant was accompanied by a friend)

The Sub-Group was acquainted with Appendix C of a report by the Head of Legal and Democratic Services (a copy of which is appended in the Annex to the Minute Book) containing details of an application for hackney carriage and private hire driver's licence from a person who did not meet the Council's established criteria to hold such a licence owing to the information contained within his Criminal Records Bureau report. The applicant appeared before the Sub-Group to explain the circumstances as to why he felt he should be granted a licence. Having considered the issues involved and the representations made by the applicant the applicant left the meeting and the Sub-Group

RESOLVED

that the application for a hackney carriage and private hire driver's licence be refused on the grounds that the applicant is not a fit and proper person to hold a licence owing to the fact that his recent conviction is not yet spent under the Rehabilitation of Offenders Act 1974.

Having been made aware of the Sub-Group's decision, the applicant was advised of his right of appeal to the Magistrate's Court and the opportunity to re-apply for a licence at a future date.

(c) New Application

(The applicant was accompanied by his employer)

The Sub-Group was acquainted with Appendix E of a report by the Head of Legal and Democratic Services (a copy of which is appended in the Annex to the Minute Book) containing details of an application for a hackney carriage and private hire driver's licence from a person who did not meet the Council's established criteria to hold such a licence. The applicant appeared before the Sub-Group and gave an explanation of the circumstances relating to his current convictions. Following questions raised by the Sub-Group, the applicant left the meeting. Having considered the issues involved, the Sub-Group

RESOLVED

that the application for a hackney carriage and private hire driver's licence be refused on the grounds that the applicant is not a fit and proper person to hold a licence owing to the fact that he had failed to declare the convictions contained in his Criminal Records Bureau report in his application and had also been in breach of the conditions that had been applied to a conviction.

7. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - EXISTING LICENCE HOLDER

The Sub-Group was acquainted with Appendix D of a report by the Head of Legal and Democratic Services (a copy of which is appended in the Annex to the Minute Book) in relation to an existing hackney carriage and private hire driver's licence. The driver appeared before the Sub-Group and he was invited to explain his reason for failing to notify the Council of a conviction in accordance with the conditions of his hackney carriage and private hire driver's licence. Following questions raised by the Sub-Group, the driver left the meeting.

Having considered the issues involved, the Sub Group

RESOLVED

that no further action be taken with regard to the hackney carriage and private hire driver's licence held by the individual, however the driver was cautioned and reminded of his requirement to notify the Council of any relevant convictions in the future.

Chairman

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HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION APPLICATIONS SUB-GROUP held in Chief Executive's Meeting Room, 2nd Floor, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN on Thursday, 25 August 2011.

PRESENT: Councillor K J Churchill – Chairman.
Councillors I J Curtis, J W Davies and R S Farrer.

8. MINUTES

The Minutes of the meeting of the Sub-Group held on 7th June 2011 were approved as a correct record and signed by the Chairman.

9. MEMBERS' INTERESTS

Councillor K J Churchill declared a personal interest by virtue of his position as a Peterborough Magistrate.

10. APPLICATIONS SUB-GROUP PROCEDURE

The Sub-Group noted the procedure for the meeting.

11. RELEVANT CONVICTIONS

The Declaration of Relevant Convictions document was noted by the Sub-Group.

12. EXCLUSION OF THE PUBLIC

RESOLVED

that the public be excluded from the meeting because the business to be transacted contains exempt information relating to an individual and is subject to an obligation of confidentiality.

13. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - EXISTING LICENCE HOLDERS

(a) Review of Existing Licence Holder

The Sub-Group was acquainted with a report by the Head of Legal and Democratic Services (a copy of which is appended in the Annex to the Minute Book) in relation to an existing hackney carriage and private hire driver's licence belonging to Mr RA who did not meet the Council's established criteria to hold such a licence. The driver appeared before the Sub-Group and having had the procedure of the meeting explained to him, was invited to explain his reasons for failing to notify

the Council of a conviction, in accordance with the conditions of his hackney carriage and private hire driver's licence. Following questions raised by the Sub-Group, Mr RA left the meeting. Having considered the issues involved, the Sub-Group

RESOLVED

that the hackney carriage and private hire driver's licence be suspended for a period of eight months and a written warning regarding future conduct be issued, on the grounds that the driver is not a fit and proper person to hold such a licence owing to the seriousness of the conviction which he had failed to declare.

Having been made aware of the Sub-Group's decision, the applicant was advised of his right of appeal to the Magistrate's Court.

(b) Review of Existing Licence Holder

The Sub-Group was acquainted with a report by the Head of Legal and Democratic Services (a copy of which is appended in the Annex to the Minute Book) in relation to the existing hackney carriage and private hire driver's licence belonging to Mr MFT who did not meet the Council's established criteria to hold such a licence. The driver appeared before the Sub-Group and having had the procedure of the meeting explained to him was invited to explain his reason for failing to notify the Council of a conviction in accordance with the conditions of his hackney carriage and private hire driver's licence.

Following questions raised by the Sub-Group, the driver left the meeting. Having considered the issues involved, the Sub-Group

RESOLVED

that due to mitigating circumstances, no further action be taken with regard to the hackney carriage and private hire driver's licence held by the individual, however the driver was advised that he would receive a written warning regarding his future conduct and a reminder of his requirement to understand the conditions of his licence.

(c) Review of Existing Licence Holder

Arising from a report by the Head of Legal and Democratic Services (a copy of which is appended in the Annex to the Minute Book), the Sub-Group was requested to consider the case of Mr HE, an existing hackney carriage and private hire

driver whose licence had been temporarily suspended following a conviction for unlawfully plying for hire and having no insurance. Mr HE had failed to notify the Council of both convictions.

Having been advised of the procedure of the meeting the driver was invited to explain his behaviour. Following questions raised by the Sub-Group the driver left the meeting.

Having considered the issues involved, the Sub-Group

RESOLVED

that the licence be revoked on the grounds that the individual is not a fit and proper person to hold such a licence owing to the seriousness of his conviction and breach of licence conditions of failing to notify the Council of his offences.

14. HACKNEY CARRIAGE AND PRIVATE HIRE - NEW APPLICATIONS

(a) New Application

The Sub-Group was acquainted with a report by the Head of Legal and Democratic Services (a copy of which is appended in the Annex to the Minute Book) containing details of an application for hackney carriage and private hire driver's licence from a person who did not meet the Council's established criteria to hold such a licence owing to the information contained within his Criminal Records Bureau disclosure. The applicant, Mr ML, appeared before the Sub-Group and having had the procedure of the meeting explained to him was invited to explain the circumstances as to why he felt he should be granted a licence. Having considered the issues involved and the representations made by the applicant the applicant left the meeting. Whereupon the Sub-Group

RESOLVED

that the application for a hackney carriage and private hire driver's licence be refused on the grounds that the applicant is not a fit and proper person to hold a licence owing to the seriousness of his previous convictions together with his current state of health.

Having been made aware of the Sub-Group's decision, the applicant was advised of his right of appeal to the Magistrate's Court.

(b) New Application

(The applicant was accompanied by his Solicitor)

The Sub-Group was acquainted with a report by the Head of Legal and Democratic Services (a copy of which is appended in the Annex to the Minute Book) containing details of an application for a hackney carriage and private hire driver's licence from a person who did not meet the Council's established criteria to hold such a licence. The applicant, Mr AQ, appeared before the Sub-Group accompanied by his solicitor who gave an explanation of the circumstances relating to his current conviction and referred to the previous refusal of a licence by the Sub-Group. Following questions raised by the Sub-Group, the applicant and his solicitor left the meeting. Having considered the issues involved, the Sub-Group

RESOLVED

that the application for a hackney carriage and private hire driver's licence be approved.

(c) New Application

The Sub-Group was acquainted with a report by the Head of Legal and Democratic Services (a copy of which is appended in the Annex to the Minute Book) containing details of an application for a hackney carriage and private hire driver's licence from a person who did not meet the Council's established criteria to hold such a licence owing to his conviction for plying for hire in an uninsured vehicle. As the applicant, Mr ST, was not in attendance and had also failed to attend a previous meeting of the Sub Group, it was

RESOLVED

that the application be determined in his absence and refused on the grounds that the applicant is not a fit and proper person to hold such a licence owing to the nature of his previous convictions of having no insurance and illegally plying for hire.

(d) New Application

The Sub-Group was acquainted with a report by the Head of Legal and Democratic Services (a copy of which is appended in the Annex to the Minute Book) containing details of an application for hackney carriage and private hire driver's licence from a person who did not meet the

Council's established criteria to hold such a licence owing to the information contained within his Criminal Records Bureau disclosure. As the applicant, Mr MAO, was not in attendance, it was

RESOLVED

that consideration of the application be deferred.

Chairman

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