

# Notice of Meeting

---



Scan here to access the public documents for this meeting

## Licensing Committee

**Tuesday, 18th July, 2017 at 6.30 pm**  
in Council Chamber Council Offices  
Market Street Newbury

**Note:** The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcasted, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded.

Date of despatch of Agenda: Monday, 10 July 2017

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Moira Fraser on (01635) 503019  
e-mail: [jo.naylor@westberks.gov.uk](mailto:jo.naylor@westberks.gov.uk)

Further information and Minutes are also available on the Council's website at  
[www.westberks.gov.uk](http://www.westberks.gov.uk)



**WestBerkshire**  
C O U N C I L

**To:** Councillors Peter Argyle, Howard Bairstow, Jeff Beck (Vice-Chairman), Graham Bridgman (Chairman), Paul Bryant, Richard Crumly, Billy Drummond, Sheila Ellison, Nick Goodes, Manohar Gopal, Tony Linden and Quentin Webb

---

# Agenda

## Part I

**Page No.**

1. **Apologies**  
To receive apologies for inability to attend the meeting (if any).
2. **Minutes** 5 - 12  
To approve as a correct record the Minutes of the meetings of this Committee held on 10 November 2015, the 19 May 2016 and 09 May 2017.
3. **Declarations of Interest**  
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
4. **Hackney Carriage Tariff Review** 13 - 48  
Purpose: To inform Members of a request from the taxi trade for an increase in the taxi tariff.
5. **Gambling Act Fees** 49 - 68  
Purpose: To advise the Committee that further provision should be made for the collection of seven chargeable fees under the Gambling Act 2005.
6. **House of Lords Select Committee Review of Licensing Act 2017 Report title** 69 - 78  
Purpose: To consider the findings of the Select Committee.
7. **Update on Training** Verbal Report  
Purpose: To provide an update on Members training.
8. **Minutes of the Joint Public Protection Committee** 79 - 84  
Purpose: To note the minutes of the Joint Public Protection Committee held on the 14 March 2017.

**Agenda - Licensing Committee to be held on Tuesday, 18 July 2017 *(continued)***

Andy Day  
Head of Strategic Support

If you require this information in a different format or translation, please contact  
Moira Fraser on telephone (01635) 519045.



West Berkshire  
C O U N C I L

This page is intentionally left blank

## DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

### LICENSING COMMITTEE

#### MINUTES OF THE MEETING HELD ON TUESDAY, 10 NOVEMBER 2015

**Councillors Present:** Jeff Beck (Chairman), Paul Bryant, Jeanette Clifford, Billy Drummond, Adrian Edwards (Vice-Chairman), Manohar Gopal, Tony Linden and Quentin Webb

**Also Present:** Catalin Bogos (Performance Research Consultation Manager), Sarah Clarke (Legal Services Manager), Brian Leahy (Team Manager - Licensing) and Emilia Matheou (Technical Officer),

**Apologies for inability to attend the meeting:** Councillor Peter Argyle

**Councillor(s) Absent:** Councillor Howard Bairstow, Councillor Sheila Ellison and Councillor Nick Goodes

#### PART I

##### 14. Minutes

The Minutes of the meeting held on 22 September 2015 were approved as a true and correct record and signed by the Chairman, subject to the inclusion of the following note:

To ensure consistency in the spelling of the word 'council' (to use a capital C or otherwise).

##### 15. Declarations of Interest

There were no declarations of interest received.

##### 16. Gambling Policy (C3050)

The Chairman highlighted that on page nine of the agenda pack 'West Berkshire Council' wording appeared as the logo of the organisation on the first page whilst the legal name in full was 'West Berkshire District Council' and was referred to in the body of the policy as 'the Council'.

He invited comments from the officers regarding the consultation process that took place, the responses received and in particular regarding the letter from Field Seymour Parkes Solicitors to further understand the context.

Mr Leahy informed Members that a consultation process was conducted to consider the proposed new policy. The main changes included the reference to the Local Area Profiles and the Risk Assessments. The draft policy was produced by Emilia Matheou based on the previous policy but incorporating the guidance issued by the Gambling Commission's Licensing Conditions and Codes of Practice

(LCCP) and the Local Government Association.

Mr Leahy confirmed that the responses to the consultation had resulted in five submissions, three accepting the new policy, a fourth received from Councillor Bridgman, that highlighted typographical errors and the use of defined terminology and a fifth response that expressed concerns about the effect and purpose of a Local Area Profile.

## LICENSING COMMITTEE - 10 NOVEMBER 2015 - MINUTES

Mr Leahy clarified that the introduction of the paragraph about the adoption of a Local Area Profile was to ensure the available guidance was being followed and to allow the option for the production of such a profile if at some point it was required.

Councillor Quentin Webb remembered that a similar matter was considered two years before and that the decision was that such a similar profile was not needed.

Mr Leahy confirmed that the Committee has considered a similar matter where Members were updated on the Late Night Levy and the Early Morning Restriction Orders under the Licensing Act 2003 as amended by the Police Reform and Social Responsibility Act. The Members decided that there was no need for either in West Berkshire. Mr Leahy clarified that the Local Area profiles were a recent introduction to the Gambling Act and the draft policy once adopted would allow the Committee to have regard to the latest guidance and ensure transparency to the public in terms of decisions adopted.

The Chairman suggested that the contact details in Appendix B for HM Revenue & Customs should be revised and agreed with the Members of the Committee that the reference to Newbury Racecourse being situated in the centre of Newbury (rather than East of the town or the centre of the district) could be maintained from the broader point of view of the message presented in Section 2 paragraph 2 of the draft Policy.

Councillor Jeanette Clifford enquired about the actual number of responses received.

Mr. Leahy expressed the view that given that the proposed changes were not significant and were based on the guidance, the level of response was similar to the national response rates.

Councillor Edwards requested clarification with regards to the requirements to complete risks assessments and if these were to be just statements of risks.

Ms. Matheou indicated that the draft policy included the requirement for licensees to assess local risks and that was required before they made an application for a new premises licence or varied the application. The risk assessment was to be submitted as part of the application. It was also required that in addition to the risk assessment the licensees needed to state any mitigating actions.

Councillor Edwards asked if the requirement to complete the risk assessments was intended to include the risk for the employees of the licensees for a number of potential risks including due to handling high levels of cash.

Mr Leahy informed that the risks to employees were covered by separate requirements under the 1974 Health and Safety Act especially where the company had more than five employees.

Councillor Drummond expressed his surprise that Newbury Racecourse had not applied for operating a casino and Mr Leahy reminded Members that in 2005-2006 a decision was approved that there should be no casinos at the Racecourse.

Mr Leahy informed Members that the report introducing the draft policy was also considered earlier that morning by the Operations Board. It asked for a minor amendment to the summary of the report to include a sentence to explain the Local Area Profile requirement. He asked Members to agree with the inclusion of the amendment to the report too.

Councillor Webb proposed that the draft policy was adopted by the committee, the introductory report to include a sentence about the Local Area Profile and that members recommend the policy's adoption by the Council. Councillor Bryant seconded the proposal.

**LICENSING COMMITTEE - 10 NOVEMBER 2015 - MINUTES**

**RESOLVED** that Members considered and approved the content of the draft Statement of Policy on Gambling and agreed to recommend its adoption by the Council.

*(The meeting commenced at 6.30 pm and closed at 6.50 pm)*

**CHAIRMAN** .....

**Date of Signature** .....

This page is intentionally left blank



# DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## LICENSING COMMITTEE

### MINUTES OF THE MEETING HELD ON THURSDAY, 19 MAY 2016

**Councillors Present:** Peter Argyle, Howard Bairstow, Jeff Beck (Chairman), Graham Bridgman, Paul Bryant, Richard Crumly, Billy Drummond, Sheila Ellison, Nick Goodes, Manohar Gopal, Tony Linden and Quentin Webb

#### PART I

##### 1. Election of Chairman

**RESOLVED** that Councillor Graham Bridgman be elected Chairman of the Licensing Committee for the 2016/17 Municipal Year.

##### 2. Apologies for Absence

There were no apologies received for inability to attend the meeting.

##### 3. Appointment of Vice-Chairman

**RESOLVED** that Councillor Jeff Beck be appointed as Vice-Chairman of the Licensing Committee for the 2016/17 Municipal Year.

*(The meeting commenced at 8.07 pm and closed at 8.08 pm)*

**CHAIRMAN** .....

**Date of Signature** .....

This page is intentionally left blank

# DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## LICENSING COMMITTEE

### MINUTES OF THE MEETING HELD ON TUESDAY, 9 MAY 2017

**Councillors Present:** Peter Argyle, Howard Bairstow, Jeff Beck, Graham Bridgman, Paul Bryant, Richard Crumly, Billy Drummond, Sheila Ellison, Nick Goodes, Tony Linden and Quentin Webb

**Apologies for inability to attend the meeting:** Councillor Manohar Gopal

#### PART I

##### 1. Election of Chairman

**RESOLVED that** Councillor Graham Bridgman be elected Chairman of the Licensing Committee for the 2017/18 Municipal Year.

##### 2. Appointment of Vice-Chairman

**RESOLVED that** Councillor Jeff Beck be appointed as Vice-Chairman of the Licensing Committee for the 2017/18 Municipal Year.

*(The meeting commenced at 8.02 pm and closed at 8.03 pm)*

**CHAIRMAN** .....

**Date of Signature** .....

This page is intentionally left blank

---

## Hackney Carriage Tariff Review - Summary Report

---

<b>Committee considering report:</b>	Licensing Committee
<b>Date of Committee:</b>	18 July 2017
<b>Portfolio Member:</b>	Councillor Marcus Franks
<b>Date Portfolio Member agreed report:</b>	06 July 2017
<b>Report Author:</b>	Julia O'Brien
<b>Forward Plan Ref:</b>	N/a

---

### 1. Purpose of the Report

- 1.1 To inform Members of a request from the taxi trade for an increase in the taxi tariff.

### 2. Recommendation(s)

- 2.1 Officers have not given a recommendation on whether proposals from the trade on tariffs should be accepted or rejected. The key consideration is the balance between supporting small business and ensuring the general public has access to a good value hackney carriage service across all areas of the District.

### 3. Implications

- 3.1 **Financial:** None
- 3.2 **Policy:** Although not a mandatory requirement, the Council has set a maximum tariff for a number of years.
- 3.3 **Personnel:** None.
- 3.4 **Legal:** The Council has a duty to advertise any variation in fares and publish a date by which any objections must be received.
- 3.5 **Risk Management:** None
- 3.6 **Property:** None
- 3.7 **Other:** None

### 4. Other options considered

- 4.1 To not set a tariff at all.

## Executive Summary

### 5. Introduction / Background

- The Council are authorised to set a tariff for hackney carriages by virtue of the Local Government (Miscellaneous Provisions) Act 1976 section 65.
- A letter was received from Mr. R Nemeth, on behalf of West Berkshire Hackney Carriage & Private Hire Operators (which was duly accompanied by a petition signed by 58 licenced vehicle drivers received on 24 May 2017).
- The proposals are outlined in the Proposed Table of Fares document which accompanied the letter. The reasons for the request for an increase in fees are outlined in the letter and include the average cost of providing a vehicle, vehicle spares, garaging and servicing, fuel costs, insurance and miscellaneous costs and earnings. These documents are shown as Appendix A (1) and A (2).

### 6. Proposal

- Members are asked to consider if they wish to permit the proposed taxi tariff changes as suggested, to alter the tariff in a different way, or not to allow a change of tariff in any way.

### 7. Conclusion

- West Berkshire Council has set a maximum fare for a number of years. Realistic rates must be set by the Council that balances the economic needs of licensees, whilst ensuring that persons using hackney carriages are not overcharged.
- There is also the need to ensure that hackney carriage proprietors are not priced out of the market to private hire firms, although the set tariff is the maximum that can be charged. It is open to negotiation between the passenger and driver if a lower fare is to be charged.
- If there are changes to be made to the fares these would be subject to a public advertisement inviting objections to the proposals. If an objection is received the matter must be brought back before the Committee.
- If Members decide not to vary the fares the existing table will remain in force as set in 2013.

### 8. Appendices

- 8.1 Appendix A – Supporting Information
- 8.2 Appendix A1 – Letter from Mr Nemeth and Petition (redacted)
- 8.3 Appendix A2 – Table of Fares Proposed from 01 June 2017
- 8.4 Appendix A3 – Table of fares Effective from 18 April 2013
- 8.5 Appendix A4 – Comparison of Tariffs
- 8.6 Appendix A5 – Hackney Taxi Fare Tables
- 8.7 Appendix B – Equalities Impact Assessment

---

# Hackney Carriage Tariff Review – Supporting Information

---

## 1. Introduction/Background

- 1.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 allows the Council to fix the rates for fares and other related charges in connection with the hire of Hackney Carriages.
- 1.2 The last tariff change was in April 2013.
- 1.3 Fees have always been set as the maximum to be charged.
- 1.4 The views of drivers regarding a tariff review were sought in the annual newsletter to the trade issued in April 2017. The newsletter asked if the drivers wished for the Licensing Committee to consider a review of the tariff – extract below.

### “Taxi Tariff Review

The Licensing committee undertakes to review taxi tariffs when representations are received from drivers on the subject. If this is something you would like the committee to consider please put your request in writing together with a business plan. The business plan should be submitted to include evidence to support your request such as fuel costs/insurance/servicing/cost of living etc. please note we do not need to see your accounts. Please submit these before 30th April 2017”.

- 1.5 A letter was received from Mr. R Nemeth, on behalf of West Berkshire Hackney Carriage & Private Hire Operators (which was duly accompanied by a petition-signed by 58 licenced vehicle drivers received on 24 May 2017).
- 1.6 The proposals to change the tariff are outlined in the Proposed Table of Fares document which accompanied the letter.
- 1.7 The reasons for the request for an increase in fares are outlined in the letter and include the average cost of providing a vehicle, vehicle spares, garaging and servicing, fuel costs, insurance and miscellaneous costs and earnings. These documents are shown as Appendix A (1) and A (2).

## 2. Supporting Information

- 2.1 The current tariff table is attached as Appendix A (3) shows members where the increases that the new proposal seeks arise.
- 2.2 In order to provide some context of the requested changes a benchmarking exercise has been carried out and is attached for members’ information as Appendix A (4).
- 2.3 The trade publication, Private Hire and Taxi Monthly, publishes a league table of fares charged for a daytime two-mile journey in most areas of the Country. The

current charge applicable to West Berkshire and neighbouring authorities are shown in Appendix A (5). West Berkshire is currently placed 25<sup>th</sup> in the list with the fee for the two mile journey being the same as Reading at £6.80, who also had their last rise in 2013.

- 2.4 The proposed tariff increase would place West Berkshire in 5<sup>th</sup> place alongside Epsom & Ewell and London.
- 2.5 A check on CPI (Consumer Prices Index) for the year to January 2017 rose by 1.8%, compared with a 1.6% rise in the year to December 2016.
- 2.6 The rate in January 2017 was the highest since June 2014. One of the main contributors to the increase in the rate were rising prices for motor fuels, with prices rising by 3.4% between December 2016 and January 2017, having fallen by 2.6% a year earlier. This continues the trend of increasing fuel prices seen since early 2016, reflecting movements in oil prices.

### **3. Options for Consideration**

- 3.1 Members are asked to consider if they wish to allow the proposed taxi tariff changes as suggested, to alter the tariff in a different way, or not to allow a change of tariff in any way.

### **4. Proposals**

- 4.1 Officers have not given a recommendation on whether proposals from the trade on tariffs should be accepted or rejected. The key consideration is the balance between supporting small business and ensuring the general public has access to a good value hackney carriage service across all areas of the District.

### **5. Conclusion**

- 5.1 The key information for members is based around the comparison of cost increase to be trading as a Hackney Carriage driver or operator in 2017 versus the level of rise being requested from the trade. Paragraph 2 of the main report identifies these figures and members should satisfy themselves that the right balance has been struck.

### **6. Consultation and Engagement**

- 6.1 The following procedures are laid down by legislation and must be followed when making changes to a table of tariff and fares:
  - (1) A note of the proposed changes must be published in at least one local newspaper circulating in the district. The notice must specify a period of at least 14 days from the date of publication when objections can be made to the Council. (This costs in the region of £950).
  - (2) A copy of the published notice must be made available at the Council Offices for public inspection, free of charge at all reasonable times.
  - (3) If there are no objections, or those made are withdrawn, the variation in table of fares comes into effect of the expiration of the time allowed for public consultation in the notice.



- (4) If there are any objections, and they are not withdrawn, the Council must set a date within two months of the expiry date for public consultation, and then consider the objections made before agreeing a table of tariffs and fares.

---

**Background Papers:**

Existing taxi tariffs

Private Hire and Taxi Monthly – table of comparative tariffs

Letter from West Berkshire Hackney Carriage & Private Hire Operators, proposed tariff and petition

Local Authority Benchmarking Data

UK CPI data 2017

---

**Subject to Call-In:**

Yes: ☒ No: ☐

---

**Wards affected:**

All

---

**Strategic Aims and Priorities Supported:**

The proposals will help achieve the following Council Strategy aim:

☒ **HQL – Maintain a high quality of life within our communities**

The proposals contained in this report will help to achieve the following Council Strategy priority:

☒ **HQL1 – Support communities to do more to help themselves**

The proposals contained in this report will help to achieve the above Council Strategy aims and priorities by Statutory Duty

---

**Officer details:**

Name: Julia O'Brien

Job Title: Team Manager – Licensing

Tel No: 01635 519849\*

E-mail Address: julia.obrien@westberks.gov.uk

---

This page is intentionally left blank

# West Berkshire Hackney Carriage & Private Hire Operators

12 Audley Close, Newbury, Berkshire, RG14 2NW

Senior Licensing Officer  
West Berkshire Council  
Council Offices  
Faraday Road  
Newbury  
Berkshire  
RG14 2AF

27<sup>th</sup> April 2017

Dear Sir,

The undersigned being owner operators of Hackney Carriages or Private Hire Vehicles request the Licensing committee consider the following application for an increase in the maximum tariff charged for implementation from the 1<sup>st</sup> June 2017. Members may wish to note that the current tariff has been in place since 2013

Please see attached revised tariff card.

The proposal equates to a 40 pence increase on the average 2 mile taxi fare.

In calculating our increase we have used the formula agreed and set out by the TGWU and the Public Carriage Office. Calculations are based on the following criteria,

1. The average cost of providing a vehicle. (In this case a Ford Mondeo and London Taxi).  
Calculations are based on 4 different methods.

- a) Purchase new and run for 6 years.
- b) Purchase new and run for 3 years.
- c) Purchase at 3 years and run for 6 years.
- d) Lease.

2. Vehicle Spares:

A basket of 15 components is taken into account, along with tyre costs from 3 manufactures.

3. Garaging and Servicing:

These are divided into property derived costs (rent, rates, heating, lighting), using the Hillier-Parker rent index for industrial premises and labour derived costs using the TGWU National Joint Council for the Motor Retail Repair Industry's Minimum rates of pay index.

4. Fuel costs:

The price of derv per gallon is taken from the Petroleum Times Energy Source, and assumes typical consumption of 25 miles to the gallon.

5. Insurance:

Three insurance companies provide quotes; this figure is then averaged out.

6. Miscellaneous costs:

- 1) Licence fees
- 2) MOT

7. Earnings:

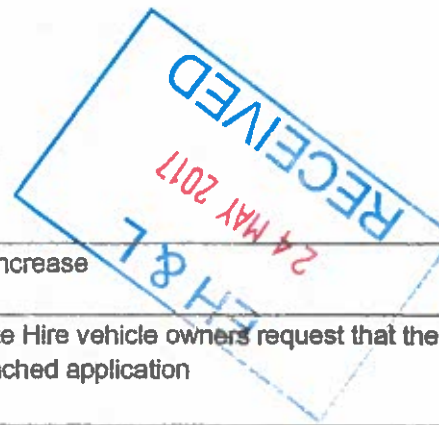
As taxi fares comprise taxi drivers main income the formula takes account of earnings as 45% Of the overall calculation for a fares increase. The earnings figure is derived from the average earnings index for the whole economy.

We will be pleased to have a representative at the committee meeting to answer any further questions members might have.

Yours faithfully,

Mr R.Nemeth

# Petition



<b>Petition summary and background</b>	Application for Hackney Carriage and Private Hire fare increase
<b>Action petitioned for</b>	We, the undersigned, being Hackney Carriage or Private Hire vehicle owners request that the Licensing Committee consider Our application for a fare increase as outlined in the attached application

Printed Name	Signature	Address	Plate No's	Date
Mr Booth		16 St Georges Ave	Nº 65	12.4.17
ANDY KEASI		15 QUEENS WIM	803	12.4
R. JARDINE		Woburn Hill	39	12.4.17
		2 Penn Rd	568	12-4-17
JOHN KEENE		SNINDON SN34PP	808	12/4/17
MARTYN BENSON		2ST DONATE PLACE	782	- - -
JOHN CHURCH		11 ELV LANE	714	12/4/17
Nigel Holmes		35. Paradise way	98 728	12/4/17
BARRY FISHER		29 Bodin CARRON	02	12/4/17
ANTHONY CADDICK		5, COTTAGE C. SN 34TD	62	12/4/17
W. HOLLIS		5, BIRD AV CROOKHART.	16	12.4.17
W. ZIVINS		2 LYNDENE ROAD	4	12.4.17

## Petition

<b>Petition summary and background</b>	Application for Hackney Carriage and Private Hire fare increase
<b>Action petitioned for</b>	We, the undersigned, being Hackney Carriage or Private Hire vehicle owners request that the Licensing Committee consider Our application for a fare increase as outlined in the attached application

Printed Name	Signature	Address	Plate No's	Date
PAUL HIGGINS		18 OSPREY CLOSE RG20 4AG	758	10/04/17
DAWN PALMER		30 BALFOUR CRESCENT	40	10/4/17
P WESTBROOK		2 REDFIELD CT	525/840/765/825/	10/4/17
R Bailey		157 WALTON WAY	61	10/4/17
S. FRY.		38 SAYERS CLOSE.	720.	10/4/17
DUNCAN JOHNSON		BURLEY MOOR FARM RG20 0PB	616	10/4/17
Luigi Chitto		Church Hill RG20 8HD	738	11/4/17
M J POOLE		75 DENE WAY	724	10/4/17
Rodney Nench		12 AWLEY CLOSE	59	11/4/17
Steve Broughton		11 Crown Mead	3	11/4/17
Jeanelle Fenemore		53 Enborn Rd	777	11/4/17
JAMES DAVIS		38 GILLENHAM RD	711	10/11/17

## Petition

<b>Petition summary and background</b>	Application for Hackney Carriage and Private Hire fare increase
<b>Action petitioned for</b>	We, the undersigned, being Hackney Carriage or Private Hire vehicle owners request that the Licensing Committee consider Our application for a fare increase as outlined in the attached application

Printed Name	Signature	Address	Plate No's	Date
P. GREATER		RS18 3BL	867	14-4-17
PATRICK BECK		RG14 2BL	P43, 131,	14.4.17
S. GARLAND		RG14 5TX	14	16/4/17
A. BEALES		RG14 7XE	710	19-4-17
N SPOONER		RG17 0EB	52	20.4.17
N.W. HARRIS		DN10 HFC	41, 801, 802, 416	21-4-17
N.W. HARRIS		B.16 MFA	14V 185-186	21.4.17
R BLANDFORD		RG14 7UQ	737	22.4.17
A. FORDE-LUTTER		RG20 8SB	607	28/4/17
A. FORDE-LUTTER		RG20 8SB	767	28/4/17

## Petition

<b>Petition summary and background</b>	Application for Hackney Carriage and Private Hire fare increase
<b>Action petitioned for</b>	We, the undersigned, being Hackney Carriage or Private Hire vehicle owners request that the Licensing Committee consider Our application for a fare increase as outlined in the attached application

Printed Name	Signature	Address	Plate No's	Date
S Dondan		32 Churchway	620	14/4/17
M. A. HAMID		47 Queens Rd.	868	14/4/17
Mr R Williams		Tollymore Park RG26	707	14-4-17
TANWER. AHMED		R619 3HP	869	14/4/17
CHRIS COATES		Rg20 9BT	523	14/4/17
E. White		6 Dondas Parkway	530	14/4/17
R. ANNS		R675 SX	807	14/4/17
S COATES		R618 4DS	766	14/4/17
Mohamamd Ahmed		35 FLORENCE RD R618 3HA	816	14/04/17
D BIRNINGS		49 STONGY LANE RG14 2NS	861	14.4.17
J BLANDFORD		RG14 7SY	737	14/4/17
W. HINES		RG14 2HR	859	14/4/17



# Petition


<b>Petition summary and background</b>	Application for Hackney Carriage and Private Hire fare increase
<b>Action petitioned for</b>	We, the undersigned, being Hackney Carriage or Private Hire vehicle owners request that the Licensing Committee consider Our application for a fare increase as outlined in the attached application

Printed Name	Signature	Address	Plate No's	Date
JAMES HIGGINS		53 EAGLE ROAD BISHOPS GREEN	810	13/4/17
M STURGES		55 Cranfield Drive Thatcham	522	13/4/17
M. Smith		46 COPPLES RD	38	13/4/17
Lee Harris		116 Padlock Rd Newbury	864	13/4/17
Pete Cole		32. Pymasdown Thatcham	778	14/4/17
J Anns		48 Sgullmead Cold Ash	888	14/4/17
M.S. HUSSAIN		55 BREGRAWN HOUSE NEWBURY	819	14/4/17
RAHMAN AHMED		38/37 HIGH ST.	772	14/4/17
MD DURU ISLAM		18-CURNOCK LODGE	856	14-4-17
Kevin Porzner		22 THE MASHINGALES	35	14/4/17
ALAN ANNS		THE FORCE STATION	788	14/4/17
AMIR HUSSAIN		6 LEASED 12/19/15	838	19/4/17

This page is intentionally left blank

# Hackney Carriages – Table of Fares Proposed from 1st June 2017

Customers should be aware that these charges are the **MAXIMUM** to be charged and any lesser fare agreed prior to Commencement of the journey. Where the taxi is used for pre-booked journeys the fare shall be calculated from the point in The district at which the hirer Commences the journey) (Local Government (Miscellaneous Provisions) Act 1976 sec. 67)

<p><b>Initial distance not exceeding 293.3 yards or part thereof</b>  <b>Initial waiting time 60 seconds or a combination of time and distance £3.00</b>  <b>For each subsequent 146.7 yards completed or part thereof 20p</b>  <b>Waiting time: for every period of 30 seconds or part thereof 20p</b></p> <p>Applies for any hiring when the journey commences between 06:00 and 22:00 Monday to Saturday, other than Bank Holidays, Public Holidays, Boxing Day or Christmas Day.</p>	 Taxi Plate Number
<p><b>Initial distance not exceeding 293.3 yards or part thereof</b>  <b>Initial waiting time 60 seconds or a combination of time and distance £4.50</b>  <b>For each subsequent 146.7 yards completed or part thereof 30p</b>  <b>Waiting time: for every period of 30 seconds or part thereof 30p</b></p> <p>Applies for any hiring when the journey commences between 22:00 and 06:00 Monday to Saturday.  Applies for any hiring when the journey commences on Sundays, Bank Holidays or Public Holidays.  Applies for any hiring when the journey commences between 06:00 and midnight on Boxing Day.  Applies for any hiring when the journey commences between 19:00 and midnight On Christmas Eve or New Years Eve.  For any journey with 5 or more passengers.</p>	<p>THIS VEHICLE IS LICENSED TO CARRY</p> <p>PASSENGERS ONLY</p> <p>Comments or Complaints should Be made to: West Berkshire Council Council Offices Market Street Newbury, Berkshire RG14 5LD 0163542400 Quoting the above Taxi Plate Number</p>
<p><b>Initial distance not exceeding 293.3 yards or part thereof</b>  <b>Initial waiting time 60 seconds or a combination of time and distance £6.00</b>  <b>For each subsequent 146.7 yards completed or part thereof 40p</b>  <b>Waiting time: for every period of 30 seconds or part thereof 40p</b></p> <p>Applies for any hiring when the journey commences on Christmas Day until 0600hrs on Boxing Day.  Applies for any hiring when the journey commences between midnight and 06:00 on New Years Day.</p>	<p><b>Operator</b></p>

If a Hackney Carriage is booked by telephone, facsimile, e mail or other electronic means a booking fee may be charged by prior arrangement only. London Congestion Charge (or similar in any other place), or any Tolls, will be applied for any Journey where such charges or tolls are incurred.

Fouling internally and external will be charged.

Distance (Miles) Flag	TARIFF 1		TARIFF 2		TARIFF 3	
	Current	Proposed	Current	Proposed	Current	Proposed
1	£2.80	£3.00	£3.80	£4.50	£4.80	£6.00
2	£4.60	£5.00	£6.40	£7.50	£8.10	£10.00
3	£6.55	£7.20	£9.60	£10.80	£12.30	£14.40
4	£8.65	£9.40	£12.80	£14.10	£16.50	£18.80
5	£10.75	£11.60	£16.00	£17.40	£20.70	£23.20
6	£12.85	£13.80	£19.20	£20.70	£24.90	£27.60
7	£14.95	£16.00	£22.40	£24.00	£29.10	£32.00
8	£17.05	£18.20	£25.60	£27.30	£33.30	£36.40
9	£19.15	£20.40	£28.80	£30.60	£37.80	£40.80
10	£21.25	£22.60	£32.00	£33.90	£42.00	£45.20
10	£23.35	£24.80	£35.20	£37.20	£46.20	£49.60

This page is intentionally left blank

<p><b>Tariff 1</b>          Applies for any hiring when the journey commences between 06:00 and 22:00 Monday to Saturday, other than Bank Holidays, Public Holidays, Boxing Day or Christmas Day.          Initial distance not exceeding 377.1429 yards or part thereof          Initial waiting time 81 seconds or a combination of time and distance <b>£2.80</b>          For each subsequent 123.2493 yards completed or part thereof <b>15p</b>          Waiting time: for every period of 27 seconds or part thereof <b>15p</b></p>	<p><b>Waiting Time Per Hour</b>  <b>T1 = £20.00</b>  <b>T2 = £30.00</b>  <b>T3 = £40.00</b></p>
<p><b>Tariff 2</b>          Applies for any hiring when the journey commences between 22:00 and 06:00 Monday to Saturday.          Applies for any hiring when the journey commences on Sundays, Bank Holidays or Public Holidays.          Applies for any hiring when the journey commences between 06:00 and midnight on Boxing Day.          Applies for any hiring when the journey commences between 19:00 and midnight on Christmas Eve or New Years Eve.          For any journey with 5 or more passengers which commences between 06:00 and 22:00 Monday to Saturday.          Initial distance not exceeding 377.1429 yards or part thereof          Initial waiting time 72 seconds or a combination of time and distance <b>£3.80</b>          For each subsequent 106.8431 yards completed or part thereof <b>20p</b>          Waiting time: for every period of 24 seconds or part thereof <b>20p</b></p>	<p><b>TAXI PLATE NUMBER</b></p>
<p><b>Tariff 3</b>          Applies for any hiring when the journey commences on Christmas Day until 0600hrs on Boxing Day.          Applies for any hiring when the journey commences between midnight and 06:00 on New Years Day.</p> <p>Initial distance not exceeding 377.1429 yards or part thereof          Initial waiting time 81 seconds or a combination of time and distance <b>£4.80</b>          For each subsequent 123.2493 yards completed or part thereof <b>30p</b>          Waiting time: for every period of 27 seconds or part thereof <b>30p</b></p>	<p>Any comments should be made to:  <b>West Berkshire Council</b>  <b>Council Offices</b>  <b>Market Street</b>  <b>Newbury, Berkshire</b>  <b>RG14 5LD</b>          Quoting the above          Taxi Plate Number</p>

Any comments should be made to:  
**West Berkshire Council**  
**Council Offices**  
**Market Street**  
**Newbury, Berkshire**  
**RG14 5LD**  
Quoting the above  
Taxi Plate Number

If a Hackney Carriage is booked by telephone, facsimile, e mail or other electronic means a booking fee may be charged by prior arrangement only. London Congestion Charge (or similar in any other place), or any Tolls, will be applied for any journey where such charges or tolls are incurred.

This page is intentionally left blank

## Comparison of tariffs

Authority	Tariff 1					Tariff 2				
	Flag	1 mile	2 miles	5 miles	10 miles	Flag	1 mile	2 miles	5 miles	10 miles
Aylesbury Vale	3.00	3.00	4.30	8.20	16.20	3.75	3.75	5.38	10.25	20.25
Bracknell Forest	3.00	4.06	5.82	11.10	19.90	4.50	6.09	8.73	16.65	29.85
Chiltern District	3.00	3.60	5.39	10.78	19.76	4.50	5.40	8.09	16.17	29.64
Guildford Borough	3.00	3.70	5.52	10.99	21.89	3.50	6.12	9.20	18.42	33.79
Reading Borough	2.40	4.41	6.84	14.38	26.96	3.40	5.26	7.52	14.95	27.99
Slough	3.40	5.13	5.90	10.80	24.03	5.20	6.93	7.70	12.33	25.56
South Bucks	3.00	3.00	5.39	10.78	19.76	4.50	5.40	8.09	16.17	29.64
Vale of White Horse	4.60	4.60	6.90	13.80	25.30	5.70	5.70	8.70	17.70	32.70
Windsor and Maidenhead	2.80	3.49	5.25	10.53	19.33	4.20	5.24	7.88	15.80	29.00
Wokingham Borough	3.00	4.11	6.22	12.54	23.08	4.50	5.61	9.33	18.81	34.62
West Berkshire	2.80	4.60	6.55	12.85	23.35	3.80	6.40	9.60	19.20	35.20
Wycombe 2017	2.40	3.99	5.81	11.25	20.32	3.00	4.99	7.25	14.02	25.30
<b>Average</b>	<b>£3.03</b>	<b>£3.97</b>	<b>£5.82</b>	<b>£11.50</b>	<b>£21.66</b>	<b>£4.32</b>	<b>£5.57</b>	<b>£8.12</b>	<b>£15.87</b>	<b>£29.46</b>

Authority	Tariff 3					Tariff 4				
	Flag	1 mile	2 miles	5 miles	10 miles	Flag	1 mile	2 miles	5 miles	10 miles
Aylesbury Vale	4.50	4.50	6.45	12.30	24.30					
Bracknell Forest	6.00	8.12	11.64	22.20	39.80					
Chiltern District	4.50	5.10	6.89	12.28	21.26	6.00	7.20	10.79	21.57	39.52
Guildford Borough	6.00	7.40	11.04	21.98	43.78					
Reading Borough	3.60	6.62	10.26	21.58	40.43					
Slough	5.10	7.69	8.34	15.60	35.45	6.80	10.26	11.79	23.25	49.72
South Bucks	4.50	5.10	6.89	12.28	21.26	6.00	7.20	10.79	21.57	39.52
Vale of White Horse	6.20	6.20	9.60	19.80	36.80					
Windsor and Maidenhead										
Wokingham Borough	6.00	8.22	12.44	25.08	46.16					
West Berkshire	4.80	8.10	12.30	24.90	46.20					
Wycombe 2017	3.55	5.95	8.67	16.84	30.44	4.80	8.00	11.62	22.51	40.66
<b>Average</b>	<b>£4.98</b>	<b>£6.64</b>	<b>£9.50</b>	<b>£18.62</b>	<b>£35.08</b>	<b>£5.90</b>	<b>£8.17</b>	<b>£11.25</b>	<b>£22.23</b>	<b>£42.36</b>

This page is intentionally left blank





[Home](#)
[News](#)
[Newspaper](#)
[Supplier Directory](#)
[Classifieds](#)
[Fare Tab](#)

## Hackney Taxi Fare Tables

PHTM update the cost of a 2 mile hackney taxi fare on Tariff 1 nationally every month and below is the latest 'league table' of all 366 Councils.

Have a look at where you are positioned.

You can also filter by Council and Year of last rise. Simply click on either letter or year to view an individual listing.

Choose a month:

July 2017



Compared to prev mo



DECREASE



INCREASE



NO CHANGE

Filter by Council:

[All](#)
[A](#)
[B](#)
[C](#)
[D](#)
[E](#)
[F](#)
[G](#)
[H](#)
[I](#)
[J](#)
[K](#)
[L](#)
[M](#)
[N](#)
[O](#)
[P](#)
[Q](#)
[R](#)
[S](#)
[T](#)
[U](#)
[V](#)
[W](#)
[X](#)
[Y](#)
[Z](#)

Filter by last rise:

[All](#)
[2017](#)
[2016](#)
[2015](#)
[2014](#)
[2013](#)
[2012](#)
[2011](#)
[2010](#)
[2009](#)
[2008](#)
[2007](#)
[2006](#)

Pos	Council	2 ml. Fare	+ / -
1	LUTON AIRPORT	£9.20	●
2	WATFORD	£8.40	●
3	LONDON (HEATHROW)	£7.60	●
4	CARRICK	£7.30	●
5	EPSOM & EWELL	£7.20	●
6	LONDON	£7.20	●
7	DARTFORD	£7.00	●

Pos	Council	2 ml. Fare	+ / -
8	HERTSMERE	£7.00	●
9	JERSEY	£7.00	↑ £0.40
10	KENNETT NOW WILTSHIRE (EAST ZONE)	£7.00	●
11	MID SUSSEX	£7.00	●
12	NORTH WILTSHIRE	£7.00	●
13	SALISBURY	£7.00	●
14	WEST WILTSHIRE	£7.00	●
15	VALE OF WHITE HORSE	£6.90	●
16	ADUR	£6.80	●
17	BRIGHTON & HOVE	£6.80	●
18	CARADON	£6.80	●
19	COLCHESTER	£6.80	●
20	EAST LOTHIAN	£6.80	●
21	HART	£6.80	●
22	NORTH CORNWALL	£6.80	
23	POOLE	£6.80	●
24	READING	£6.80	●
25	WEST BERKSHIRE	£6.80	●
26	KERRIER	£6.75	●
27	NUNEATON & BEDWORTH	£6.75	●
28	SEVENOAKS	£6.74	●
29	CHELMSFORD	£6.70	●
30	EASTLEIGH	£6.70	●
31	ROTHER	£6.70	●
32	SWINDON	£6.70	●
33	WEYMOUTH & PORTLAND	£6.70	●

Pos	Council	2 ml. Fare	+ / -
34	BOURNEMOUTH	£6.68	●
35	BASINGSTOKE & DEANE	£6.60	●
36	BRENTWOOD	£6.60	●
37	CRAWLEY	£6.60	●
38	EXETER	£6.60	●
39	HIGH PEAK	£6.60	●
40	MEDWAY	£6.60	●
41	TUNBRIDGE WELLS	£6.60	●
42	WAVENEY	£6.60	●
43	WEALDON	£6.60	●
44	YORK	£6.60	●
45	NORTH DEVON	£6.55	●
46	MAIDSTONE	£6.50	●
47	MOLE VALLEY	£6.50	●
48	SOUTH SOMERSET	£6.50	●
49	RESTORMEL	£6.45	●
50	HARROGATE	£6.43	●
51	ARUN	£6.40	●
52	ASHFORD	£6.40	●
53	BATH & NORTH EAST SOMERSET	£6.40	●
54	CAMBRIDGE CITY	£6.40	●
55	GRAVESHAM	£6.40	●
56	GUERNSEY	£6.40	●
57	GUILDFORD	£6.40	●
58	HARLOW	£6.40	●



Pos	Council	2 ml. Fare	+ / -
59	MALVERN HILLS	£6.40	●
60	NORWICH	£6.40	●
61	OXFORD	£6.40	●
62	PURBECK	£6.40	●
63	SOUTH CAMBRIDGE	£6.40	●
64	SOUTH GLOUCESTER	£6.40	●
65	SOUTH LAKELAND	£6.40	●
66	STROUD	£6.40	●
67	SURREY HEATH	£6.40	●
68	WOKING	£6.40	●
69	WOKINGHAM	£6.40	●
70	TORBAY	£6.39	●
71	COUNTY OF HEREFORD	£6.30	●
72	COVENTRY	£6.30	●
73	DACORUM	£6.30	●
74	EAST DEVON	£6.30	●
75	ISLE OF MAN	£6.30	●
76	LEWES	£6.30	●
77	PENWITH	£6.30	●
78	SWALE	£6.30	●
79	TONBRIDGE & MALLING	£6.30	●
80	FOREST OF DEAN	£6.27	●
81	HARBOROUGH	£6.27	●
82	TORRIDGE	£6.25	●
83	MIDLOTHIAN	£6.22	●
84	ARGYLL & BUTE	£6.20	●

Pos	Council	2 ml. Fare	+ / -
85	BIRMINGHAM	£6.20	●
86	BRISTOL, CITY OF UA	£6.20	●
87	CHELTENHAM	£6.20	●
88	CHICHESTER	£6.20	●
89	CREWE & NANTWICH	£6.20	●
90	HORSHAM	£6.20	●
91	LEEDS	£6.20	●
92	LINCOLN	£6.20	●
93	MENDIP	£6.20	●
94	NORTH HERTS	£6.20	●
95	NORTHAMPTON	£6.20	●
96	ROCHFORD	£6.20	●
97	RUNNYMEDE	£6.20	●
98	SEDGEMOOR	£6.20	●
99	SHEFFIELD	£6.20	●
100	SHEPWAY	£6.20	●
101	SOLIHULL	£6.20	●
102	SOUTHAMPTON	£6.20	●
103	SOUTHEND ON SEA	£6.20	●
104	SPELTHORNE	£6.20	●
105	ST ALBANS	£6.20	●
106	STRATFORD ON AVON	£6.20	●
107	TAUNTON DEANE	£6.20	●
108	TEIGNBRIDGE	£6.20	●
109	WAVERLEY	£6.20	●

Pos	Council	2 ml. Fare	+ / -
110	WEST OXFORD	£6.20	●
111	WINCHESTER	£6.20	●
112	CENTRAL BEDFORDSHIRE	£6.13	●
113	ELMBRIDGE	£6.10	●
114	HASTINGS	£6.10	●
115	NEW FOREST	£6.10	●
116	CHARNWOOD	£6.05	●
117	SHETLAND ISLES	£6.05	●
118	ABERDEENSHIRE	£6.00	●
119	BRACKNELL FOREST	£6.00	●
120	BRAINTREE	£6.00	●
121	CANTERBURY	£6.00	●
122	CARMARTHENSHIRE	£6.00	●
123	CASTLE POINT	£6.00	●
124	CHESTER	£6.00	●
125	DOVER	£6.00	●
126	EAST HAMPSHIRE	£6.00	●
127	EAST LINDSEY	£6.00	●
128	FIFE	£6.00	●
129	GREAT YARMOUTH	£6.00	●
130	IPSWICH	£6.00	●
131	KETTERING	£6.00	●
132	LUTON	£6.00	●
133	MILTON KEYNES	£6.00	●
134	NORTH DORSET	£6.00	●
135	SCARBOROUGH	£6.00	●



Pos	Council	2 ml. Fare	+ / -
136	SLOUGH	£6.00	●
137	SOUTH HAMS	£6.00	●
138	STEVENAGE	£6.00	●
139	TEST VALLEY	£6.00	●
140	THREE RIVERS	£6.00	●
141	THURROCK	£6.00	●
142	WARWICK	£6.00	●
143	WEST DORSET	£6.00	●
144	WORTHING	£6.00	●
145	DARLINGTON	£5.95	●
146	TENDRING	£5.95	●
147	BABERGH	£5.90	●
148	BASSETLAW	£5.90	●
149	CHRISTCHURCH	£5.90	●
150	DUDLEY	£5.90	●
151	DURHAM COUNTY COUNCIL	£5.90	●
152	EAST DORSET	£5.90	●
153	RUSHMORE	£5.90	●
154	WALSALL	£5.90	●
155	TEWKSBURY	£5.85	●
156	BASILDON	£5.80	●
157	BLACKPOOL	£5.80	●
158	BROMSGROVE	£5.80	●
159	CLACKMANNAN	£5.80	●
160	EAST HERTS	£5.80	●

Pos	Council	2 ml. Fare	+ / -
161	FYLDE	£5.80	●
162	GLASGOW	£5.80	●
163	GLOUCESTER	£5.80	●
164	HAVANT	£5.80	●
165	HIGHLANDS	£5.80	●
166	LEICESTER	£5.80	●
167	NEWCASTLE-UPON-TYNE	£5.80	●
168	NORTH WARWICK	£5.80	●
169	REIGATE & BANSTEAD	£5.80	●
170	SELBY	£5.80	●
171	SOUTH AYRSHIRE	£5.80	●
172	SOUTH RIBBLE	£5.80	●
173	STOCKPORT	£5.80	●
174	TAMWORTH	£5.80	●
175	UTTLESFORD	£5.80	●
176	WEST SOMERSET	£5.80	●
177	WINDSOR & MAIDENHEAD	£5.80	
178	SCOTTISH BORDERS	£5.75	●
179	WYCOMBE	£5.75	●
180	EAST KILBRIDE	£5.70	●
181	EASTBOURNE	£5.70	●
182	ISLE OF WIGHT	£5.70	●
183	MANCHESTER	£5.70	●
184	MID DEVON	£5.70	●
185	MONMOUTHSHIRE	£5.70	●
186	NORTH SOMERSET	£5.70	●



Pos	Council	2 ml. Fare	+ / -
187	PLYMOUTH	£5.70	●
188	RYEDALE	£5.70	●
189	WELWYN HATFIELD	£5.70	●
190	WORCESTER	£5.70	●
191	CARLISLE	£5.65	●
192	VALE OF GLAMORGAN	£5.65	●
193	BOSTON	£5.60	●
194	BRECKLAND	£5.60	●
195	BROXBOURNE	£5.60	●
196	CALDERDALE	£5.60	●
197	EDINBURGH	£5.60	●
198	FOREST HEATH	£5.60	●
199	GOSPORT	£5.60	●
200	HINCKLEY & BOSWORTH	£5.60	●
201	NEWPORT	£5.60	●
202	NORTH KESTEVEN	£5.60	●
203	NORTH TYNESIDE	£5.60	●
204	NORTH WEST LEICESTER	£5.60	●
205	NOTTINGHAM	£5.60	●
206	ORKNEY	£5.60	●
207	PORTSMOUTH UA	£5.60	●
208	RENFREWSHIRE	£5.60	●
209	RUSHCLIFFE	£5.60	●
210	SANDWELL	£5.60	●
211	SOUTH BUCKINGHAM	£5.60	●

Pos	Council	2 ml. Fare	+ / -
212	SUFFOLK COASTAL	£5.60	●
213	TAMESIDE	£5.60	●
214	WEST LOTHIAN	£5.60	●
215	WIRRAL	£5.60	●
216	WOLVERHAMPTON	£5.60	●
217	WREXHAM	£5.60	●
218	WYRE	£5.60	●
219	CARDIFF	£5.59	●
220	DUNDEE	£5.58	●
221	CHERWELL	£5.56	●
222	ANGUS	£5.50	●
223	BROXTOWE	£5.50	●
224	CANNOCK CHASE	£5.50	●
225	CASTLE MORPETH	£5.50	●
226	DUMFRIES & GALLOWAY	£5.50	●
227	EAST AYRSHIRE	£5.50	●
228	EAST CAMBRIDGESHIRE	£5.50	●
229	EAST STAFFORDSHIRE	£5.50	●
230	EDEN	£5.50	●
231	EPPING FOREST	£5.50	●
232	EREWASH	£5.50	●
233	GEDLING	£5.50	●
234	GWYNEDD	£5.50	●
235	HAMBLETON	£5.50	●
236	HUNTINGDONSHIRE	£5.50	●
237	LANCASTER	£5.50	●

Pos	Council	2 ml. Fare	+ / -
238	MORAY	£5.50	●
239	OLDHAM	£5.50	●
240	SHROPSHIRE	£5.50	●
241	STAFFORD	£5.50	●
242	TYNEDALE	£5.50	●
243	WANSBECK	£5.50	●
244	BARROW IN FURNESS	£5.44	●
245	BURY ST EDMUNDS	£5.40	●
246	CHILTERN	£5.40	●
247	CITY OF ABERDEEN	£5.40	
248	DERBY	£5.40	●
249	DONCASTER	£5.40	●
250	DUNBARTON	£5.40	●
251	FAREHAM	£5.40	●
252	KINGS LYNN & WEST NORFOLK	£5.40	●
253	KINGSTON-UPON-HULL	£5.40	●
254	MACCLESFIELD	£5.40	●
255	MID SUFFOLK	£5.40	●
256	NEWARK & SHERWOOD	£5.40	●
257	NORTH LINCOLNSHIRE	£5.40	●
258	PEMBROKESHIRE	£5.40	●
259	PERTH & KINROSS	£5.40	●
260	RICHMONDSHIRE	£5.40	●
261	RUGBY	£5.40	●
262	SUNDERLAND	£5.40	●



Pos	Council	2 ml. Fare	+ / -
263	TANDBRIDGE	£5.40	●
264	TRAFFORD	£5.40	●
265	WYCHAVON	£5.40	●
266	BRADFORD	£5.36	●
267	COTSWOLD	£5.35	●
268	EAST DUNBARTONSHIRE	£5.34	●
269	BLABY	£5.30	●
270	CRAVEN	£5.30	●
271	EAST RENFREW	£5.30	●
272	FENLAND	£5.30	●
273	LICHFIELD	£5.30	●
274	MELTON	£5.30	●
275	NORTH EAST LINCOLNSHIRE	£5.30	●
276	NORTH NORFOLK	£5.30	●
277	RIBBLE VALLEY	£5.30	●
278	SALFORD	£5.30	●
279	VALE ROYAL	£5.30	●
280	WYRE FOREST	£5.30	●
281	BEDFORD	£5.26	●
282	BOLTON	£5.25	●
283	BURY	£5.24	●
284	AMBER VALLEY	£5.20	●
285	CEREDIGION	£5.20	●
286	CLYDEBANK	£5.20	●
287	CONWY	£5.20	●
288	DENBIGHSHIRE	£5.20	●

Pos	Council	2 ml. Fare	+ / -
289	EAST RIDING	£5.20	●
290	ELLESMERE PORT	£5.20	●
291	HALTON	£5.20	●
292	LIVERPOOL	£5.20	●
293	POWYS	£5.20	●
294	PRESTON	£5.20	●
295	RHONDDA CYNON TAF	£5.20	●
296	SOUTH LANARKSHIRE (CLYDESDALE)	£5.20	●
297	SOUTH TYNESIDE	£5.20	●
298	STAFFS MOORLANDS	£5.20	●
299	STIRLING	£5.20	●
300	WARRINGTON	£5.20	●
301	YNYS MON	£5.20	●
302	CONGLETON	£5.10	●
303	GATESHEAD	£5.10	●
304	SEFTON	£5.10	●
305	SOUTH STAFFORDSHIRE	£5.10	●
306	WIGAN	£5.10	●
307	ALNWICK	£5.05	●
308	SOUTH HOLLAND	£5.05	●
309	SWANSEA	£5.05	●
310	BLYTH VALLEY	£5.00	●
311	CHESTERFIELD	£5.00	●
312	COPELAND	£5.00	●
313	DAVENTRY	£5.00	●

Pos	Council	2 ml. Fare	+ / -
314	KIRKLEES	£5.00	●
315	NEATH PORT TALBOT	£5.00	●
316	NORTH EAST DERBYSHIRE	£5.00	●
317	PETERBOROUGH	£5.00	●
318	SOUTH NORTHANTS	£5.00	●
319	THANET	£5.00	●
320	WEST LINDSEY	£5.00	●
321	STOKE-ON-TRENT UA	£4.95	●
322	BRIDGEND	£4.90	●
323	CHORLEY	£4.90	●
324	FLINTSHIRE	£4.90	●
325	ROSSENDALE	£4.90	●
326	TELFORD & WREKIN	£4.90	●
327	WELLINGBOROUGH	£4.90	●
328	REDDITCH	£4.88	●
329	ALLERDALE	£4.85	●
330	ASHFIELD	£4.80	●
331	CAERPHILLY	£4.80	●
332	DERBYSHIREDALES	£4.80	●
333	HAMILTON	£4.80	●
334	INVERCLYDE	£4.80	●
335	MANSFIELD	£4.80	●
336	NORTH AYRSHIRE	£4.80	●
337	NORTH LANARKSHIRE	£4.80	●
338	ROCHDALE	£4.80	●
339	ROTHERHAM	£4.80	●



Pos	Council	2 ml. Fare	+ / -
340	RUTHERGLEN	£4.80	●
341	TORFAEN	£4.80	●
342	BARNSELY	£4.70	●
343	BERWICK ON TWEED	£4.70	●
344	BLACKBURN	£4.70	●
345	EAST NORTHANTS	£4.70	●
346	FALKIRK	£4.70	●
347	HYNDBURN	£4.70	●
348	WEST LANCASHIRE	£4.70	●
349	BOLSOVER	£4.60	●
350	CORBY	£4.60	●
351	ST HELENS	£4.60	●
352	WAKEFIELD	£4.60	●
353	BURNLEY	£4.50	●
354	MERTHYR TYDFIL	£4.50	●
355	REDCAR & CLEVELAND	£4.50	●
356	STOCKTON ON TEES	£4.50	●
357	KNOWSLEY	£4.40	●
358	OADBY & WIGSTON	£4.40	●
359	PENDLE	£4.40	●
360	AYLESBURY VALE	£4.30	●
361	BLAENAU GWENT	£4.30	●
362	MIDDLESBROUGH	£4.30	●
363	NEWCASTLE-UNDER-LYME	£4.20	●
364	WESTERN ISLES	£4.20	●

Pos	Council	2 ml. Fare	+ / -
365	HARTLEPOOL	£4.10	●
366	SOUTH KESTIVEN	£3.50	●

PHTM • 501 Oldham Road • Failsworth  
Manchester • M35 9AB • **0161 688 7777**





---

## Gambling Act Fees - Summary Report

---

<b>Committee considering report:</b>	Licensing Committee
<b>Date of Committee:</b>	18 July 2017
<b>Portfolio Member:</b>	Councillor Marcus Franks
<b>Date Portfolio Member agreed report:</b>	
<b>Report Author:</b>	Emilia Matheou
<b>Forward Plan Ref:</b>	N/a

---

### 1. Purpose of the Report

- 1.1 To advise the Committee that further provision should be made for the collection of seven chargeable fees under the Gambling Act 2005.

### 2. Recommendation(s)

- 2.1 That the Licensing Committee approves the fees detailed in the document at Appendix A (2) for the listed categories of application made, effective immediately.

### 3. Implications

- 3.1 **Financial:** Based upon full cost recovery and the setting of fees at 75% of the maximum permitted the service will recover its costs.
- 3.2 **Policy:** This policy determines the level of fees; however the fees can be reviewed within guidance.
- 3.3 **Personnel:** None. The number of applications involved is relatively low and the work can be undertaken using existing resources.
- 3.4 **Legal:** It is a statutory requirement to set fees.
- 3.5 **Risk Management:** If fees are not set the Council is unable charge for the applications which can be made under the Gambling Act 2005.
- 3.6 **Property:** None
- 3.7 **Other:** None

### 4. Other options considered

- 4.1 None

## Executive Summary

### 5. Introduction / Background

- This authority's Licensing Committee has been delegated responsibility for setting fees in accordance with the Gambling Act 2005.
- Premises licences are required to authorise premises to provide gambling facilities and the type of licences issued are for a small casino, bingo, betting premises, including tracks, adult gaming centres and family entertainment centres.
- The Authority's responsibilities are those of considering applications for premises licences and where appropriate issuing licences. The legislation requires that each application be accompanied by a fee.
- The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 outline the maximum fees permitted to be charged by Licensing Authorities to enable full cost recovery. A list of the maximum fees chargeable is set out in Appendix A (1) to this report.
- The Licensing Committee approved this Authority's Gambling Licensing fees at the meeting held on 17 July 2007. The fees were set at 75% of the maximum amount permitted and this was subsequently approved by full council at its meeting on 10th September 2007. This level was estimated at the time to cover the expected cost of the service.

### 6. Proposal

- Seven chargeable fees were not in the report given to the Licensing Committee on 17 July 2007 and it is proposed that these fees are now incorporated and also set at 75% of the maximum amount permitted and as detailed in Appendix A (2).

### 7. Conclusion

- The Licensing committee are required to set the additional fees to enable charges to be made for the itemised categories of application; all of which relate to Premises Licences issued under the Gambling Act 2005.

### 8. Appendices

- 8.1 Appendix A – Supporting Information –
- 8.2 Appendix A1 - Regulations 2007
- 8.3 Appendix A2 - Fees
- 8.4 Appendix B – Equalities Impact Assessment

---

# Gambling Act Fees – Supporting Information

---

## 1. Introduction/Background

- 1.1 Councils were designated as Licensing Authorities under the Gambling Act 2005 and as such may determine their own fees for prescribed gambling activities subject to the maximum charge.
- 1.2 This authority's Licensing Committee has been delegated responsibility for setting fees in accordance with the Gambling Act 2005.
- 1.3 Premises licences are required to authorise premises to provide gambling facilities and the type of licences issued are for a small casino, bingo, betting premises, including tracks, adult gaming centres and family entertainment centres.
- 1.4 The Authority's responsibilities are those of considering applications for premises licences and where appropriate issuing licences. The legislation requires that each application be accompanied by a fee.

## 2. Supporting Information

- 2.1 The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 outlines the maximum fees permitted to be charged by Licensing Authorities to enable full cost recovery. A list of the maximum fees chargeable is set out in Appendix A (1) to this report.
- 2.2 The Licensing Committee approved this authority's Gambling Licensing fees at the meeting held on 17 July 2007. The fees were set at 75% of the maximum amount permitted and this was subsequently approved by full council at its meeting on 10th September 2007. This level was estimated at the time to cover the expected cost of the service.
- 2.3 The authority reviews its charges annually to ensure that the income from the premises licence fees in any full financial year do not exceed the full costs incurred by the authority in carrying out the relevant functions. There has been no change to the level at which the fees were set in September 2007.

## 3. Options for Consideration

- 3.1 If fees are not set the authority cannot charge for application forms submitted under the Gambling Act 2005.

## 4. Proposals

- 4.1 To advise the Licensing Committee that further provision should be made for the collection of seven chargeable fees under the Gambling Act 2005 and that these fees are incorporated and also set at 75% of the maximum amount permitted. Appendix A (2) refers.

## 5. Conclusion

5.1 The Licensing committee are required to set the fees to enable charges to be made for the following categories of application form; all of which relate to Premises Licences issued under the Gambling Act 2005.

- An application to vary a licence - fee payable by holder of licence for applying to vary a licence.
- An application to transfer a licence - fee payable by holder of licence for applying to transfer a licence from one operator to another.
- An application for reinstatement of a licence - fee payable by anyone applying for a licence to be re-instated.
- Application with Provisional Statement - premises licence application for a premises where the applicant already holds a provisional statement for that premises.
- Provisional Statement fee payable by anyone applying for a provisional statement (a statement from the licensing authority in advance of a full premises licence).
- A notification of a change - fee payable by holder of licence when they submit a notification of a change of circumstance (change of business address).
- A Fee for application for a copy of a licence.

## 6. Consultation and Engagement

Not Applicable

---

### Background Papers:

The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007  
Gambling Act 2005.

### Subject to Call-In:

Yes: ☒ No: ☐

---

### Wards affected: All

### Strategic Aims and Priorities Supported:

The proposals will help achieve the following Council Strategy aim:

☒ **HQL – Maintain a high quality of life within our communities**

The proposals contained in this report will help to achieve the above Council Strategy aims and priorities by meeting its statutory duty.

---

### Officer details:

Name: Emilia Matheou  
Job Title: Licensing Officer  
Tel No: 01635 503208  
E-mail Address: emilia.matheou@westberks.gov.uk

---

**2007 No. 479**

**BETTING, GAMING AND LOTTERIES, ENGLAND AND WALES**

**The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007**

<i>Made</i>	- - - -	<i>21st February 2007</i>
<i>Laid before Parliament</i>		<i>21st February 2007</i>
<i>Coming into force</i>	- -	<i>21st May 2007</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 159(6), (7) and (8)(a), 184(1) to (4), 186(3)(a) and (9)(a), 187(3) and (4), 188(2), 190(2) and (6)(a), 195(3), 204(2), 212(1), (4) and (5), and 355(1) of, and paragraphs 6, 7 and 11 of Schedule 18 to, the Gambling Act 2005(a):

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 and shall come into force on 21st May 2007.

(2) These Regulations extend to England and Wales only.

**Interpretation**

2.—(1) In these Regulations—

“annual fee” in relation to a premises licence means the fee payable under section 184(1)(b) for the licence,

“application fee” means—

- (a) in relation to an application for a premises licence under section 159(1) (whether it is a conversion or non-conversion application), the fee to accompany such an application payable under section 159(6)(c),
- (b) in relation to an application to vary a premises licence under section 187(1), the fee to accompany such an application payable under section 159(6)(c) (as applied by section 187(3)),
- (c) in relation to an application to transfer a premises licence under section 188(1), the fee to accompany such an application payable under section 159(6)(c) (as applied by section 188(2)),
- (d) in relation to an application for a copy of a premises licence under section 190(1), the fee to accompany such an application payable under section 190(2),

---

(a) 2005 c. 19.

- (e) in relation to an application for reinstatement of a premises licence under section 195(2), the fee to accompany such an application payable under section 159(6)(c) (as applied by section 195(3)), and
- (f) in relation to an application for a provisional statement under section 204(1), the fee to accompany such an application payable under section 159(6)(c) (as applied by section 204(2)),

“betting premises (other) licence” means a betting premises licence that is not a betting premises (track) licence,

“betting premises (track) licence” means a betting premises licence issued in respect of a track or any part of a track,

“conversion application” means an application to which paragraph 54 of Schedule 4 to the Transitional Order applies,

“converted casino premises licence” means a casino premises licence to which paragraph 65 of Schedule 4 to the Transitional Order applies,

“fast track application” means an application to which paragraph 57 of Schedule 4 to the Transitional Order applies,

“first annual fee”, in relation to a premises licence, means the fee payable under section 184(1)(a) for the licence,

“non-conversion application” means an application for a premises licence under section 159(1) that is not a conversion application,

“non-fast track application” means an application to which paragraph 56 of Schedule 4 to the Transitional Order applies,

“relevant licensing authority” means—

- (a) in relation to an application for—
  - (i) a premises licence under section 159(1) (whether it is a conversion or non-conversion application), or
  - (ii) a provisional statement under section 204(1),
 the licensing authority to whom the application is made, and
- (b) in relation to—
  - (i) any other application,
  - (ii) a notification of a change of circumstance under section 186(1), or
  - (iii) the first annual fee or annual fee,
 in respect of a premises licence, the licensing authority who issued the licence,

“the Table” means the table of maximum fees set out in the Schedule, and

“the Transitional Order” means the Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) Order 2006(a).

(2) A reference in these Regulations to a section of an Act is a reference to a section of the Gambling Act 2005.

### **Classes of premises licence**

**3.—(1)** For the purposes of these Regulations, there are the following classes of premises licence—

- (a) a regional casino premises licence,
- (b) a large casino premises licence,
- (c) a small casino premises licence,

---

(a) S.I. 2006/3272 (C.119), to which there are amendments not relevant to this Order.

- (d) a converted casino premises licence,
  - (e) a bingo premises licence,
  - (f) an adult gaming centre premises licence,
  - (g) a betting premises (track) licence,
  - (h) a family entertainment centre premises licence, and
  - (i) a betting premises (other) licence.
- (2) In applying regulations 4(2)(b), 5(2), 11(2), 12(2), 14(2) and 15(2)—
- (a) the class of premises licence to which an application relates, or
  - (b) the relevant class of premises licence, in the case of an application for a provisional statement,

is to be determined as at the date that the application is made.

(3) In applying regulation 8(2), the class of premises licence to which an annual fee relates is to be determined as at the date by which the fee is payable.

#### **Application fee for conversion application**

**4.—**(1) The amount of the application fee for a conversion application shall be determined by the relevant licensing authority.

- (2) But the amount of that fee shall not exceed—
- (a) in the case of a fast track application, £300, and
  - (b) in the case of a non-fast track application, the amount specified in column (2) of the Table which is opposite the class of premises licence in column (1) to which the application relates.

#### **Application fee for non-conversion application**

**5.—**(1) The amount of the application fee for a non-conversion application shall be determined by the relevant licensing authority.

- (2) But the amount of that fee shall not exceed—
- (a) in the case of an application in respect of provisional statement premises, the amount specified in column (3) of the Table which is opposite the class of premises licence in column (1) to which the application relates, and
  - (b) in the case of an application in respect of any other premises, the amount specified in column (4) of the Table which is opposite the class of premises licence in column (1) to which the application relates.
- (3) In paragraph (2) “provisional statement premises”—
- (a) means premises in respect of which a licensing authority have issued a provisional statement under section 164 (as applied by section 204(2)), but
  - (b) does not include any such premises which have been constructed or altered otherwise than in accordance with the plans and information included with the application for the provisional statement in accordance with section 204(3).

#### **First annual fee for premises licence**

**6.—**(1) The amount of the first annual fee for a premises licence shall be determined by the relevant licensing authority.

(2) But the amount of that fee shall not exceed the amount of the annual fee for the licence as determined in accordance with regulation 8.

- (3) In applying paragraph (2) the amount of the annual fee for the licence is to be determined—
- (a) as at the date by which the first annual fee is payable, and

- (b) as if the annual fee were payable by that date.
- (4) This regulation is subject to regulation 9.

#### **Date by which first annual fee is payable**

7.—(1) Where a licence comes into effect on the issue date, the first annual fee for the licence shall be paid within 30 days after that date.

(2) Where a licence specifies that it is to come into effect on an effective date, the first annual fee for the licence shall be paid within—

- (a) the relevant period, or
- (b) 12 months,

after the issue date, whichever is sooner.

(3) Paragraph (2) does not apply to a premises licence issued before 1st September 2007.

(4) In this regulation—

“the effective date”, in relation to a licence which specifies that it is to come into effect on a date after the issue date, means the date so specified,

“the issue date” means the date on which a licence is issued, and

“the relevant period”, in relation to a licence, means the period which is equal to the sum of—

- (a) the period between the issue date and the effective date, and
- (b) 30 days.

#### **Annual fee for premises licence**

8.—(1) The amount of the annual fee for a premises licence shall be determined by the relevant licensing authority.

(2) But the amount of that fee shall not exceed the amount specified in column (5) of the Table which is opposite the class of premises licence in column (1) to which the fee relates.

(3) This regulation is subject to regulation 9.

#### **First annual and annual fees for premises licence that is subject to a seasonal condition**

9.—(1) Where a premises licence is subject to a seasonal condition, the relevant licensing authority may determine—

- (a) a first annual fee, and
- (b) an annual fee,

for the licence that are less than the first annual fee and annual fee respectively that would, but for this regulation, be payable in respect of the licence.

(2) In paragraph (1), “seasonal condition” means a condition attached to a licence by a licensing authority under section 169(1)(a) which provides that the premises to which the licence relates may be used for the activities specified in the licence for part of a year only.

#### **Change of circumstance fee**

10.—(1) The amount of the fee under section 186(3)(a) to accompany a notification of a change of circumstance under section 186(1) shall be determined by the relevant licensing authority.

(2) But the amount of that fee shall not exceed £50.

#### **Fee for application to vary licence**

11.—(1) The amount of the application fee for an application to vary a licence under section 187(1) shall be determined by the relevant licensing authority.



(2) But the amount of that fee shall not exceed the amount specified in column (6) of the Table which is opposite the class of premises licence in column (1) to which the application relates.

#### **Fee for application to transfer**

**12.**—(1) The amount of the application fee for an application to transfer a licence under section 188(1) shall be determined by the relevant licensing authority.

(2) But the amount of that fee shall not exceed the amount specified in column (7) of the Table which is opposite the class of premises licence in column (1) to which the application relates.

#### **Fee for application for copy of licence**

**13.**—(1) The amount of the application fee for an application for a copy of a licence under section 190(1) shall be determined by the relevant licensing authority.

(2) But the amount of that fee shall not exceed £25.

#### **Fee for application for reinstatement**

**14.**—(1) The amount of the application fee for an application for reinstatement of a licence under section 195(2) shall be determined by the relevant licensing authority.

(2) But the amount of that fee shall not exceed the amount specified in column (8) of the Table which is opposite the class of premises licence in column (1) to which the application relates.

#### **Fee for application for provisional statement**

**15.**—(1) The amount of the application fee for an application for a provisional statement under section 204(1) shall be determined by the relevant licensing authority.

(2) But the amount of that fee shall not exceed the amount specified in column (9) of the Table which is opposite the relevant class of premises licence in column (1).

(3) In paragraph (2), “the relevant class of premises licence”, in relation to an application for a provisional statement in respect of premises, means the class of premises licence to which an application for a licence in respect of the premises would, if made, relate.

21st February 2007

*Richard Caborn*  
Minister of State  
Department for Culture, Media and Sport

## SCHEDULE

Table of maximum fees

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>	<i>Column (4)</i>	<i>Column (5)</i>	<i>Column (6)</i>	<i>Column (7)</i>	<i>Column (8)</i>	<i>Column (9)</i>
<i>Classes of premises licence</i>	<i>Maximum conversion application fee for non-fast track application</i>	<i>Maximum non-conversion application fee in respect of provisional statement premises</i>	<i>Maximum non-conversion application fee in respect of other premises</i>	<i>Maximum annual fee</i>	<i>Maximum fee for application to vary licence</i>	<i>Maximum fee for application to transfer a licence</i>	<i>Maximum fee for application for reinstatement of a licence</i>	<i>Maximum fee for application for provisional statement</i>
Regional casino premises licence		£8,000	£15,000	£15,000	£7,500	£6,500	£6,500	£15,000
Large casino premises licence		£5,000	£10,000	£10,000	£5,000	£2,150	£2,150	£10,000
Small casino premises licence		£3,000	£8,000	£5,000	£4,000	£1,800	£1,800	£8,000
Converted casino premises licence	£2,000			£3,000	£2,000	£1,350	£1,350	
Bingo premises licence	£1,750	£1,200	£3,500	£1,000	£1,750	£1,200	£1,200	£3,500
Adult gaming centre premises licence	£1,000	£1,200	£2,000	£1,000	£1,000	£1,200	£1,200	£2,000

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>	<i>Column (4)</i>	<i>Column (5)</i>	<i>Column (6)</i>	<i>Column (7)</i>	<i>Column (8)</i>	<i>Column (9)</i>
<i>Classes of premises licence</i>	<i>Maximum conversion application fee for non-fast track application</i>	<i>Maximum non-conversion application fee in respect of provisional statement premises</i>	<i>Maximum non-conversion application fee in respect of other premises</i>	<i>Maximum annual fee</i>	<i>Maximum fee for application to vary licence</i>	<i>Maximum fee for application to transfer a licence</i>	<i>Maximum fee for application for reinstatement of a licence</i>	<i>Maximum fee for application for provisional statement</i>
Betting premises (track) licence	£1,250	£950	£2,500	£1,000	£1,250	£950	£950	£2,500
Family entertainment centre premises licence	£1,000	£950	£2,000	£750	£1,000	£950	£950	£2,000
Betting premises (other) licence	£1,500	£1,200	£3,000	£600	£1,500	£1,200	£1,200	£3,000

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make provision about application, annual and other fees relating to premises licences issued under Part 8 of the Gambling Act 2005 (“the Act”) in England and Wales.

The Regulations provide that the following types of fees are to be determined by licensing authorities:

- licence application fee (regulations 4 and 5),
- first annual fee (regulations 6 and 9),
- annual fee (regulations 8 and 9),
- notification of a change of circumstance fee (regulation 10),
- application to vary a licence fee (regulation 11),
- application to transfer a licence fee (regulation 12),
- fee for a copy of a licence (regulation 13),
- application for reinstatement of a licence fee (regulation 14), and
- provisional statement application fee (regulation 15).

In each case, the fee determined by a licensing authority must not exceed a maximum fee specified in the relevant regulation or in the table of maximum fees in the Schedule. The table in the Schedule specifies maxima for different types of fee according to the class of premises licence to which the fee relates. Regulation 3 sets out the different classes of premises licence. Six of these classes are identical to those set out in section 150 of the Act. The remainder are defined in regulation 2.

Regulations 4 and 5 provide for licensing authorities to determine different licence application fees for conversion applications and non-conversion applications. The terms “conversion application” and “non-conversion application” are defined in regulation 2 – the former meaning an application to which paragraph 54 of Schedule 4 to the Gambling Act 2005 (Commencement No.6 and Transitional Provisions) Order 2006 (S.I. 2006/3272) (“the Transitional Order”) applies.

Regulation 4 provides for two types of conversion application – fast track and non-fast track applications – which are defined in regulation 2 as meaning applications to which paragraphs 57 and 56 of Schedule 4 to the Transitional Order, respectively, apply. Regulation 4 provides for licensing authorities to determine different fees for fast track and non-fast track applications, which must not exceed amounts specified in regulation 4(2)(a) and the table in the Schedule respectively.

Regulation 5 provides for licensing authorities to determine different fees for two types of non-conversion applications:

- those in respect of provisional statement premises, and
- those in respect of any other premises.

The term “provisional statement premises” is defined in regulation 5(3).

Regulations 6(2) and (3) provide that the first annual fee for a licence determined by a licensing authority must not exceed the annual fee for the licence, determined as at the date by which the first annual fee is payable as if the annual fee were payable by that date.

Regulation 7(1) provides that, where a licence comes into effect on the date on which it is issued (“the issue date”), the first annual fee shall be paid within 30 days after that date. Regulation 7(2) provides that, where a licence specifies that it is to come into force on a date after the issue date (“the effective date”), the first annual fee shall be paid either within 30 days after the effective date, or within 12 months of the issue date, whichever is sooner. Regulation 7(2) does not apply to licences which were issued before 1st September 2007 – transitional provision as to the payment

of first annual fees in respect of such licenses is made in paragraph 36 of Schedule 4 to the Transitional Order.

Regulation 9 provides for licensing authorities to determine specific first annual fees and annual fees for licences that are subject to seasonal conditions. The term “seasonal condition” is defined in regulation 9(2). Where a licensing authority does determine a specific first annual fee and annual fee in these circumstances, those fees must be less than the first annual fee and annual fee that would otherwise apply to the licence.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business is available from Frances Macleod at the Department for Culture, Media and Sport, 2-4 Cockspur Street, London SW1Y 5DH; email: [frances.macleod@culture.gsi.gov.uk](mailto:frances.macleod@culture.gsi.gov.uk).

**2007 No. 479**

**BETTING, GAMING AND LOTTERIES, ENGLAND AND  
WALES**

**The Gambling (Premises Licence Fees) (England and Wales)  
Regulations 2007**

**£3.00**

© Crown copyright 2007

Printed and published in the UK by The Stationery Office Limited  
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's  
Stationery Office and Queen's Printer of Acts of Parliament.

E0237 2/2007 170237T 19585

### Gambling Act 2005 - Fees

[illegible]

This page is intentionally left blank



## Appendix B

### Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:***
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;***
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:***
    - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;***
    - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;***
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.***
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.***
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”***

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?

- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

<b>What is the proposed decision that you are asking the Executive to make:</b>	To approve further charges.
<b>Summary of relevant legislation:</b>	Gambling Act 2005
<b>Does the proposed decision conflict with any of the Council's key strategy priorities?</b>	No.
<b>Name of assessor:</b>	Emilia Matheou
<b>Date of assessment:</b>	5/7/2017

<b>Is this a:</b>		<b>Is this:</b>	
<b>Policy</b>	<b>No</b>	<b>New or proposed</b>	<b>No</b>
<b>Strategy</b>	<b>No</b>	<b>Already exists and is being reviewed</b>	<b>Yes</b>
<b>Function</b>	<b>Yes</b>	<b>Is changing</b>	<b>No</b>
<b>Service</b>	<b>Yes</b>		

<b>1. What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?</b>	
<b>Aims:</b>	Introduce fee structure
<b>Objectives:</b>	Set the fees as per statutory requirement
<b>Outcomes:</b>	Determine fees for prescribed gambling activities
<b>Benefits:</b>	Increase in revenue but only to cover costs incurred

<b>2. Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.</b> (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)
---

Group Affected	What might be the effect?	Information to support this
Age	No impact	
Disability	No impact	
Gender Reassignment	No impact	
Marriage and Civil Partnership	No impact	
Pregnancy and Maternity	No impact	
Race	No impact	
Religion or Belief	No impact	
Sex	No impact	
Sexual Orientation	No impact	
<b>Further Comments relating to the item:</b>		

3. Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer:	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer:	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4. Identify next steps as appropriate:	
Stage Two required	Not applicable

<b>Owner of Stage Two assessment:</b>	Not applicable
<b>Timescale for Stage Two assessment:</b>	Not applicable

**Name: Emilia Matheou**

**Date: 5/7/2017**

---

**Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) ([rachel.craggs@westberks.gov.uk](mailto:rachel.craggs@westberks.gov.uk)), for publication on the WBC website.**

---

## House of Lords Select Committee Review of Licensing Act 2017 Report title - Summary Report

---

<b>Committee considering report:</b>	Licensing Committee
<b>Date of Committee:</b>	18 July 2017
<b>Portfolio Member:</b>	Councillor Marcus Franks
<b>Date Portfolio Member agreed report:</b>	07 July 2017
<b>Report Author:</b>	Julia O'Brien
<b>Forward Plan Ref:</b>	N/a

---

### 1. Purpose of the Report

- 1.1 On 25 May 2016, the House of Lords appointed a Select Committee to “consider and report on the Licensing Act 2003”. The report of this Committee, “The Licensing Act 2003: post-legislative scrutiny” was published on 4 April 2017.
- 1.2 The introduction to the report concludes that ‘while the implementation of the Act leaves a great deal to be desired, to a large extent this is caused by an inadequate statutory framework whose basic flaws have, if anything, been compounded by subsequent piecemeal amendments. A radical comprehensive overhaul is needed, and this is what our recommendations seek to achieve’.

### 2. Recommendation(s)

- 2.1 Members are invited to note the report.

### 3. Implications

- 3.1 **Financial:** None
- 3.2 **Policy:** None
- 3.3 **Personnel:** None
- 3.4 **Legal:** None
- 3.5 **Risk Management:** None
- 3.6 **Property:** None
- 3.7 **Other:** None

### 4. Other options considered

- 4.1 N/A

## Executive Summary

### 5. Introduction / Background

Key conclusions and recommendations in the report include the following:

- The Government made a substantial error in creating new committees for local authorities to deal with licensing. The evidence received about the poor operation of licensing committees was convincing and the committee was extremely concerned by what it heard. Planning committees are more effective and reliable, and are well-equipped for making licensing decisions. They should take over the licensing function. Coordination between the licensing and planning systems should begin immediately.
- Licensing appeals should no longer go to magistrates' courts but should, like planning appeals, go to the planning inspectorate.
- The Late Night Levy does not pay for the cost of policing as intended, and in its current form is fundamentally wrong in principle and in practice. Unless amendments already made prove effective, the Late Night Levy should be repealed. So should Early Morning Restriction Orders, which no local authority has yet introduced.
- Fees for licensing should be set locally, not nationally. In doing so, local authorities must bear in mind that there are doubts about the legality of any element of a fee which goes beyond what is needed to process the application.
- There is no justification for the Licensing Act not applying to sales airside at airports.
- The legality of Minimum Unit Pricing is still under consideration by the Supreme Court. If it is found to be lawful and is introduced in Scotland, and is found to be effective in cutting down excessive drinking, England and Wales should follow Scotland's lead.
- Scotland's example should also be followed in helping disabled people to access licensed premises by requiring an application for a premises licence to include a disabled access statement.
- There is not presently a case for further deregulation.
- Creation of a national database for personal licence holders.
- An 'Agent of Change' principle be adopted in both planning and licensing guidance to help protect both licensed premises and local residents from consequences arising from any new development in their nearby vicinity
- Notices of application should not need to be given by an advertisement in a local paper.

### 6. Proposal

- Members to note the report.

## 7. Conclusion

- Members to note the report. No further action required

## 8. Appendices

8.1 Appendix A – Supporting Information

8.2 Appendix B – Equalities Impact Assessment

This page is intentionally left blank



---

# House of Lords Select Committee Review of Licensing Act 2017 – Supporting Information

---

## 1. Introduction/Background

- 1.1 On 25 May 2016, the House of Lords appointed a Select Committee to “consider and report on the Licensing Act 2003”. The report of this Committee, “The Licensing Act 2003: post-legislative scrutiny” was published on 4 April 2017.
- 1.2 The introduction to the report concludes that ‘while the implementation of the Act leaves a great deal to be desired, to a large extent this is caused by an inadequate statutory framework whose basic flaws have, if anything, been compounded by subsequent piecemeal amendments. A radical comprehensive overhaul is needed, and this is what our recommendations seek to achieve’.

## 2. Supporting Information

- 2.1 Key conclusions and recommendations in the report include the following:
  - The Government made a substantial error in creating new committees for local authorities to deal with licensing. The evidence received about the poor operation of licensing committees was convincing and the committee was extremely concerned by what it heard. Planning committees are more effective and reliable, and are well-equipped for making licensing decisions. They should take over the licensing function. Coordination between the licensing and planning systems should begin immediately.
  - Licensing appeals should no longer go to magistrates’ courts but should, like planning appeals, go to the planning inspectorate.
  - The Late Night Levy does not pay for the cost of policing as intended, and in its current form is fundamentally wrong in principle and in practice. Unless amendments already made prove effective, the Late Night Levy should be repealed. So should Early Morning Restriction Orders, which no local authority has yet introduced.
  - Fees for licensing should be set locally, not nationally. In doing so, local authorities must bear in mind that there are doubts about the legality of any element of a fee which goes beyond what is needed to process the application.
  - There is no justification for the Licensing Act not applying to sales airside at airports.
  - The legality of Minimum Unit Pricing is still under consideration by the Supreme Court. If it is found to be lawful and is introduced in Scotland, and is found to be effective in cutting down excessive drinking, England and Wales should follow Scotland's lead.

- Scotland's example should also be followed in helping disabled people to access licensed premises by requiring an application for a premises licence to include a disabled access statement
- There is not presently a case for further deregulation
- Creation of a national database for personal licence holders
- An 'Agent of Change' principle be adopted in both planning and licensing guidance to help protect both licensed premises and local residents from consequences arising from any new development in their nearby vicinity
- Notices of application should not need to be given by an advertisement in a local paper.

2.2 The Chairman of the Committee, Baroness McIntosh of Pickering, said:

"It was a mistake and a missed opportunity to set up new licensing committees when the planning system was already available to regulate the use of land for many different purposes. The planning system is well suited to dealing with licensing applications and appeals, and the interests of residents are always taken into account".

The Committee was shocked by some of the evidence it received on hearings before licensing committees. Their decisions have been described as 'something of a lottery', 'lacking formality', and 'indifferent', with some 'scandalous misuses of the powers of elected local councillors'."

2.3 The Berks and Bucks Licensing Group are compiling a response to an Institute of Licensing Survey on the report to inform further discussions with bodies such as the Local Government Association.

### 3. Options for Consideration

3.1 Report for Members Information

### 4. Proposals

4.1 Members to note the report

### Conclusion

4.2 Information report only

### 5. Consultation and Engagement

Not applicable

---

#### Background Papers:

None

#### Subject to Call-In:

Yes: ☐ No: ☒

Report is to note only



---

**Wards affected:**

Whole of District

---

**Strategic Aims and Priorities Supported:**

The proposals will help achieve the following Council Strategy aim:

☒ **MEC – Become an even more effective Council**

The proposals contained in this report will help to achieve the following Council Strategy priority:

☒ **MEC1 – Become an even more effective Council**

The proposals contained in this report will help to achieve the above Council Strategy aims and priorities by \*(add text)

---

**Officer details:**

Name: Julia O'Brien  
Job Title: Team Manager - Licensing  
Tel No: 01635 519849  
E-mail Address: [julia.obrien@westberks.gov.uk](mailto:julia.obrien@westberks.gov.uk)

---

## Appendix B

### Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:**
    - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
    - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

<b>What is the proposed decision that you are asking the Executive to make:</b>	Not Applicable for Information Only
<b>Summary of relevant legislation:</b>	
<b>Does the proposed decision conflict with any of the Council's key strategy priorities?</b>	
<b>Name of assessor:</b>	
<b>Date of assessment:</b>	

Is this a:		Is this:	
<b>Policy</b>	<b>Yes/No</b>	<b>New or proposed</b>	<b>Yes/No</b>
<b>Strategy</b>	<b>Yes/No</b>	<b>Already exists and is being reviewed</b>	<b>Yes/No</b>
<b>Function</b>	<b>Yes/No</b>	<b>Is changing</b>	<b>Yes/No</b>
<b>Service</b>	<b>Yes/No</b>		

<b>1. What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?</b>	
<b>Aims:</b>	
<b>Objectives:</b>	
<b>Outcomes:</b>	
<b>Benefits:</b>	

<b>2. Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.</b> (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
<b>Group Affected</b>	<b>What might be the effect?</b>	<b>Information to support this</b>
Age		
Disability		
Gender Reassignment		
Marriage and Civil		

Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
<b>Further Comments relating to the item:</b>		

<b>3. Result</b>	
<b>Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?</b>	<b>Yes/No</b>
Please provide an explanation for your answer:	
<b>Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?</b>	<b>Yes/No</b>
Please provide an explanation for your answer:	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

<b>4. Identify next steps as appropriate:</b>	
<b>Stage Two required</b>	
<b>Owner of Stage Two assessment:</b>	
<b>Timescale for Stage Two assessment:</b>	

Name:

Date:

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) ([rachel.craggs@westberks.gov.uk](mailto:rachel.craggs@westberks.gov.uk)), for publication on the WBC website.

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## **JOINT PUBLIC PROTECTION COMMITTEE**

### **Minutes of the meeting held on**

**Tuesday, 14 MARCH 2017**

**Wokingham BOROUGH COUNCIL, SHUTE END, WOKINGHAM, BERKSHIRE,  
RG41 1BN**

**Present:** Cllrs Nick Allen, Marcus Franks, Pauline Jorgensen, Iain McCracken, Alison Swaddle and Emma Webster

**Also Present:** Paul Anstey (Public Protection Manager), Sean Murphy (Public Protection Manager), Steve Broughton (Head of Public Protection and Culture), Moira Fraser (West Berkshire Council), Clare Lawrence (Head of Development Management and Regulatory Services, Wokingham Borough Council) and Steve Loudoun (Chief Officer Environment & Public Protection, Bracknell Forest Borough Council)

### **PART I**

#### **1 Election of Chairman**

**RESOLVED** that Councillor Alison Swaddle be elected Chairman of the Joint Public Protection Committee for this meeting and the 2017/18 Municipal Year.

#### **2 Appointment of Vice-Chairman**

**RESOLVED** that Councillor Iain McCracken be appointed as the Vice- Chairman of the Joint Public Protection Committee for this meeting and the 2017/18 Municipal Year.

#### **3 Apologies**

There were no apologies received for inability to attend the meeting.

#### **4 Declarations of Interest**

Councillors Iain McCracken and Emma Webster declared an interest in Agenda Item 11, but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

#### **5 Notice of Public Speaking and Questions**

No notice had been received that members of the public wished to address the Committee on any of the agenda items.

No public questions were submitted in relation to general issues concerned with the work of the Partnership or any items which were on the agenda for the meeting.

#### **6 Public Protection Partnership Business Plan**

The Committee considered a report (Agenda Item 6) which identified the relevant details of the Inter Authority Agreement (IAA) and set out how the Public Protection Partnership (PPP) intended to operate through the delivery of the Business Plan.

Councillor Marcus Franks noted that one of the Strategic Priorities was 'protecting and improving health' and he sought reassurance that this activity was being undertaken in consultation with Public Health. Paul Anstey stated that the operating model highlighted

## JOINT PUBLIC PROTECTION COMMITTEE - 14 MARCH 2017 - MINUTES

priorities for the service based on a range of issues one of which was health. It was a high level strategic document. When looking at specific issues they could work closely or jointly with Public Health if appropriate. He reassured Members that nothing would be done in isolation if it could be done better together. Sean Murphy noted that the service was already responsible for enforcing certain legislation e.g. legislation pertaining to underage sales and smuggled tobacco and they were already committed to undertaking this work for Public Health.

Councillor Nick Allen noted that the original partnership had involved two authorities and he asked what impact having a third authority in the partnership would have. Paul Anstey explained that Officers had fundamentally reviewed the operating model based on the lessons learnt and would seek to further imbed to best bits of the existing partnership. They had looked at information provided from Bracknell and a single entity was being set up with one set of priorities and one budget. He saw this as a natural progression.

Councillor Iain McCracken noted that the Joint Committee was expected to meet bi-annually and he queried whether this was sufficient. Officers explained that this was a minimum requirement and it was likely that meetings would take place on a quarterly basis until the governance arrangements and the partnership had time to settle in. It was also acknowledged that there would be more business to transact during the first year. He therefore requested that the reference on page 19 be amended to say at least bi-annually. **(Steve Broughton to Action)**.

Councillor McCracken noted the Risk Profiles set out in section 8.5 (page 22) of the document and queried what visibility the Joint Committee would have of these. Steve Broughton explained that Officers would produce this information as part of the quarterly performance data.

Councillor McCracken commented that there was no mention of a Communication Strategy in Section 13 Workforce Planning. Officers commented that this was a living document and that this matter could be added to the list and the service would then report annually to the Committee on this issue. **(Steve Broughton to Action)**.

Councillor Emma Webster requested that the Service focus on any issues arising from the exit interviews.

Councillor McCracken requested that the Royal Berkshire Fire and Rescue Service and the South Central Ambulance Service be added to the list of Professional Working Groups set out in Section 14 of the report. **(Steve Broughton to Action)**.

Councillor McCracken welcomed the Communication Strategy and noted that each Partner would be required to provide the Service with access to resources to process media enquiries relevant to the Service. Sean Murphy noted that there was a proposal around a Communications Officer in the Strategy. Councillor Pauline Jorgensen was concerned about inter borough conflict. Sean Murphy explained that this had been discussed by the communication leads from the authorities. It had been agreed that area specific issues would be dealt with by the relevant authority using their methodology. Communications arising from the Partnership would be signed off by the Chairman of the Partnership. Councillor Jorgensen stressed the need for political sign off in the individual authorities.

Councillor McCracken queried whether the Joint Committee would have sight of the existing contracts referred to in Section 16 (External Contracts) of the report. Sean Murphy stated that the list was not confidential and could form part of the performance report.

Discussion then turned to the Enforcement Approach to the Sale of Age Restricted Products set out in Appendix A. In response to queries from Members Officers explained that when it came to test purchasing of age restricted products it was permissible for



## JOINT PUBLIC PROTECTION COMMITTEE - 14 MARCH 2017 - MINUTES

young people to lie about their age if they had parental consent. This meant that real scenarios could be replicated. When the young person entered the premise they should be asked to provide identification and should not be asked how old they were.

Councillor McCracken queried whether this could constitute entrapment. Sean Murphy stated that this was an area of law that had been well tested. The sellers had a duty to comply with the law and had a choice as to whether or not they wished to sell the product. As long as the young people were well briefed and understood the range of scenarios the protocols employed would stand up in court.

Councillor McCracken requested that schools and illegitimate businesses be added to the list of Target Audiences set out on page 35 of the documentation. **(Steve Broughton to Action).**

Councillor Webster requested that parish and town councils be added to the list of Channels and Tools on pages 35 and 36. **(Steve Broughton to Action).**

**RESOLVED that:** The Business Plan and the policies included within it be approved subjected to the inclusion of the amendments set out above.

**Other options considered:** None

### 7 **Public Protection Partnership Use of the Asset Recovery Incentivisation Scheme (ARIS)**

The Committee considered a report (Agenda Item 7) which explained how the Public Protection Partnership (PPP) would be implementing the Asset Recovery Incentivisation Scheme (ARIS).

Councillor Iain McCracken noted that the scheme could be used to fund additional financial investigators. He queried if any had been employed, the terms and conditions they were appointed on and in particular if their contracts were time limited or if they were permanent employees. Officers noted that there was currently one full time financial investigator employed. They would only be employed if there was funding available from the scheme to do so.

Councillor Pauline Jorgensen queried if they were employed as contractors. Officers confirmed that, as per the requirements of the National Crime Agency, they had to be employees. Councillor Jorgensen queried if the Partnership would be responsible for any redundancy costs. Seam Murphy explained that the current financial investigator was employed on a shared basis with Reading Borough Council for an initial two year period. There was sufficient funding in place to continue to fund the role.

Paul Anstey stated that this employee formed part of the current structure and that this role should not be treated any differently from other employees that would be transferred into the Partnership.

Members were concerned that if the financial investigator was employed for more than two years on a fixed term contract they would accrue the same rights as a permanent employee. They were therefore of the opinion that any decision to employ a financial investigator for a longer period than the two years should be brought before this Committee. They confirmed that any appointment for less than two years would be deemed to be an operational decision.

Councillor Emma Webster in commenting on the Public Protection Community Fund noted that there would be an annual allocation of the post disbursement POCA reserve totalling no more than 20% of the balance in any one year. She queried what the rational was behind the 20% allocation. Officers confirmed that there was no specific science behind the sum. It was agreed that these decisions should be brought to the Committee.

## JOINT PUBLIC PROTECTION COMMITTEE - 14 MARCH 2017 - MINUTES

It was also agreed that the proposals relating to grants would be included on the next agenda and that Members would be given the opportunity to comment on the criteria etc. **(Steve Broughton to Action)**.

Councillor Jorgensen stated that organisations bidding for grants would have to provide financial information and details such as how many people in the area they provided a service for. Councillor Marcus Franks stated that it would be useful to see what grant funding other authorities authorised and what criteria they used to assess applications.

Councillor McCracken noted that in respect of accounting for ARIS monies the report stated that all money should be treated as a grant held in reserve and an annual return would have to be submitted to the Home Office. He queried if there was a value or time limit set on the reserve. Officers confirmed that there was no limit in terms of the amount however the Home Office guidance was clear that this should not be used as an opportunity to 'stock pile' the money. It should be returned to the community as soon as was reasonably and practicably possible. In terms of time scales there was an informal bracket of three years but this was flexible although any delays would have to be justifiable.

Steve Broughton stated that it was important to set up a framework which identified where the money should be spent accepting that projects might have varying timescales. Paul Anstey explained that the Home Office return would have to set out how much money was being held in the reserve, what projects it had been allocated to etc. The return would have to show that the expenditure was supporting crime prevention and would benefit the community and was not being used to fund other local authority activities. Sean Murphy noted that funding could also be used to pay compensation to victims and that this approach was actively encouraged.

Councillor McCracken queried who would be responsible for signing off any communications. The Committee agreed that this should be the Chairman (Alison Swaddle). Where appropriate she would consult the elected Members from the other authorities.

Members agreed the principles outlined in the report but requested that the words 'and will not' be removed from the second paragraph (page 49) of the Background section of the document. **(Steve Broughton to Action)** to avoid the appearance of pre-determination.

**RESOLVED that:** the principles outlined in the ARIS report be agreed and that it be adopted as a policy.

**Other options considered:** Not implementing policy on use of ARIS

### 8 Public Protection Partnership Fees and Charges

The Committee considered a report (Agenda Item 8) which sought agreement on the cost recovery process for the PPP and explained how it would affect fees and charges in the future.

Councillor Alison Swaddle queried what level of free advice should be offered. Steve Broughton commented that this was a tricky area and was to some extent dependent on the size and nature of the business. In general terms he felt that they should be charged as the costs would be tax deductible.

The Chairman noted that the options were set out on page 66 of the agenda pack. Councillor Pauline Jorgensen stated that it might be difficult to establish the number of employees and that there was the potential that the callers could misrepresent the size of their business. Paul Anstey accepted this point but stated that Officers would have some

## JOINT PUBLIC PROTECTION COMMITTEE - 14 MARCH 2017 - MINUTES

ability to work out the size of the organisation. Councillor Marcus Franks stated that it would be necessary to trust people enough not to misrepresent the facts.

Councillor Nick Allen stated that it was difficult to evaluate the options without any detailed costings and information on the level of resources required. Paul Anstey responded that any analysis would have to be in general terms. The Joint Management Team believed that it was realistic to estimate that 5% of all contact with the PPP was asking for advice relevant to businesses. This equated to approximately 1000 enquiries per year or 20 per week. If the PPP was able to convert 10% of this business into a one hour chargeable service income of circa £5.3k would be possible. It was agreed that the situation should be reviewed in twelve months time to see if it was making any difference whether by decreasing demand or increased income.

Members felt that it would be appropriate to provide general advice for free but that any advice that was site specific would have to be charged for. Councillor Emma Webster commented that when setting up a business the employer was likely to seek advice from accountants or lawyers which they would pay for. Therefore 30 minutes of free advice for a small company (less than five employees) was reasonable.

Sean Murphy noted that bigger companies already sought advice from the PPP and that there was a statutory framework in place to deal with these enquiries.

Members agreed that Option 1 should be adopted i.e. each local business with less than five employees would be limited to 30 minutes of free advice per year. They also agreed that this process should be monitored and that a report should be brought back to the Committee in twelve months time to evaluate income, demand and trend data. The parameters could then be adjusted if required.

Members requested that recommendation 2.2 be amended to state: the ability to ~~vary~~ recommend (*Insert*) the hourly rate be delegated to the Joint Management Board

### **RESOLVED that:**

1. the principles outlined in the Cost Recovery report be agreed.
2. the ability to recommend the hourly rate be delegated to the Joint Management Board.
3. the amount of free advice (30 minutes) to be provided to small businesses employing 5 or less people be agreed.

### **Other options considered:**

1. Keep free business advice for all.
2. Create a customised charging scheme based around type of business, scale of business, location of business etc.

## **9 Future Meeting Dates**

It was agreed that the next Committee meeting would take place in June 2017 at Wokingham Borough Council. Meetings would start at 7.00pm and take place on a quarterly basis.

*Post meeting note: It was proposed that the following future meeting dates be approved:*

*12 June 2017*

*19 September 2017*

*12 December 2017*

*19 March 2018*

*12 June 2018*

**10 Exclusion of the Press and Public**

**RESOLVED that** members of the press and public be excluded from the meeting for the under-mentioned item of business on the grounds that it involves the likely disclosure of exempt information as contained in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the [Local Government \(Access to Information\)\(Variation\) Order 2006](#). [Rule 8.10.4 of the Constitution also refers.](#)

**11 Public Protection Partnership Accommodation Options**

*(Paragraph 3 – information relating to financial/business affairs of particular person)*

*(Councillor Iain McCracken declared a personal interest in agenda Item 11. As his interest was personal and not a disclosable pecuniary interest he determined to take part in the debate and vote on the matter.)*

*(Councillor Emma Webster declared a personal interest in agenda Item 11. As her interest was personal and not a disclosable pecuniary interest she determined to take part in the debate and vote on the matter.)*

The Committee considered an exempt report (Agenda Item 11) which outlined the possible accommodation options available to the Public Protection Partnership..

**RESOLVED that** the recommendations in the exempt report be agreed.

*(The meeting commenced at 7.00 pm and closed at 8.45 pm)*

**CHAIRMAN** .....

**Date of Signature** .....