

Agenda

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General Purposes Licensing Committee

Date: **Wednesday 19 October 2011**

Time: **To follow Licensing and Gambling Acts Committee**

Place: **Oxford Town Hall**

For any further information please contact:

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General Purposes Licensing Committee

Membership

Chair	Councillor Clark Brundin	North;
Vice-Chair	Councillor Colin Cook	Jericho and Osney;
	Councillor Jim Campbell	St. Margaret's;
	Councillor Mary Clarkson	Marston;
	Councillor Van Coulter	Barton and Sandhills;
	Councillor John Goddard	Wolvercote;
	Councillor Michael Gotch	Wolvercote;
	Councillor Bryan Keen	Cowley;
	Councillor Gwynneth Royce	St. Margaret's;
	Councillor David Williams	Iffley Fields;

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AGENDA

Pages

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

The Quorum for this meeting is 4.

2 DECLARATIONS OF INTEREST

Councillors serving on the Committee are asked to declare any personal or prejudicial interests they may have in any of the following agenda items.

3 UPDATE ON TAXI LICENSING ACTIVITY APRIL 2011- AUGUST 2011

1 - 6

The Head of Environmental Development has submitted a report which details the progress made by the Taxi Licensing Function between April 2011 and August 2011.

The Committee is asked:

- (a) To note the contents of the report;
- (b) To make comments and recommendations regarding the future work of the Taxi Licensing Function.

4 CLOSED CIRCUIT TELEVISION IN LICENSED VEHICLES - CONDITIONS TO BE ATTACHED TO HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

7 - 8

The Head of Environmental Development has submitted a report which seeks approval for the attachment of additional conditions to Hackney Carriage and Private Hire Vehicle licences in relation to CCTV.

The Committee is asked:

- (a) To approve the implementation of the attached additional conditions (as set out in Appendix 1 of this report) to Hackney Carriage and Private Hire Vehicle licences in relation to the installation, operation and maintenance of CCTV systems;
- (b) To delegate the to the Head of Environmental Development and the Head of Law and Governance to make any necessary textual changes to the proposed conditions.

5 DRAFT SEX ESTABLISHMENT LICENSING POLICY

9 - 52

The Head of Environmental Development has submitted a report which seeks

to create a policy that sets out Oxford City Council's framework for the regulation of Sex Establishments in Oxford.

The Committee is asked:

- (a) Consider the draft Sex Establishment Licensing Policy based on the document appended to this report;
- (b) Consider whether or not to set a limit on the "appropriate number of sex establishments";
- (c) Agree any amendments to the draft Sex Establishment Licensing Policy or otherwise depending upon whether to set a limit on the appropriate number of sex establishments; and;
- (d) Agree the consultation programme as set out in this report; and
- (e) Request that the Head of Environmental Development submit a further report following the consultation or should the Committee wish for a limit to be set on the "appropriate number" of sex establishments, that following consultation at Area Fora, the "appropriate numbers be submitted to the Head of Environmental Development and the draft policy be amended accordingly, and a further report be submitted detailing the limit to be set on the "appropriate number" of sex establishments and included in the draft policy and a revised consultation period.

6 HORSE DRAWN CARRIAGES - CONSULTATION

53 - 116

The Head of Environmental Development has submitted a report which asks the Committee to consider the responses to the consultation regarding Horse Drawn Carriages.

The Committee is asked:

- (a) Consider the responses received during the consultation regarding Horse Drawn carriages; and
 - (b) Determine whether to either
 - (i) Proceed with the implementation of the Horse Drawn Carriage scheme.
 - (ii) Recommend Council to make the approved byelaws.
 - (iii) Subject to the making of the approved byelaws by Council authorise the Head of Law and Governance and Head of Environment Development to carry out the necessary statutory procedures.
- OR
- (iv) Not to proceed with implementation of the horse drawn carriage scheme.

7	HACKNEY CARRIAGE UNMET DEMAND SURVEY	117 - 126
	<p>The Head of Environmental Development has submitted a report which informs the Committee of the requirement for a new “unmet demand survey” of Hackney Carriage vehicles, if the regulated number of Hackney Carriage vehicles is to be maintained.</p> <p>The Committee is asked:</p> <ul style="list-style-type: none"> (a) Determine whether it is minded to recommend Council maintain a regulated number of Hackney Carriage vehicle licenses as set out in the Council’s Policy Framework; and (b) If minded to recommend Council to maintain a regulated number of Hackney Carriage vehicles, to authorise the Head of Environmental Development to tender for a new unmet demand survey to be carried out in 2012 following the guidelines set by the Department of. 	
8	DESIGNATION OF STREETS FOR STREET TRADING - CONSULTATION RESPONSES	127 - 148
	<p>The Head of Environmental Development has submitted a report the purpose of which is to report back on the responses to the public consultation on the proposal to designate all street in Oxford City as Consent streets for the purposes of Street Trading.</p> <p>The Committee is asked:</p> <ul style="list-style-type: none"> (a) To consider responses to the consultation, (b) To resolve to recommend that Council designates all streets within the Oxford City Council boundary as Consent Streets for the purposes of the Street Trading Scheme with effect from 1st April 2012, (c) To remove the designation of the Covered Market Walkways, the Clarendon Centre Walkways and the Westgate Centre Walkways, (d) To request the Head of Environmental Development to include a fee for daytime trading for sites outside the City centre and for community / charitable events in the review of fees and charges for 2011/12. 	
9	MINUTES	149 - 152
	<p>Minutes of the meeting held on 15th June 2011.</p>	
10	DATES OF FUTURE MEETINGS	

The Committee is asked to note that it will meet on the following dates at the Town Hall:

Wednesday 22nd February 2012

DECLARING INTERESTS

What is a personal interest?

You have a personal interest in a matter if that matter affects the well-being or financial position of you, your relatives or people with whom you have a close personal association more than it would affect the majority of other people in the ward(s) to which the matter relates.

A personal interest can affect you, your relatives or people with whom you have a close personal association positively or negatively. If you or they would stand to lose by the decision, you should also declare it.

You also have a personal interest in a matter if it relates to any interests, which you must register.

What do I need to do if I have a personal interest?

You must declare it when you get to the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you. You may still speak and vote unless it is a prejudicial interest.

If a matter affects a body to which you have been appointed by the authority, or a body exercising functions of a public nature, you only need declare the interest if you are going to speak on the matter.

What is a prejudicial interest?

You have a prejudicial interest in a matter if;

- a) a member of the public, who knows the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgment of the public interest; and
- b) the matter affects your financial interests or relates to a licensing or regulatory matter; and
- c) the interest does not fall within one of the exempt categories at paragraph 10(2)(c) of the Code of Conduct.

What do I need to do if I have a prejudicial interest?

If you have a prejudicial interest you must withdraw from the meeting. However, under paragraph 12(2) of the Code of Conduct, if members of the public are allowed to make representations, give evidence or answer questions about that matter, you may also make representations as if you were a member of the public. However, you must withdraw from the meeting once you have made your representations and before any debate starts.

To: General Purposes Licensing Committee

Date: 19 October 2011 **Item No:**

Report of: Head of Environmental Development

Title of Report: Update on Taxi Licensing Activity
April 2011 – August 2011

Summary and Recommendations

Purpose of report: To inform Committee of the progress made by the Taxi Licensing Function between April 2011 and August 2011.

Report Approved by:

Finance: Paul Swaffield

Legal: Daniel Smith

Policy Framework: A vibrant and sustainable economy

Recommendation(s):

The Committee is recommended to:

- (i) note the contents of the report, and**
- (ii) make comments and recommendations regarding the future work of the Taxi Licensing Function.**

Introduction

1. This report informs Committee of progress made by the Taxi Licensing Function under the duties of the Town & Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 between April 2011 – August 2011.
2. The report covers data on service volumes; details of Taxi Licensing hearing decisions; decisions made under delegated powers; information on volumes of drivers and vehicles and enforcement activity.
3. The tables below provide data on licence applications received and processed during the period for April 2011 to August 2011.

Licences Issued	Total Apr 11 – Aug 11
Hackney Carriage Driver	135
Private Hire Driver	279
Hackney Carriage Vehicle	61
Private Hire Vehicle	289
Private Hire Operator	12

Actions Undertaken	Total Apr 11 – Aug 11
Licensing Hearings	28
Enforcement Actions	76
Number of Prosecutions	0
Complaints about Drivers / Vehicles	49

Applications Granted by the Licensing Authority

4. A hearing is not required where an application has been lawfully made and no adverse information pertaining to the “fitness” of a person or vehicle to be licensed by this Authority has been found. There have been 294 driver, 350 vehicle, and 12 Operator licenses issued by the Head of Environmental Development under delegated authority during the period April 2011 – August 2011.

Hackney Carriage & Private Hire Licensing Sub-Committee Hearings

5. When adverse information pertaining to the “fitness” of a person or vehicle to be licensed by this Authority has been found then the application is determined at a Sub-Committee Hearing.
6. During April 2011 – August 2011, 20 Hearings were held to determine the fitness of new applicants and existing applicants (including those who whilst in possession of a licence had been deemed to not be considered a “fit and proper” as detailed in the Policy on the Relevance of Offences, Cautions and Convictions). The results of the Hearings are shown in the table below:

	Granted	Refused	Suspended	Revoked
New Driver	10	4		
Existing Driver	2	0	1	2
New Operator	1	0		

Appeals

7. The Licensing Authority received an application for appeal regarding the decision made by the Hackney Carriage and Private Hire Licensing Sub-Committee to revoke the licence of a Private Hire Driver, and this appeal is pending.

Prosecutions

8. During the period April 2011 – August 2011, no prosecutions were undertaken, however 5 Formal Cautions were issued for the offences of plying for hire and driving without the correct insurance in place.

Enforcement Activity

9. Between April 2011 and August 2011, the Licensing Team has issued:
 - 25 Advisory Warnings
 - 24 Verbal Warnings
 - 14 Written Warning
 - 6 Final Warnings
 - 6 (5 driver, 1 vehicle) Suspensions
 - 5 Formal Cautions

The majority of advisory warnings were issued due to minor breaches of driver / vehicle licence conditions i.e. failure to display Operator stickers, failure to have badge on display, minor cosmetic defects to vehicles. Other issues found that resulted in higher levels of warnings were non-declaration of convictions on applications, excessive penalty points on DVLA driving licences, aggressive behaviour, poor driving standards, failures to comply with reasonable requests from the Licensing Officers, failures to adequately maintain a licensed vehicle, and repetitive failures to adhere to standard driver and vehicle conditions that called in to question the licence holders suitability in line with this Authority's criteria of a Fit and Proper person as defined in the Policy on the Relevance of Offences, Cautions and Convictions which states:

Fit and Proper Person: A person who is of no threat to the general public, has a good City knowledge, is healthy, is of a good character (including driving record) and is therefore deemed fit and able to hold a licence.

10. Suspensions were issued to drivers when intelligence was provided by the Police who recommended that the individual may pose a threat to public safety, following the individuals being arrested for alleged violent or sexual offences. The suspension of a vehicle was initiated by Officers who witnessed a licensed vehicle in a poor state of repair. Further details of all of the suspension notices issued can be provided to individual Members if so requested.

11. An “advisory warning” is specifically issued to help educate licensed drivers who are new to the responsibilities of being a member of the taxi fraternity, or when there is some element of reasonable doubt between the version of events reported by the complainant and the licensed driver.
12. Due to the increased enforcement activities, and the need to find a quicker solution to remedying minor issues found during compliance checks, on the spot advice is also given to drivers, and recorded on the drivers record as an “advisory warning” at the office. Such advice related mostly to drivers not having their drivers badge on display, not having their record book in the vehicle, and minor matters relating to the cosmetic condition of the vehicle. With proposed changes to the legislation governing Hackney Carriage and Private Hire Licensing, fixed penalty notices may be implemented at a future date to deter licence holders from failing to uphold the conditions of their licence and to promote “best practice”. The role of the Licensing Authority is to ensure the licensed trade is “fit and proper” to service the general public.
13. A “Verbal, Written or Final” warning” is issued when the complaint has been substantiated beyond reasonable doubt or the alleged offence has been proven against the licensee, and is deemed to either be serious enough to warrant enforcement action of a higher level than an “advisory” letter, or the pattern of conduct by the licensee over any period of time has resulted in a “warning” being the next procedural level of action required. Such “warnings” rise in level, and their definitions can be found in the Policy on the Relevance of Offences, Cautions and Convictions (as adopted by Council).
14. Members should note that the new procedures are now in place following Council’s adoption of the Policy on the Relevance of Offences, Cautions and Convictions. This has resulted in a significant increase in cases being referred to the Hackney Carriage and Private Hire Licensing Sub-Committee.
15. Between April 2011 and August 2011, 3 taped interviews under Police & Criminal Evidence Act were carried out, either for the suspected offence of plying for hire, or other suspected criminal offences following information supplied by Thames Valley Police (i.e. violent offences). It should be noted that cases involving suspended drivers, are left to the Police and Courts to resolve, and upon such resolution, the matter then referred to the Hackney Carriage and Private Hire Licensing Sub-Committee.
16. Resulting from the above PACE interviews were:
 - 3 formal cautions issued for plying for hire,
 - 2 formal cautions issued for driving whilst uninsured

Nightsafe

17. The NightSafe initiative contributes to the taxi licensing objectives. This includes intelligence sharing and has led to the Taxi Licensing Enforcement Officers being able to view late night taxi activity in a number of locations by arrangement with the CCTV Manager. This benefits the enforcement of licensed drivers and vehicles as it can reveal unprofessional conduct by the licensed trade in the City at night, and can act as a check or deterrent.

Future Work

18. The Licensing Team will be relocating to St. Aldate's Chambers in March 2012, and has been very active in the Offices For The Future Programme. The Taxi Licensing function has now become almost totally electronic and virtually paperless, thus significantly reducing the volume of low-level service requests and creating significant efficiency savings.
19. Minor revisions are planned to the Policy on the Relevance of Offences, Cautions and Convictions; and amendments to and updating of the conditions and regulations applicable to drivers, vehicles and operators will be drafted. The completed works will be brought to the Committee for approval in January 2012, in order to be able to proceed as expected from 1st April 2012. Members continued involvement in this process is welcomed.
20. The Local Government Association is working with the Coalition Government and the Institute of Licensing to modernise the legislation regarding the licensing of Hackney Carriage and Private Hire drivers, vehicles and operators. It is expected that should such modernisation take place and be approved, that Oxford City Council will be able to implement the previously reported "Fixed Penalty Notices" as an addition to our current enforcement actions.

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Background papers:

Version: 1.0

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To: General Purposes Licensing Committee

Date: 19 October 2011 **Item No:**

Report of: Head of Environmental Development

Title of Report: Closed Circuit Television in Licensed Vehicles –
Conditions to be attached to Hackney Carriage and
Private Hire Vehicles

Summary and Recommendations

Purpose of report: To seek approval from the Committee for the attachment of additional Conditions to be attached to Hackney Carriage and Private Hire Vehicle licences in relation to CCTV.

Report Approved by: Head of Environmental Development

Finance: Paul Swaffield
Legal: Daniel Smith

Policy Framework: Improving local environment, economy and quality of life and public safety.

Recommendation(s):

- i) To approve the implementation of the attached additional Conditions (as set out in Appendix One of the report) to Hackney Carriage and Private Hire Vehicle licences in relation to the installation, operation and maintenance of CCTV systems; and**
- ii) To delegate the Head of Environmental Development and the Head of Law & Governance to make any necessary textual changes to the proposed conditions.**

Introduction

1. At it's meeting on 1st March 2011, the General Purposes Licensing Committee agreed to the implementation of CCTV in all licensed vehicles as detailed in the report submitted on that date, and requested that the Head of Environmental Development submit further reports regarding the progress of the CCTV initiative.
2. The General Purposes Licensing Committee has heard further reports and given it's approval to the progression of the CCTV initiative, and at it's last meeting on 15th June 2011, requested that the Head of Environmental Development submit a final report providing details of the additional Conditions applicable to the Licensing of Hackney Carriages and Private Hire vehicles in relation to CCTV.

Additional Conditions to be attached to Hackney Carriage and Private Hire vehicles

3. The General Purposes Licensing Committee has already approved the Minimum Specification Standard for CCTV, and conditions relating to the nature of advertising on the CCTV display screens, however, conditions are required to regulate the installation, operation and maintenance of the CCTV system.
4. Attached as **Appendix One** are the proposed additional Conditions applicable to the Licensing of Hackney Carriage and Private Hire vehicles, to be incorporated once approved / amended within the existing conditions, with immediate effect.
5. Members will be aware that CCTV will become mandatory in all vehicles licensed for the first time from 1st April 2012, and mandatory in all existing vehicles by 31st March 2015.

Financial Considerations

6. There are no financial considerations contained within the content of this report that apply to the Authority.

Legal Considerations

7. The Local Government (Miscellaneous Provisions) Act 1976 at sections 47 and 48 allows the licensing authority to attach to vehicle licences such conditions as it considers reasonably necessary. Committee must decide whether they consider that compulsory conditions regulating the installation, operation and maintenance of the CCTV system are reasonably necessary. Any licence holder aggrieved by any condition attached to their licence may appeal to the Magistrates' Court

Recommendations

8. The Committee is recommended to:
 - i) approve the implementation of the appended Conditions to be attached to Hackney Carriage and Private Hire vehicle licences in relation to CCTV; and
 - ii) To delegate the Head of Environmental Development and the Head of Law & Governance to make any necessary textual changes to the proposed conditions.

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Background papers:

Appendix One: Conditions to be attached to Hackney Carriage and Private Hire Vehicles

To: General Purposes Licensing Committee

Date: 19 October 2011

Item No:

Report of: Head of Environmental Development

Title of Report: Draft Sex Establishment Licensing Policy

Summary and Recommendations

Purpose of report: To create a policy that sets out Oxford City Council's framework for the regulation of Sex Establishments in Oxford.

Report Approved by:

Finance: Paul Swaffield

Legal: Daniel Smith (not approved)

Policy Framework: A vibrant and sustainable economy

Recommendation(s):

The Committee recommended to

- (i) consider the draft Sex Establishment Licensing Policy based on the document appended to this report;**
- (ii) consider whether or not to set a limit on the "appropriate number of sex establishments;**
- (iii) agree any amendments to the draft Sex Establishment Licensing Policy or otherwise depending upon whether to set a limit on the appropriate number of sex establishments; and;**
- (iv) agree the consultation programme as set out in this report; and**
- (v) request that the Head of Environmental Development submit a further report following the consultation or should the Committee wish for a limit to be set on the "appropriate number" of sex establishments, that following consultation at Area Fora, the "appropriate numbers be submitted to the Head of Environmental Development and the draft policy be amended accordingly, and a further report be submitted detailing the limit to be set on the "appropriate number" of sex establishments and included in the draft policy and a revised consultation period.**

INTRODUCTION

- 1 At Full Council on 19 April 2010 Council resolved:
 - a) To adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009 so that the provisions for the control of sexual entertainment venues shall apply; and
 - (b) That the new powers took effect from 10th June 2010;
2. The amended Schedule 3 gives local authorities more powers to control the number and location of sex establishments in their area.
3. For the purposes of this report and the draft policy, sex establishments include:
 - i) Sex Shops
 - ii) Sex Cinemas
 - iii) Sexual Entertainment Venues

Sex Establishment Policy

4. Members of the General Purposes Licensing Committee will note that the Licensing Authority has not previously developed a Sex Establishment Licensing Policy. It has been guided by the contents of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 with regard to previous applications for Sex Establishments.
5. Members have requested that the absence of a formal policy be rectified. A draft policy (attached at **Appendix One**) building on the principles of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 and incorporating the views expressed by Committee is therefore proposed.
6. The proposed draft provides the relevant Committee with the authority to determine whether or not any location may be deemed appropriate or otherwise for a Sex Establishment, by providing the following 2 options:
 - (i) Not set an “appropriate number” for the number of sex establishments, and instead determine the “relevant locality” of any application as and when it is made; or
 - (ii) The Council is able to set a limit on the number of licences it issues or it can allow an unlimited number of premises to be licensed.
7. Should Members wish to not set an “appropriate number”, then Section 9.6 of the draft Sex Establishment Licensing Policy will need to be removed, as will the second sentence of Section 9.4.

8. Should Members wish to implement a limit on the number of sex establishments deemed to be appropriate, then such a decision must take into account any negative impact the venues are likely to have on the area where they are located. In order to determine such negative impacts, Members may think it prudent to consult on this, and Area Fora would enable local residents to take part in this initial process, and in turn determine the appropriate number of Sex Establishments for each Area. Should this be the case, then the proposed Consultation timetable detailed in this report will need to be amended accordingly, and the number of sex establishments deemed appropriate included in Section 9.6 of the draft policy. The specific sections have been highlighted on the appended draft policy for the sake of clarity.
9. The Committee is asked to comment upon this draft and make comments as to how to improve the Policy, and select whether or not they wish to implement a limit on the number of sex establishments deemed appropriate.

Scheme of Delegation

10. Under the scheme of delegation in the Council's Constitution, Full Council sets policies on licensing and registration. The General Purposes Licensing Committee:
 - recommends and reviews policies on licensing and registration
 - sets and reviews licence fees

The General Purposes Licensing Committee appoints a Licensing and Registration Sub-Committee to:

- decide Sex Establishment licence applications when there are objections

The Head of Environmental Development does everything else.

Legal Issues

11. Oxford City Council has adopted schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended by section 27 of the Policing and Crime Act 2009) so that we can licence sex shops, sex cinemas, and sexual entertainment venues in the City.
12. The Council is not permitted to take a moral stand with regard to licensing Sex Establishments. The Licensing Authority recognises that Parliament has made it lawful to operate a Sex Establishment, and that such businesses are a legitimate part of the retail and leisure industries. It is our role as a Licensing Authority to administer the licensing regime in accordance with the law.

Consultation on the Draft Sex Establishment Licensing Policy

13. The consultation timetable should Members not wish to set a limit on the “appropriate number” of sex establishments, is as follows:
- 19th October 2011, consultation draft Sex Establishment Licensing Policy approved by Committee.
 - 14th November 2011 – 31st December 2011, the agreed draft Sex Establishment Licensing Policy to go for to: Thames Valley Police; Oxfordshire Fire & Rescue Services; Oxford City Community Safety Partnership; stakeholders in the sex establishment industry; local residents; other departments of Oxford City Council.

The agreed draft Sex Establishment Licensing Policy will be made available for public consultation on the Councils website and made available at libraries and public buildings.

- 22nd February 2012: report to General Purposes Licensing Committee to consider consultation responses and approve the final Sex Establishment Licensing Policy, in light of the consultation responses received, and recommend Council to adopt.
- 23rd April 2012: Final Sex Establishment Licensing Policy to Full Council to consider adoption.

Financial Issues

14. The Council collects licence fees for the Sex Establishment function. Fees are reviewed annually prior to the council setting its budget. Predicted income from licence fees is included in the Council’s budget.

Recommendations

15. The Committee is recommended to:
- (i) consider the draft Sex Establishment Policy Licensing based on the document appended to this report and provide direction to Officers as to any improvements or amendments to the draft policy;
 - (ii) Consider whether or not to set a limit on the “appropriate number” of sex establishments;
 - (iii) agree any amendments to the draft Sex Establishment Licensing Policy;
 - (iv) agree the consultation programme as set out in this report or otherwise depending upon their choice of whether to set a limit on the appropriate number of sex establishments; and

- (v) request that the Head of Environmental Development submit a further report following the consultation; or should the Committee wish for a limit to be set on the “appropriate number” of sex establishments that following consultation at Area Fora, the “appropriate numbers be submitted to the Head of Environmental Development and the draft policy be amended accordingly, and a further report be submitted detailing the limit to be set on the “appropriate number” of sex establishments and included in the draft policy and a revised consultation period.

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Background Papers:

Appendix One: Draft Sex Establishment Licensing Policy

Version: 1.1

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Sex Establishment Licensing Policy



This Statement will apply from

Contact details for Sex Establishment Licensing
(in the Oxford City Council area)

Write to: Licensing Authority
Environmental Development
Oxford City Council
St. Aldate's Chambers
St. Aldate's
Oxford
OX1 1EN

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Phone: 01865 252565

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You can also find much information and links to other sources of information on Oxford City Council's website: <http://www.oxford.gov.uk>

This document remains valid for three years, during which the Council is likely to amend it's website. So, rather than providing a direct link to "sex establishment licensing", we suggest either looking for links for "licensing" then "sex establishments" or "sexual entertainment venues", or using the website's "A-Z" search function.

	Date	Areas of revision
First published:	01 September 2011	
Corrections:		
Revised:		
Revised:		
Revised:		
Revised:		
Revised:		

CONTENTS

1	Purpose of the Policy	1
2	Consultation	1
3	Review of the Policy	2
4	Legislation and Current Provisions	2
5	Delegation of Functions	3
6	The Licensing Process	4
7	Hearings	5
8	Grounds for Refusal of a Licence	5
9	Relevant Locality	6
10	Duration of Licences	8
11	Appeals	8
12	Exchange of information	8
13	Fees	8
14	Compliance and Enforcement	8
15	Sex Shops	10
16	Sex Cinemas	12
17	Sexual Entertainment Venues	14
18	Premises that are not Sexual Entertainment Venues	16
19	Contacts	16

Annex One**Standard Conditions applicable to Sex Establishments****Definitions:**

In this Policy:

The “2009 Act” means the Policing and Crime Act 2009

The “1982 Act” means the Local Government (Miscellaneous Provisions) Act 1982

The “2003 Act” means the Licensing Act 2003

“Section 27” means section 27 of the Policing and Crime Act 2009

“Schedule 3” means Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982

1 Purpose of the Policy

- 1.1 This policy sets out Oxford City Council's framework for the regulation of sex establishments in Oxford. Through the Sex Establishment Licensing Policy the Council aims to regulate the location and number of sex establishments. In doing so, it recognises both the importance of licensed businesses to the local economy and the rights of local residents and other stakeholders.
- 1.2 This document will guide the Licensing Authority when it considers applications for a Sex Establishment licence. It will inform applicants and those seeking to make representations of the parameters in which the authority will make decisions and how their needs will be addressed.
- 1.3 For the purposes of this policy, sex establishments include (but are not limited to) unless otherwise stated:
- i) Sex Shops
 - ii) Sex Cinemas
 - iii) Sexual Entertainment Venues

2 Consultation

- 2.1 In determining this policy, the Council has consulted the following people and bodies:
- Thames Valley Police;
 - Oxfordshire Fire & Rescue Services;
 - Oxford City Community Safety Partnership;
 - stakeholders in the sex establishment industry;
 - local residents.
- 2.2 We have also consulted various other professional people within the Council, which include:
- Planning;
 - Law & Governance;
 - City Centre Manager;
 - Property and Facilities Management;
 - Environmental Protection;
 - Health & Safety.
- 2.3 We will consider and take into account the views of all the appropriate bodies and organisations.

3 Review of the Policy

- 3.1 This policy will be reviewed every three years. At the time of the review, we will again consult all interested parties. As well as three-yearly reviews, we will continue to evaluate the policy and may update it at any time. Any minor changes can be agreed by the General Purposes Licensing Committee.

4 Legislation and Current Provisions

- 4.1 Oxford City Council has adopted schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended by section 27 of the Policing and Crime Act 2009) so that we can licence sex shops, sex cinemas, and sexual entertainment venues in the City. In this policy, we refer to these as “sex establishments” unless we say otherwise.
- 4.2 We do not seek to take a moral stand in licensing sex establishments. We recognise that Parliament has made it lawful to operate a sex establishment, and that such businesses are a legitimate part of the retail and leisure industries. It is our role as a licensing authority to administer the licensing regime in accordance with the law.
- 4.3 The 1982 Act and the 2009 Act can be viewed at www.opsi.gov.uk.
- 4.4 In developing this policy, we took into account the legal requirements of the 1982 Act and our duties under:
- (a) section 17 of the Crime and Disorder Act 1998 to take all reasonable steps to reduce crime and disorder within the City;
 - (b) the Regulators’ Compliance Code (set out under the Legislative and Regulatory Reform Act 2006) not to impede economic progress by the regulations we set out and to particularly consider the impact of regulations on small businesses; and
 - (c) the Provision of Services Regulations 2009 to ensure requirements are:
 - (i) non-discriminatory,
 - (ii) justified by an overriding reason relating to the public interest,
 - (iii) proportionate to that public interest objective,
 - (iv) clear and unambiguous,
 - (v) objective,
 - (vi) made public in advance, and
 - (vii) transparent and accessible.

5 Delegation of Functions

5.1 This part of the document sets out how we will deal with applications for the licensing of Sex Establishments in the City of Oxford. The Council aims to provide a clear, consistent licensing service to all service users.

5.2 Delegation is laid out in the Council's Constitution as follows:

Full Council sets policies on licensing and registration.

The General Purposes Licensing Committee:

- Recommends and reviews policies on licensing and registration
- Sets and reviews licence fees.

The General Purposes Licensing Committee appoints a Licensing and Registration Sub-Committee:

- Determine sex establishment licensing applications when there has been a relevant representation received from any interested party.

The Head of Environmental Development is authorised to:

- a) Issue a licence for a Sex Establishment and to attach such conditions as are necessary when no representation is received from an interested party.
- b) Refuse any application for the grant of licence, that:
 - i) in the opinion of the Head of Environmental Development does not comply with the Council's conditions and policies;
 - ii) where there is an objection from the Chief Officer of Police

5.3 The Head of Environmental Development does everything else

6 The Licensing Process

- 6.1 Unlike some other licensing regimes (such as for alcohol, entertainment, or gambling), a wide range of people can raise objections about sex establishment licences. The Chief Officer of Police is a statutory consultee for all applications.
- 6.2 Objectors should have something to say which is relevant to consideration of the statutory grounds for refusal that are set out in the 1982 Act. These are set out in Section 8 of this Policy.
- 6.3 We take the following approach to deciding applications:
- (a) each case will be decided upon its merits. This authority is mindful of the law and will not apply a rigid rule to its decision making;
 - (b) objectors can include residents'/tenants' associations, community associations, and trade associations. Councillors and MPs may also raise objections. Elected councillors may represent interested parties, providing they do not also sit on the Licensing Committee determining the application in question;
 - (c) we will give clear reasons for our decisions.
- 6.4 Objections should be:
- be made in writing
 - indicate the name and address of the person or organisation making the representation (although this will not be disclosed to licence applicants)
 - indicate the premises to which the objection relates
 - indicate the proximity of the premises to the person making the objection.
 - clearly set out the reasons for making the objections
- 6.5 We will not consider objections that are frivolous or vexatious, or which solely relate to moral grounds (as these are outside the scope of the 1982 Act). Decisions on whether objections are frivolous or vexatious will be made objectively by our officers and not on the basis of any political judgement. Where objections are rejected, the objector will be given a written reason.
- 6.6 Where relevant objections have been received, the Licensing Officer will compile a report that will be submitted to the Licensing and Registration Sub-Committee to determine the application. The report will also include the Guidance issued by the Secretary of State for the Home Office, a copy of the relevant representations, and a map showing the location of the premises for which the application relates.

7 Hearings

- 7.1 Under paragraph 10(19) of Schedule 3 of the 1982 Act, before refusing an application, all applicants should be given the opportunity to appear before and be heard by the Licensing and Registration Sub-Committee that is responsible for determining the application.
- 7.2 The Licensing and Registration Sub-Committee consists of three Councillors. We allow both the applicant and the objectors equal opportunity to state their case in accordance with our protocol which is available on our website at www.oxford.gov.uk or from our licensing team.
- 7.3 Although the Licensing Authority is under a duty to consider any objections made within 28 days of the application, it has discretion to hear later objections provided the applicant is given the opportunity to deal with those objections.
- 7.4 The outcome of the Hearing and the reasons for the decision shall be made available to all parties involved with the application by way of a Notification of Decision. This Notice will inform all parties of any right of appeal.

8 Grounds for Refusal of a Licence

- 8.1 Paragraph 12 of Schedule 3 of the 1982 Act sets out the grounds for refusing an application for the grant, renewal or transfer of a licence.

A licence must not be granted:

- (a) to a person under the age of 18;
- (b) to a person who is for the time being disqualified due to the person having had a previous licence revoked in the area of the appropriate authority within the last 12 months;
- (c) to a person, other than a body corporate, who is not resident in an European Economic Area (EEA) State or was not so resident throughout the period of six months immediately preceding the date when the application was made; or
- (d) to a body corporate which is not incorporated in an EEA State; or
- (e) to a person who has, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

- 8.2 A licence may be refused where:
- (a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
 - (b) if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;
 - (c) the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality;
 - (d) that the grant or renewal of the licence would be inappropriate, having regard:
 - (i) to the character of the relevant locality; or
 - (ii) to the use to which any premises in the vicinity are put; or
 - (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.
- 8.3 A decision to refuse a licence must be relevant to one or more of the above grounds.
- 8.4 When determining a licence application, the local authority must have regard to any rights the applicant may have under Article 10 (right to freedom of expression) and Article 1, Protocol 1 (protection of property) of the European Convention on Human Rights.
- 8.5 The Provision of Services Regulations 2009 amended Schedule 3 to the 1982 Act to state that, if having considered an application for the grant, renewal or transfer of a licence, the appropriate authority decides to refuse it on one or more of the above grounds, it must provide the applicant with reasons for the decision in writing.

9 Relevant Locality

- 9.1 Paragraph 12(3)(c) and 12(3)(d) of Schedule 3 allow the Licensing Authority to refuse applications on grounds related to an assessment of the “relevant locality”. A licence can be refused if either, at the time the application is determined the number of sex establishments, or sex establishments of a particular kind, in the relevant locality is equal to or exceeds the number that the authority considers appropriate for that locality; or that a sex establishment would be inappropriate having regard to the character of the relevant locality, the use to which any premises in the vicinity are put or the layout, character or condition of the premises. Nil may be the appropriate number.

- 9.2 Schedule 3 to the 1982 Act does not define “relevant locality” further than to say that:
- (a) in relation to premises, it is the locality where they are situated; and
 - (b) in relation to a vehicle, vessel or stall, any locality where it is desired to use it as a sex establishment.
- 9.3 The decision regarding what constitutes the ‘relevant locality’ is a matter for the Licensing Authority. However, such questions must be decided on the facts of the individual application.
- 9.4 When considering a particular application case law has determined that is is inappropriate for the Council to treat the whole of the City as a relevant locality. **(OPTIONAL) However, the Council has determined that it is appropriate to consider each area type as a relevant locality. It has considered, in respect of each area, the number of sex establishments that it believes to be the appropriate number for that area.**
- 9.5 In considering the characteristics of a locality we shall particularly take account of the density and proximity of:
- (i) Historic buildings or tourist attractions
 - (ii) Schools, play areas, nurseries, children’s centres or similar premises
 - (iii) Shopping complexes
 - (iv) Residential areas
 - (v) Places of Worship
- 9.6 **(OPTIONAL) The Council recognises that different parts of the City have different characteristics, and the number of sex establishments appropriate for a locality, and the reasons why, are detailed below:**

AREA	NUMBER	REASON
North		
North East		
East		
Cowley		
South East		
Central, South & West		

10 Duration of Licences

- 10.1 Licences for sex establishments can be granted for up to one year.

11 Appeals

- 11.1 In the event that the Licensing Authority refuses an application for the grant, renewal or transfer of a sex establishment licence the applicant may appeal the decision in a magistrates' court, unless the application was refused under 12(3)(c) or (d) of the 1982 Act, in which case the applicant can only challenge the refusal by way of judicial review.

12 Exchange of Information

- 12.1 The authority may from time to time exercise its' powers under section 115 of the Crime and Disorder Act 1998 to exchange data and information with the police and other partners to fulfil its' statutory objective of reducing crime in the area.
- 12.2 Details of applications and objections which are referred to a Licensing Committee for determination will be published in reports that are made publicly available in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000.
- 12.3 Where a notice of a hearing is given to an applicant, the Authority is required to provide the applicant with copies of the relevant representations that have been made. The names and address of interested parties will not be disclosed to applicants or published in public reports in accordance with the Local Government (Miscellaneous Provisions) Act 1982 (unless directed otherwise by the interested party). Such details will be made available to Councillors on the Licensing Committee.

13 Fees

- 13.1 Fees will be set and reviewed annually on a full cost recovery basis. The level of fee applicable takes into account the nature of the sex establishment (i.e. Sex Shop, Sex Cinema, Sexual Entertainment Venue, etc). Details of the current level of fees can be found on the Council's website or on application to the Licensing Office. Fees must be paid on application, in full.

14 Compliance and Enforcement

- 14.1 We will keep informed of developments as regards the work of the Better Regulation Executive and other central government bodies in its consideration of the regulatory functions of local authorities.

- 14.2 We recognise that sex establishments are not generally a source of crime or disorder. We will adopt a light touch inspection regime, carrying out simple inspections of premises, unless exceptional circumstances require otherwise.
- 14.3 Our approach to enforcement is set out in our enforcement policies which are available on request, and can be found on our website.

15 SEX SHOPS

15.1 Licences for sex shops are required where 18R films are sold, or where there is a “significant degree” of “sex articles” for sale. The phrase “sex articles” is defined in the 1982 Act as:

- (a) anything made for use in connection with, or for the purpose of stimulating or encouraging—
 - (i) sexual activity; or
 - (ii) acts of force or restraint which are associated with sexual activity; and
- (b) any article containing or embodying matter to be read or looked at or anything intended to be used, either alone or as one of a set, for the reproduction or manufacture of any such article; and
- (c) to any recording of vision or sound, which—
 - (i) is concerned primarily with the portrayal of, or primarily deals with or relates to, or is intended to stimulate or encourage, sexual activity or acts of force or restraint which are associated with sexual activity; or
 - (ii) is concerned primarily with the portrayal of, or primarily deals with or relates to, genital organs, or urinary or excretory functions.

15.2 The phrase “a significant degree” is not defined. When considering whether or not a business is selling a significant degree of sex articles and needs a licence, we will consider:

- (1) the ratio of sex articles to other aspects of the business
- (2) the absolute quantity of sales
- (3) the character of the remainder of the business
- (4) the nature of the displays in the business
- (5) turnover generated by sales of sex articles
- (6) the format of any literature, publicity or advertising materials
- (7) other factors which appear to be materially relevant.

15.3 There are some specific grounds for refusing sex establishment licences set out in paragraph 12 of schedule 3 to the 1982 Act. These include where the applicant is unsuitable to hold a licence, due to their age, domiciliary status or previous criminal convictions.

15.4 We can also refuse applications for new or renewed licences where:

- (1) the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which we consider appropriate for that locality;
- (2) the grant or renewal of the licence would be inappropriate, having regard to:
 - (i) the character of the relevant locality, or
 - (ii) the use to which any premises in the vicinity are put, or
 - (iii) to the layout, character or condition of the premises.

- 15.5 In considering the characteristics of a locality we shall particularly take account of the density and proximity of:
- (i) Historic buildings or tourist attractions
 - (ii) Schools, play areas, nurseries, children's centres or similar premises
 - (iii) Shopping complexes
 - (iv) Residential areas
 - (v) Places of Worship
- 15.6 We will, unless there are exceptional reasons otherwise, grant any licences for the maximum duration of a year at a time to provide certainty to those operating businesses.
- 15.7 We do not consider it would be appropriate to permit waivers from the requirements to hold a sex establishment licence, except in extreme circumstances considered by the General Purposes Licensing Committee (for example, to allow a temporary re-location of a business following damage to licensed premises).
- 15.8 We have a standard application form, including public notices, which are available on request from our licensing team.
- 15.9 We have adopted standard conditions for the operation of sex shops that are set out at Annex One. Where it is reasonable and necessary to do so, our Licensing and Registrations Sub-Committee will impose additional proportional conditions on a licence. Wherever possible, these will be discussed in advance with operators by our licensing officers.
- 15.10 Our fees are set each year and details are available from our licensing team and on our website at www.oxford.gov.uk. We charge separate fees for applying for a licence, renewing a licence, and for making variations to a licence.

16 Sex Cinemas

- 16.1 A “sex cinema” means any premises, vehicle, vessel or stall used to a significant degree for the exhibition of moving pictures, by whatever means produced, which:
- (a) are concerned primarily with the portrayal of, or primarily deal with or relate to, or are intended to stimulate or encourage—
 - (i) sexual activity; or
 - (ii) acts of force or restraint which are associated with sexual activity; or
 - (b) are concerned primarily with the portrayal of, or primarily deal with or relate to, genital organs or urinary or excretory functions, but does not include a dwelling-house to which the public is not admitted.
- 16.2 The sale of sex articles is not permitted at a sex cinema. The phrase “sex articles” is defined in the 1982 Act as:
- (a) anything made for use in connection with, or for the purpose of stimulating or encouraging—
 - (i) sexual activity; or
 - (ii) acts of force or restraint which are associated with sexual activity; and
 - (b) any article containing or embodying matter to be read or looked at or anything intended to be used, either alone or as one of a set, for the reproduction or manufacture of any such article; and
 - (c) to any recording of vision or sound, which—
 - (i) is concerned primarily with the portrayal of, or primarily deals with or relates to, or is intended to stimulate or encourage, sexual activity or acts of force or restraint which are associated with sexual activity; or
 - (ii) is concerned primarily with the portrayal of, or primarily deals with or relates to, genital organs, or urinary or excretory functions.
- 16.3 There are some specific grounds for refusing sex establishment licences set out in paragraph 12 of schedule 3 to the 1982 Act. These include where the applicant is unsuitable to hold a licence, due to their age, domiciliary status or previous criminal convictions.
- 16.4 We can also refuse applications for new or renewed licences where:
- (1) the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which we consider appropriate for that locality;
 - (2) the grant or renewal of the licence would be inappropriate, having regard to:
 - (i) the character of the relevant locality, or
 - (ii) the use to which any premises in the vicinity are put, or
 - (iii) to the layout, character or condition of the premises.

- 16.5 In considering the characteristics of a locality we shall particularly take account of the density and proximity of:
- (i) Historic buildings or tourist attractions
 - (ii) Schools, play areas, nurseries, children's centres or similar premises
 - (iii) Shopping complexes
 - (iv) Residential areas
 - (v) Places of Worship
- 16.6 We will, unless there are exceptional reasons otherwise, grant any licences for the maximum duration of a year at a time to provide certainty to those operating businesses.
- 16.7 We do not consider it would be appropriate to permit waivers from the requirements to hold a sex establishment licence, except in extreme circumstances considered by the General Purposes Licensing Committee (for example, to allow a temporary re-location of a business following damage to licensed premises).
- 16.8 We have a standard application form, including public notices, which are available on request from our licensing team.
- 16.9 We have adopted standard conditions for the operation of sex cinemas that are set out at Annex One. Where it is reasonable and necessary to do so, our Licensing and Registrations Sub-Committee will impose additional proportional conditions on a licence. Wherever possible, these will be discussed in advance with operators by our licensing officers.
- 16.10 Our fees are set each year and details are available from our licensing team and on our website at www.oxford.gov.uk. We charge separate fees for applying for a licence, renewing a licence, and for making variations to a licence.

17 SEXUAL ENTERTAINMENT VENUES

- 17.1 On 19 April 2010 Council resolved to adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009 so that the provisions for the control of sexual entertainment venues would apply in this District. The amended Schedule 3 gives the Local Authority more powers to control the number and location of lap dancing clubs and similar venues in the area. The new powers took effect in Oxford from 10th June 2010.
- 17.2 Licences for sexual entertainment venues are required for “any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer”.
- 17.3 “Relevant entertainment” is defined in schedule 3 (as amended by section 27 of the Policing and Crime Act 2009) as “any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of an audience (whether by verbal or other means).” An audience can consist of just one person, e.g. in a private booth.
- 17.4 In deciding whether entertainment is “relevant entertainment” we will judge each case on its merits, but will generally apply to:
- (1) lap dancing
 - (2) pole dancing
 - (3) table dancing
 - (4) strip shows
 - (5) peep shows
 - (6) live sex shows
- Adult entertainment not classed as “relevant entertainment” may still require licensing under the Licensing Act 2003.
- 17.5 There are some specific grounds for refusing sex establishment licences set out in paragraph 12 of schedule 3 to the 1982 Act. These include where the applicant themselves are unsuitable, due to their age, domiciliary status or previous criminal convictions.
- 17.6 We can also refuse applications for new or renewed licences where:
- (1) the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number the number which we consider appropriate for that locality;
 - (2) the grant or renewal of the licence would be inappropriate, having regard to:
 - (i) the character of the relevant locality, or
 - (ii) the use to which any premises in the vicinity are put, or
 - (iii) to the layout, character or condition of the premises.

- 17.7 In considering the characteristics of a locality we shall particularly take account of the density and proximity of:
- (i) Historic buildings or tourist attractions
 - (ii) Schools, play areas, nurseries, children's centres or similar premises
 - (iii) Shopping complexes
 - (iv) Residential areas
 - (v) Places of Worship
- 17.8 We will, unless there are exceptional reasons otherwise, grant any licences for the maximum duration of a year at a time to provide certainty to those operating businesses.
- 17.9 We do not consider it would be appropriate to permit waivers from the requirements to hold a sexual entertainment venue licence, particularly as the legislation allows relevant entertainment on an infrequent basis of no more than eleven occasions within a 12-month period, providing there is at least one month between each period of entertainment which itself does not last for more than 24 hours.
- 17.10 We have a standard application form, including public notices, which are available on request from our licensing team.
- 17.11 We have adopted standard conditions for the operation of Sexual Entertainment Venues that are set out at Annex One. Where it is reasonable and necessary to do so, our Licensing and Registration Sub-Committee will impose additional proportional conditions on a licence. Wherever possible, these will be discussed in advance with operators by our licensing officers.
- 17.12 Our fees are set each year and details are available from our licensing team and on our website at www.oxford.gov.uk. We charge separate fees for applying for a licence, renewing a licence, and for making variations to a licence.

18 Premises that are not Sexual Entertainment Venues

18.1 Paragraph 2A(3) of Schedule 3 of the 1982 Act as amended by the 2009 Act, sets out those premises that are not sexual entertainment venues. These are:

- premises which provide relevant entertainment on an infrequent basis

These are defined as premises where:

- a) no relevant entertainment has been provided on more than 11 occasions within a 12 month period;
 - b) no such occasion has begun within a period of one month beginning with the end of the previous occasions; and
 - c) no such occasion has lasted longer than 24 hours.
- other premises or types of performances or displays exempted by an order of the Secretary of State.

18.2 Premises which provide relevant entertainment on an infrequent basis will continue to be regulated under the Licensing 2003 Act, insofar as they provide regulated entertainment under that Act, either by virtue of a premises licence or club premises certificate or a temporary events notice. Any premises that provide relevant entertainment on more occasions, more frequently or for a longer period of time than is permitted under the exemption will be operating as a sexual entertainment venue and will have committed an offence under Schedule 3 unless they hold a sexual entertainment venue licence or the local authority has waived the requirement for such a licence.

19 Contacts

19.1 The sex establishment function is part of the Licensing and Development Division of the Environmental Development Service. Our address is:

Licensing Authority
Environmental Development
Oxford City Council
St. Aldate's Chambers
St. Aldate's
Oxford
OX1 1EN

Telephone: 01865 252565

Email: licensing@oxford.gov.uk

ANNEX ONE

OXFORD CITY COUNCIL

**REGULATIONS PRESCRIBING STANDARD CONDITIONS APPLICABLE
TO LICENSES FOR SEX ESTABLISHMENTS**

**THESE REGULATIONS ARE MADE BY THE OXFORD CITY COUNCIL
UNDER PARAGRAPH 13(1) OF THE THIRD SCHEDULE OF THE LOCAL
GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 (as
amended) AND COME INTO EFFECT ON 10TH JUNE 2010**

Notes

- (i) Except where the context demands otherwise the singular includes the plural and the masculine includes the feminine.
- (ii) Nothing in these rules shall be construed as interfering with (i) the discretion of the licensee or his representative regarding the admission of any person or (ii) the need to strictly comply with all relevant statutory requirements.
- (iii) These rules are divided into three Parts as follows:
 - Part I General
 - Part II Rules which apply to all premises
 - Part III Rules which apply to Sex Shops
 - Part IV Rules which apply to Sex Cinemas
 - Part V Rules which apply to Sexual Entertainment Venues
- (iv) In these rules all references to a British Standard (BS) shall be deemed to refer to the current standard.
- (iv) A Premises Licence may also be required for the operation of a Sex Cinema.

Part I General

Definitions

1. In these Regulations save when the context otherwise requires the following expressions shall have the following meanings:
 - i) “Sex Establishment”, “Sex Cinema”, “Sex Shop”, “Sex Article” and “Sexual Entertainment Venue” shall have the meanings ascribed to them in the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982.
 - ii) “Premises” means a building or part of a building and any forecourt yard or place of storage used in connection with a building or part of a building which is the subject of a licence for a Sex Establishment granted under the said Third Schedule.
 - iii) “Approval of the Council” or “Consent of the Council” means the approval or consent of the Council in writing.
 - iv) “Approved” means approved by the Council in writing.
 - v) “The Council” means the Oxford City Council.

General

2. In the event of a conflict between these Regulations and any special conditions contained in a licence relating to a Sex Establishment the special conditions shall prevail.
3. The grant of a licence for a Sex Establishment shall not be deemed to convey any approval or consent which may be required under any enactment, by law, order or regulation other than the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982.

Part II Rules which apply to all premises

Exhibition of Licence

4. The copy of the Licence and these Regulations which are required to be exhibited in accordance with paragraph 14(1) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 shall be reproductions to the same scale as those issued by the Council. The copy of the Licence required to be displayed as aforesaid shall be suitably framed and exhibited in a position that it can easily be seen by all persons using the premises. The copy of these Regulations shall be retained in a clean and legible condition.

Times of Opening

5. Except with the previous consent of the Council a Sex Establishment shall not be open to the public before 9 a.m. and shall not be kept open after 6 p.m. unless otherwise permitted.
6. The premises shall not open on Sundays or any Bank Holidays or any public holidays, unless otherwise permitted.

Responsibility of Licensee

7. The licensee shall take all reasonable precautions for the safety of the public and employees and, except with the consent of the Council, shall retain control over all portions of the premises
8. The premises shall not be used for regulated entertainment, exhibition or display of any kind unless the Council's consent has first been obtained and any necessary licence granted.

Conduct and Management of Premises

9. The Licensee or some responsible person over 18 years of age nominated by him in writing for the purpose of managing the Sex Establishment in his absence shall be in charge of and upon the Premises during the whole time they are open to the public. Such written nomination shall be continuously available for inspection by an officer authorised in writing by the Council. The person in charge shall not be engaged on any duties which will prevent him from exercising general supervision and he shall be assisted as necessary by suitable adult persons to ensure adequate supervision. The person in charge shall be conversant with these rules a copy of which shall be held on the premises.
10. The Licensee or the responsible person approved under Regulation 9 shall maintain a daily register to be kept on the Premises in which he shall record the name and address of any person who is to be

responsible for managing the Sex Establishment in his absence and the names and addresses of those employed in the Sex Establishment. The register is to be completed each day within 30 minutes of the Sex Establishment opening for business and is to be available for inspection by the police and by authorised officers of the Council.

11. The Licensee shall ensure that during the hours the Sex Establishment is open for business every employee wears a badge of a type to be approved by the Council bearing the photograph of the employee and indicating his name and that he is an employee.
12. A notice showing the name of the person responsible for the management of a Sex Establishment shall be prominently displayed within the Sex Establishment throughout the period during which he is responsible for its conduct.
13. Where the Licensee is a body corporate or an unincorporated body any change of director, company secretary or other person responsible for the management of the body is to be notified in writing to the Council within 14 days of such change and such written details as the Council may require in respect of any new director, secretary or manager are to be furnished within 14 days of a request in writing from the Council.
14. The Licensee shall maintain good order in the premises.
15. The Licensee shall ensure that no part of the premises is used by prostitutes (male or female) for the purposes of soliciting or any other immoral purposes.
16. The Licensee shall ensure that the public are not admitted to any part or parts of the Premises other than those which have been approved by the Council.
17. Neither the Licensee nor any employee or other person shall seek to obtain custom by means of personal solicitation outside or in the vicinity of the premises.
18. No person under the age of 18 shall be admitted to the premises or employed in the business of the sex establishment
19. The Licensee shall comply with all statutory provisions and any regulations made thereunder.

External Appearance

20. No display, advertisement, word, letter, model, sign, light, placard, board, notice, device, representation, drawing, writing or any matter or thing (whether illuminated or not) shall be exhibited so as to be visible from outside the Premises except:

- i) Any notice of a size and in a form approved by the Council which is required to be displayed so as to be visible from outside the Premises by law, or by any condition of a licence granted by the Council.
 - ii) Such display, advertisement, word, letter, model, sign, light, placard, board, notice, device, representation, drawing, writing, or any matter or thing as shall have been approved by the Council.
21. The entrances to the Premises shall be of a material or covered with a material which will render the interior of the Premises invisible to passers by.
22. Windows and openings to the Premises other than entrances shall not be obscured otherwise than with the consent of the Council but shall have suspended behind them, in a position and at an attitude approved by the Council opaque curtains of a type and size approved by the Council. This regulation shall not be construed as lessening the obligations of the Licensee under Regulation 20 hereof.

State Condition and Layout of the Premises

23. The Premises shall be maintained in good repair and condition.
24. The number, size and position of all doors or openings provided for the purposes of the ingress and egress of the public shall be approved by the Council and shall comply with the following requirements :
- (i) All such doors or openings approved by the Council shall be clearly indicated on the inside by the word "exit"/graphic type.
 - (ii) Doors and openings which lead to parts of the premises to which the public are not permitted to have access shall have notices placed over them marked, "private".
 - (iii) Save in the case of emergency no access shall be permitted through the premises to any unlicensed premises adjoining or adjacent.
25. The external doors to the premises shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.
26. The Licensee shall make provision in the means of access both to and within the premises for the needs of members of the public visiting the premises who are disabled.
27. No fastening of any description shall be fitted upon any booth or cubicle within the premises nor shall more than one person (including any

employee) be present in any such booth or cubicle at any time.

28. Alterations or additions either internal or external and whether permanent or temporary to the structure, lighting or layout of the premises shall not be made except with the prior approval of the Council.
29. All parts of the premises shall be kept in a clean and wholesome condition to the satisfaction of the Council.

Maintenance of mean of escape

30. The means of escape provided for all persons on the premises shall be maintained unobstructed, immediately available and clearly identifiable in accordance with the approved arrangements.
31. All fire-resisting and smoke stop doors shall be maintained self-closing and shall not be secured open.

Fire Appliances

32. Fire appliances and equipment as approved by the Fire Officer shall be efficiently maintained in satisfactory working order and kept available for instant use. They shall be in the charge of a suitable person specially nominated for the purpose.
33. Portable fire appliances shall be examined at least once a year and periodically tested in accordance with the current British Standard by a competent person and the date of such test shall be clearly marked on the appropriate extinguishers or on stout tabs securely attached to them. Extinguishers which incorporate an anti-freeze agent shall be examined and recharged in compliance with manufacturer's instructions.

Lighting

34. The Licencee or any other person concerned in the conduct or management of the licensed sex establishment shall, in the absence of adequate daylight, ensure that adequate lighting is maintained to the satisfaction of the Council in all parts of the premises to which the public and staff have access and is in operation continuously during the whole time the premises are open to the public.
35. The normal lighting shall be maintained alight and the lighting to 'EXIT' notices shall not in any circumstances be extinguished or dimmed while the public are on the premises, provided that so long as there is sufficient daylight in any part of the premises, artificial light need not be used in that part.

Electrical Installations

36. The electrical installation for the premises shall be maintained in a safe working condition, as prescribed in the current edition of the Regulations for electrical installations issued by the Institute of Electrical Engineers.
37. Unless the Council decide otherwise an inspection certificate, as prescribed in the current edition of the Regulations for electrical installations issued by the Institution of Electrical Engineers, for the electrical installation associated with the premises shall be submitted to the Council at least once every five years or such other time specified on the certificate. The certificate shall be signed by a qualified engineer.

Change of Use

38. No change of use of any portion of the premises from that approved by the Council shall be made until the consent of the Council and Thames Valley Police has been obtained thereto.
39. No change from a Sex Cinema to a Sex Shop or from a Sex Shop to a Sex Cinema shall be effected without the consent of the Council and Thames Valley Police
40. Neither Sex Articles nor other things intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity or acts of force or restraint which are associated with sexual activity shall be displayed, sold, hired, exchanged, loaned or demonstrated in a Sex Cinema or a Sexual Entertainment Venue.

Admission of Authorised Officers

41. Officers of the Council, Thames Valley Police, and other authorised agencies who are furnished with authorities which they will produce on request, shall be admitted immediately at all reasonable times and at any time the premises are open for business to all parts of the premises.

Part III Conditions Applying to Sex Shops

Goods Available in Sex Establishments

42. All Sex Articles and other things displayed for sale, hire, exchange or loan within a Sex Shop shall be clearly marked to show to persons who are inside the Sex Shop the respective prices being charged.
43. All printed matter offered for sale, hire, exchange or loan shall be available for inspection prior to purchase, hire, exchange or loan and a notice to this effect is to be prominently displayed within the Sex Establishment.
44. No film or video film shall be exhibited, sold or supplied unless it has (a) been passed by the British Board of Film Censors and bears a certificate to that effect or (b) approved by the Council and is a reproduction authorised by the owner of the copyright of the film or video film so certified.

Part IV Conditions Applying to Sex Cinemas

Film Categories

1. The categories U, PG, 12, 15, 18 and RESTRICTED 18 have the following effect:

U	Universal.- Suitable for all
PG	Parental Guidance. Some scenes may be unsuitable for young children.
12	Passed only for persons of 12 years and over.
15	Passed only for persons of 15 years and over.
18	Passed only for persons of 18 years and over.
RESTRICTED (18)	Passed only for persons of 18 or over who are members (or their guests) of a properly constituted club.

Exhibition of Films

2. 'Film exhibition' means film exhibitions as defined in the Cinemas Act 1985; i.e. any exhibition of moving pictures which is produced otherwise than by the simultaneous reception and exhibition of (a) television programmes, broadcast by the British Broadcasting Corporation or the Independent Broadcasting Authority or (b) programmes included in a cable programme service which is or does not require to be licensed under Section 4 of the Cable and Broadcasting Act 1984.
3. No film shall be exhibited at the premises unless:
- (a) it is a current news-reel; or
 - (b) it has been passed by the British Board of Film Classification as a U, PG, 12, 15, 18 or RESTRICTED (18) film and no notice of objection to its exhibition has been given by the Council; or
 - (c) it has been passed by the Council as a U, PG, 12, 15, 18 (Oxford) or RESTRICTED (18) (Oxford) film.

RESTRICTED (18) films

4. Films in the RESTRICTED (18) category may be shown at the premises only with the Council's prior written consent and in accordance with the terms of any such consent.

Unclassified Films

5. Not less than twenty-eight days notice in writing shall be given to the Council of any proposal to exhibit any other film which has not been classified as specified in rules 45 and 47 above. Such a film may only be exhibited if the Council's prior written consent has been obtained and in accordance with the terms of any such consent.

Persons under 18 Notice

6. No person appearing to be under the age of 18 shall be admitted to any part of the programme and the licensee shall display in a conspicuous position at each entrance to the premises a notice in clear letters in the following terms:

PERSONS UNDER 18 CANNOT BE ADMITTED TO THIS CINEMA FOR ANY PART OF THE PROGRAMME.

Category notices

7. A representation or written statement of the terms of any certificates given by the British Board of Film Censors or the British Board of Film Classification shall be shown on the screen immediately before the showing of any film to which it relates and the representation or statement shall be shown for long enough and in form large enough for it to be read from any seat in the auditorium.

Timetable of films

8. The licensee shall display in a conspicuous position, to the satisfaction of the Council, at each entrance to the premises, during the whole time the public are being admitted to the premises and so as to be easily seen and read by the public, a timetable of the films on exhibition.

Advertisements

9. No advertisement displayed at the premises of a film to be exhibited at the premises shall depict as a scene or incident in the film any scene or incident which is not included in the film as certified by the British Board of Film Censors or the British Board of Film Classification or approved for exhibition by the licensing authority, as the case may be.
10. Where the licensing authority has given notice in writing to the licensee of the premises objecting to an advertisement on the ground, that, if displayed, it would offend against good taste or decency or be likely to encourage or incite to crime to lead to disorder or to be offensive to public feeling, that advertisement shall not be displayed at the premises except with the prior consent in writing of the licensing authority.

Objection to exhibition of film

11. Where the licensing authority has given notice in writing to the licensee of the premises prohibiting the exhibition of a film on the ground that it contains material which, if exhibited, would offend against good taste or decency or would be likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling, that film shall not be exhibited in the premises except with the prior consent in writing of the licensing authority.

Additional conditions for 'Club' Cinemas showing films in the restricted classification

12. (i) No club showing films in the 'restricted 18' category may operate in a multi-screen complex whilst persons under 18 are being admitted to any performance in the complex unless the Council's written consent has first been obtained.

(ii) When the programme includes a film in 'restricted 18, category the licensee shall display in a conspicuous position at each entrance to the premises a notice in clear letters in the following terms:

"CINEMA CLUB - MEMBERS AND GUESTS ONLY. PERSONS UNDER 18 CANNOT BE ADMITTED TO THIS CINEMA FOR ANY PART OF THE PROGRAMME".

(In case of a multi-screen complex where consent has been granted the notice shall specify the particular part of the premises in which films in the 'restricted 18' category are being exhibited).

(iii) The timetable of films required by rule 52 shall include the following addition to the categories shown;

"Category 'RESTRICTED 18' passed only for persons of 18 years and over who are either members of the cinema club or who are guests of a member".

(iv) All registers of members and all visitors, books of their guests shall be available for immediate inspection by the Council's Officers during any performance, or at any other reasonable time.

(V) Tickets shall in no circumstances be sold to persons other than members.

(vi) No persons under 18 years of age shall be employed in any capacity at licensed premises which are operating as cinema clubs.

(vii) Subject to prior written consent by the Council, a subscription may entitle the club member to attend other clubs under the same management.

(viii) Membership rules for these club cinemas shall include the following:

(a) The club rules must be submitted to the Council 14 days before the club commences operations and notice of all rule changes shall be given to the Council within 14 days of the change.

(b) Only members and their guests shall attend exhibitions of moving pictures classified in a restricted classification

(c) Membership shall be open to persons of both sexes of not less than 18 years of age. Applications for membership, including both name and address, shall be in writing, signed by the applicant, and if deemed necessary such applicants shall provide satisfactory references and proof of age.

(d) No person shall be admitted to membership until the expiration of at least 24 hours after such written application has been approved by the licensed proprietors.

(e) New members shall be supplied with a personal copy of the club rules before being admitted to membership and be given a copy of any rule changes within 14 days of the change.

(f) An annual subscription shall be fixed for the club and shall run for 12 months from the date of registration. Membership may be renewed annually at the subscription for the time being in force, but the licensed proprietors may refuse to renew any membership without assigning reason for such refusal.

(g) Members shall be entitled on any day to bring not more than one guest to accompany the member, and the name of the guest shall be entered in the visitors' book and counter-signed by the member.

(h) On admission a member and his guest shall be bound by the rules of the club and by any by-laws and regulations made thereunder.

(i) Tickets shall be sold only to members on the production of a membership card, and members shall, if required, sign an acknowledgement for the ticket or tickets issued.

(j) Membership cards shall be personal to the member and shall not be transferable to any other person.

(k) Neither membership tickets nor guest tickets shall be transferable.

(l) No member shall introduce as a guest any persons under the age of 18 or any persons whose application for membership has been refused. The proprietors will reserve the right to refuse admission to any person.

(m) Proof of identify, or of age, or of any particulars of any guest shall be produced by any member or guest if demanded by the licensed proprietors.

(n) Members shall undertake to behave in a proper and orderly manner. Any member or guest acting in a manner which is offensive, or a nuisance or annoyance to others may be refused admission or expelled from the premises. A member may also be deprived of membership.

Sale of sex articles

13. Neither sex articles nor other things intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity or acts of force or restraint which are associated with sexual activity shall be displayed, sold, hired, exchanged, loaned or demonstrated in a 'sex cinema'.

Part V Conditions Applying to Sexual Entertainment Venues

Times of Relevant Entertainment

1. Relevant entertainment shall be permitted at the premises on the following days....

And between the following times.....

Performances of Relevant Entertainment

2. The performance of relevant entertainment within the premises shall not be visible from any area outside of the premises at any time.

Age Restrictions

3. A prominent clear notice shall be displayed at each entrance to the premises advising customers that no person under 18 will be admitted and they may be asked to produce evidence of their age.
4. All members of staff at the premises shall seek “credible photographic proof of age evidence” from any person who appears to be under the age of 25 years and who is seeking access to the premises. Such credible evidence, which shall include a photograph of the customer, will either be a passport, photographic driving licence, or Proof of Age card carrying a “PASS” logo.

Staff

5. All staff employed to work at any premises licensed as a Sexual Entertainment Venue shall be required to provide an Enhanced Criminal Records Bureau disclosure to the Licensing Authority in which the premises is located.

Club Rules

6. The premises must provide a copy of it’s Club Rules to the Council and Thames Valley Police.
7. All performers and staff shall be aware of the Club Rules.
8. All dancers, staff and door supervisors shall read a copy of the rules relating to operating relevant entertainment. They shall sign and date a copy which shall be retained by the premises as part of their due diligence.

Management Operation Manual

9. A Management Operation manual detailing all aspects of procedure when the premises is operating relevant entertainment shall be produced and approved by Thames Valley Police. This document shall be on going and under constant review.

Performers

10. Performers shall be aged not less than 18.
11. All performers shall be aware of the Management Operation.
12. A log book shall be maintained on the premises detailing the names, start and finish times of individual performers involved in all forms of adult entertainment.
13. At all times during the performance, performers shall have direct access to a dressing room without passing through or in close proximity to the audience.
14. On leaving the premises performers, who wish to be, shall be escorted by a staff member to their vehicle or other safe location.

Performances

15. Whilst dancers are performing there shall be a minimum distance of one metre between the dancer and the seated customers and prominent, clear notices shall be displayed at each table stating this requirement.
16. There shall be no physical contact between customers and the dancers except for the placing of money or tokens in a garter or into the hands of the dancer at the beginning or conclusion of a performance.
17. No performances shall include any sex act with any other performer, persons in the audience or with the use of any object.
18. No audience participation shall be permitted.
19. Signs displaying the rules on the performance relevant entertainment will be displayed throughout the premises and be clearly visible to patrons. This will include any private individual booth area.
20. In the event of the relevant entertainment be performed for private viewing, the patron shall be informed of the duration and price of the relevant entertainment, and the details shall be specified in a clearly visible notice in each area designated for private relevant entertainment.

Door Supervisors

21. An adequate number of registered Door Supervisors shall be on duty on the premises whilst relevant entertainment takes place. There shall be at least one Door Supervisor on each entrance, in each separate part of the premises and on the door to the dressing room.
22. The Door Supervisors shall be on duty at the premises at all times when the premises provides relevant entertainment.
23. All Door Supervisors working outside the premises or whilst engaged in the dispersal of patrons at the close of business shall wear 'High Visibility Clothing' supplied the NightSafe Manager.
24. The premises shall be a member of the Radiolink scheme.

Closed Circuit Television (CCTV)

25. A CCTV system shall be installed to cover all entrances and exits to the premises, and areas where relevant entertainment will take place. This system must be installed and fully operational before the premises opens for the licensable activity applied for. All cameras shall continually record whilst the premises are open to the public and video recordings shall be kept available for a minimum of 28 days with date and time stamping.
26. At the time of installation or upgrading of any CCTV system it shall comply with the current and relevant Thames Valley Police guidelines for Standard Minimum Closed Circuit Television Requirements (Issue 1, July 2004). To obtain a clear head and shoulders image of every person entering the premises on the CCTV system, persons entering the premises should be asked to remove headwear, unless worn as part of religious observance.
27. The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of one calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
28. A plan shall be submitted illustrating the position of all cameras and shall be with the approval of Thames Valley Police.
29. A member of staff who is fully trained in the use of the system shall be on duty at all times when the premises is open till the premises is clear of customers, cleared of staff and closed.

30. The premises will provide any footage upon request by Thames Valley Police or the Licensing Authority within 24 hrs of the request.
31. The recordings for the preceding two days shall be made available immediately upon request, and recordings outside this period shall be made available within 24 hours.

Crime Survey

32. Upon completion of a crime survey by Thames Valley Police, the Licence Holder shall act accordingly with all reasonable recommendations of the survey in so far as they relate to licensable activities.

Layout of premises

33. The approved activities shall take place only in the areas designated by the Licensing Authority and Thames Valley Police.
34. All dance booths are to be equipped with a panic alarm for safety.
35. Arrangements shall be put in place to restrict access to the dressing room at all times when the relevant entertainment is taking place, and until such time as all performers have vacated it.
36. The approved access to the dressing room(s) shall be maintained whilst striptease or entertainment of a like kind is taking place.
37. The layout within areas used by customers shall not undergo substantial change without the prior written consent of both Thames Valley Police and the Licensing Authority.

Change of Use of Premises

38. The Licensing Authority and Thames Valley Police must be informed should the licensee seek to change the use of the establishment to another form of sex establishment.

Sale of Goods

39. Neither sex articles nor other things intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity or acts of force or restraint which are associated with sexual activity shall be displayed, sold, hired, exchanged, loaned or demonstrated in a 'Sexual Entertainment Venue'.

Sex Establishment Licensing Policy

Licensing applications and enquiries:

The Licensing Authority
Oxford City Council
Ramsay House
10 St Ebbe's St
OXFORD OX1 1PT
tel. 01865 252565
fax. 01865 252344

email: licensing@oxford.gov.uk

To: General Purposes Licensing Committee

Date: 19 October 2011

Item No:

Report of: Head of Environmental Development

Title of Report: Horse Drawn Carriages - Consultation

Summary and Recommendations

Purpose of report: To recommend Committee to consider the responses to the consultation regarding Horse Drawn Carriages.

Report Approved by:

Finance: Paul Swaffield

Legal: Daniel Smith

Committee is recommended to:

- a) consider the responses received during the consultation regarding Horse Drawn carriages; and
- b) determine whether to
 - (1)
 - i) Proceed with the implementation of the Horse Drawn Carriage scheme.
 - ii) Recommend Council to make the approved byelaws.
 - iii) Subject to the making of the approved byelaws by Council authorise the Head of Law and Governance and Head of Environment Development to carry out the necessary statutory procedures.

OR

- (2) Not to proceed with implementation of the horse drawn carriage scheme.

Introduction

1. On 25th May 2010, a proposal to licence a Horse Drawn Carriage to carry out a journey on a designated route in the City Centre was received by the Licensing Authority, attached as **Appendix One**.

Background

2. Following receipt of this proposal, the Licensing Officers put the request to the General Purposes Licensing Committee on 13th October 2010, in order to obtain the Committee's view on whether further consideration should be given to the proposal. At this meeting the Committee were informed of the following:

- a) A Horse Drawn Carriage could not be licensed as a Hackney Carriage, but could be licensed as an Omnibus travelling along a fixed route. Such a route would need to be investigated with Oxfordshire County Council.
 - b) Byelaws would need to be adopted to establish a stand where the horse and carriage would be able to wait to pick up and drop off fare paying passengers, and to cover the operation, and would have to cover the welfare of the animals, including a veterinary certificate, the provision of a suitably qualified driver and an attendant in addition to the normal requirements for Health & Safety.
 - c) As no budget currently existed to carry out this proposal, the applicant must accept that he would be liable to pay for the costs incurred by the Licensing Authority carrying out the necessary work to investigate his proposal.
 - d) Fees would need to be set to licence a guide, driver and proprietor.
3. The Committee gave support in principle to the licensing of Horse Drawn Carriages, and requested that a further report be submitted in March 2011 following discussions with the Oxfordshire County Council as to the viability of roads and stands.
 4. At the next meeting on 1st March 2011, the Committee was informed of the following:
 - a) The conditions applicable to the licensing of a guide, driver and proprietor of a Horse Drawn Carriage (attached as **Appendix Two**), and in order to promote public safety the guide and driver should undertake a Criminal Records Bureau Disclosure, and that the driver has attained a Road Certificate as described in the Department of Transport Code of Practice for Horse Dawn Vehicles.
 - b) The proposed designated route following consultation with Oxfordshire County Council, including the proposal that the rickshaw stand in Broad Street be used for the carriage to pick up and drop off passengers, attached as **Appendix Three**.
 - c) The Byelaws that would need to be implemented in order for the proposal to be implemented (attached as **Appendix Four**).
 5. The Committee resolved:
 - (a) To agree the proposed conditions for the:
 - Proprietor of a Horse Drawn Carriage
 - Driver of a Horse Drawn Carriage
 - Guide of a Horse Drawn Carriage
 - Route Provisionally Agreed with Oxfordshire County Council

- Byelaws
- (b) That a reasonable fee to be set to hold a licence as a proprietor of a Horse Drawn Carriage, a driver of a Horse Drawn Carriage and a guide of a Horse Drawn Carriage;
6. At its meeting on 15th June 2011, the Committee considered a further report regarding the proposal to licence Horse Drawn Carriages. The report informed the Committee of the following:
- a) That the Public Health Team Leader in Environmental Development had been consulted on the welfare of the horses and combined with the provisions in the draft byelaws and the legislative framework of the Animal Welfare Act 2006, the Public Health Team Leader did not believe that any further measures were required to ensure the welfare of the horses.
- b) The proposed licence fees be set at:
- Guide of a Horse Drawn Carriage £100.00
 - Driver of a Horse Drawn Carriage £100.00
 - Proprietor of a Horse Drawn Carriage £250.00
- c) That there are additional costs to be borne by the applicants, and these include an Enhanced Criminal Records Bureau Disclosure and Medical Certificate for the driver and an Enhanced Criminal Records Bureau Disclosure for the guide. At the present time these costs are:
- Enhanced Criminal Records Bureau Disclosure £43.00
 - Badge / Replacement Badge £10.00
 - Carriage Plate / Replacement Plate £25.00
- Any other costs associated with the applicants meeting the criteria will be payable by the applicant directly to the relevant service provider (i.e. Medical Certificate).
- d) That the draft byelaws have now received provisional approval from the Secretary of State for Transport, and that Full Council would need to make the byelaws before statutory advertisement and final confirmation by the Secretary of State.
7. The Committee approved the proposed fees, recommended Council make the approved byelaws, and requested that the statutory advertisement of the byelaws be carried out, and that the general public be consulted as to the proposals.

Consultation

8. The Head of Environmental Development ran an online consultation from 4th July 2011 to 31st July 2011, seeking the views of the general public as to the Horse Drawn Carriage scheme.
9. The online consultation received a total of 20 responses (4 in favour of the scheme, 16 in opposition of the scheme), which can be found attached as **Appendix Five**.
10. In addition to the online consultation a response was received from the City of Oxford Licensed Taxicab Association and members of the Private Hire Trade Associations, attached as **Appendix Six**.
11. Furthermore, 13 responses were received by email from individuals expressing their objection to the Horse Drawn carriage scheme, and are attached as **Appendix Seven**.
12. An official response was received from the People for the Ethical Treatment of Animals Foundation (PETA) opposing the scheme, and 650 further emails were received from members of PETA who had each completed an online petition on the PETA website. The official PETA response is attached as **Appendix Eight**, and one of the 650 emails received via the PETA online petition is attached as **Appendix Nine**.
13. Following the strong consultation response, officers have submitted this report to allow Committee to consider those responses.

Recommendations

14. The Committee is recommended to:
 - a) consider the report and responses received during the consultation regarding Horse Drawn carriages; and
 - b) determine whether to:
 - (1)
 - i) Proceed with the implementation of the Horse Drawn Carriage scheme.
 - ii) Recommend Council to make the approved byelaws.
 - iii) Subject to the making of the approved byelaws by Council authorise the Head of Law and Governance and Head of Environment Development to carry out the necessary statutory procedures.

OR

- (2) Not to proceed with implementation of the horse drawn carriage scheme.

Name and contact details of report author: Julian Alison
Licensing Team Leader
Telephone (01865) 252381
Email: jalison@oxford.gov.uk

Background Papers

Appendices:

1. **Proposal to licence Horse Drawn Carriages**
2. **Conditions applicable to the licensing of a guide, driver and proprietor of a Horse Drawn Carriage**
3. **Proposed Designated Route**
4. **Draft approved Byelaws**
5. **Responses from the online consultation**
6. **Response from COLTA and Private Hire Trade Associations**
7. **Responses from individuals received via alternative means**
8. **Response from PETA Head Office**
9. **Example of Response from PETA Members**

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Proposal to: Oxford City Council

On behalf of: Kevin Merry Carriages

Date: 25th May 2010

Introduction:

We are seeking permission from the City Council members to allow us to trade in the city centre. Our business is Kevin Merry Carriages, we have been running a successful horse and carriage business for over 10 years, during which time we have provided a range of carriages for hundreds of weddings, funerals, country rides and summer balls.

We have seen across many beautiful cities of the world that carriage rides offer the tourist a novel and pleasurable way to see the city's sights in style. We believe that there is the opportunity in Oxford to provide our tourists and members of the public with a similar, stylish, environmentally friendly Oxford experience. Particularly because, in days gone by, travel by carriage was a very popular mode of transport, we feel that this will help Oxford's tourists "connect" with the city's rich history.

Health & Safety

We recognise that having large animals in a city centre with many pedestrians, will inevitably lead to health & safety concerns. Friesian horses are, by nature, compliant creatures and have been bred for over 300 years specifically to pull carriages. Kevin's horses have been under his guidance and instruction for many years. He has over 30 years experience of working with horses, including the breaking in of horses for some of the most highly regarded racing stables in the world. This is a practice that requires patience, a high level of skill and, most importantly, a finely tuned sense of empathy with horses. During the course of Kevin's 10 year history of running his horse and carriage business, he has never experienced a horse getting out of control. However, in the highly unlikely occurrence of such an event, Kevin would be able to draw upon his vast experience to control the situation swiftly and safely. Our horses are very experienced with traffic, the recently introduced 20 mph speed limit within the city will make carriage travel even safer and as an extra precaution, Kevin has even fitted disc brakes to the wheels of the carriages.

With regards to insurance, all required insurance is in place to transport members of the public together with public liability insurance with the N.F.U.

Finally, we would reserve the right to refuse anyone who we believe to be under the influence of alcohol or drugs, indeed anyone who we believe would compromise the welfare of the horses and safety of the driver, assistant and general public.

Horse Welfare

The welfare of our horses is of great importance to us, as is all animal welfare. Kevin Merry Carriages donates a portion of its profits to a charity set up specifically to assist in rehabilitation of maltreated horses. Because of our concerns over the proper treatment of our horses, we would propose the following considerations;

That we would ensure sufficient water is available for the horses to drink throughout the day. The provision of hay would not be necessary as our horses feed early morning and in the evening.

The horse's working day would not extend 7.5 hrs per day. We envisage that the proposed route would take approximately 30 minutes to complete. The horses would be perfectly capable, without being under duress, of managing 4 consecutive routes. This 2 hour period would be followed by a 30 minute rest during which we would provide our horses with water and loosen the girth belts to give maximum comfort.

Transport to and from site

In order to transport the horses and carriage into Oxford, we would use one of our horse boxes and our flat bed transporter for the carriage. These would be parked at a pre-determined location in North Oxford (within the ring road) and from there we would ride the carriage into town. There would be a second vehicle parked in close proximity to our ideal "pitch" to store water and refreshments for the team.

Location

We would ensure that we were mindful of other trader's business areas and would not want to encroach on their "territory" or carry out our business in such a way as would have a negative impact on them. Broad Street is a popular destination for tourists providing access to Balliol and Trinity

Colleges as well as close proximity to the Sheldonian theatre and the Bodleian Library. The passage of traffic is limited, making it one of the quieter streets and therefore an obvious ideal location to offer our service. The ideal pitch would be on the opposite side to the main row of shops. This being the quieter side of the street, it would also have less impact on pedestrians. The site would also have the added advantage of being opposite the tourist office.

Waste Collection

We would ensure that any droppings between rides would be collected and disposed of immediately. However, most horses tend to go whilst moving. It would be impractical to keep stopping & starting tending to the droppings, so we would ensure that at the end of the day, we would collect any droppings made by the horses, to ensure that the streets were left clean.

Routes and Schedules

The route would take approximately 30 minutes and would take passengers from the pick up point from Broad Street, tour a number of the major sites throughout the city centre and return the passengers to Broad Street. **We do not intend our service to pick up passengers from one point and drop off at another.**

We would look to operate a route no greater than 1 km radius from our desired location of Broad Street. To avoid the more heavily congested roads whilst ensuring that our passengers had the opportunity to pass the major attractions and colleges. We are aware that there are several streets in Oxford which are “restricted access” but as yet are unsure as to whether this applies to horses and carriage. Therefore, should our application be successful, we would take advice and instruction from the Council’s highways department before finalising the specific route.

We would look to initially offer the carriage service on Sundays from May through to September. However, should the rides prove as popular as we expect, we have the capacity to extend our service to Saturdays and throughout the week if permissible.

As indicated in the Horse welfare section, we would not want the horses to work beyond approximately 7.5 hours daily, inclusive of rests. We would envisage that rides would be available from 10:00 am through to 5:30 pm. During very warm periods, should we be so lucky, the rides would run to

avoid prolonged exposure to heat. In all circumstances, we would stop taking passengers at least 1 hour before lighting up time.

We would have 3 staff members present; Kevin as the driver and his assistant to accompany him on the ride. The assistant's duty would be to provide the passengers with information on the city's sights and colleges during the tour.

A 3rd staff member would be permanently stationed on Broad Street. Their duties would include any clearing up after the horses if necessary as well as publicising the carriage rides to passing tourists and general public.

Publicity

Leaflets would be produced and distributed to the tourist office on Broad Street as well as hotels, guest houses and B & B's throughout Oxford. In addition, we would look to place promotional literature with other attractions around the city including websites with links to our own.

Summary

We very much hope that you can see the value of our enterprise in attracting tourism to Oxford, adding to the city's cosmopolitan charm and allure. In fact, we hope that it becomes an Oxford attraction in its own right!

The comments we have made so far hopefully will show you that our proposal is a considered one. However, we would welcome from you any suggestions to help it become a successful one. And finally, we would be happy to take anyone from the council on a "dry run" of our horse and carriage tour of the city and colleges. Not only will you have a wonderful experience but will forever have the distinction of being the first people to have enjoyed what we hope will become a long tradition.

Further information on the services currently being offered by our company, together with additional images, can be found on our website. www.kevinmerry.co.uk

Niels Paige
Kevin Merry Carriages
Forest Hill
Oxfordshire
OX33 1DY 07547455692 01865 873099

HORSE DRAWN OMNIBUS LICENCE

Guide Conditions

1. The guide of a Horse Drawn Omnibus (hereinafter called “the guide” and “the Omnibus” respectively) and the holder of the vehicle licence (hereinafter called ‘the proprietor’) shall ensure that they are aware of their duties and responsibilities in respect of the vehicle, driver and the Licensing Authority. He/she shall comply with the provisions of The Town Police Clauses Act 1847 and 1889, Part II of the Local Government (Miscellaneous Provisions) Act 1976 and any Bye-laws and conditions in respect of the licensing of horse drawn vehicles.
2. The guide will be required to be certified medically fit and have the physical ability to handle a Horse Drawn Omnibus.
3. The guide shall not permit children under the age of 14 years to travel in the Omnibus unless accompanied by an adult.
4. The guide shall not allow passengers to be carried in the Omnibus unless a driver is in attendance whilst the Omnibus is in motion.
5. If the guide is convicted of an offence he/she must inform the Licensing Officer in writing within 7 days of conviction, giving full details.
6. The guide shall not allow any animal to be conveyed in the Omnibus unless it be an assistance dog.
7. The holder of any licence must provide the address of his/her normal place of abode and if the address changes he/she must give notice in writing to the Licensing Office with seven days of such change.
8. The holder of any licence shall co-operate with any Officer of the City Council and undertake to comply with any reasonable request or instruction given by the aforesaid Officer.
9. The holder of any licence shall co-operate fully in the investigation of complaints by any authorised Officer and shall attend at the Offices of the Council and produce any information reasonably requested during the course of the investigation.
10. Holders of any licence should be aware that the council does not take responsibility for informing licence holders of the expiry of the licence and that refunds are not made for any unexpired periods of a surrendered licence.
11. The Licensing Authority reserves the right to amend, delete or add any conditions to the Licence by way of written notice to the Licensee.

Driver Conditions

1. The driver of a Horse Drawn Omnibus (hereinafter called “the driver” and “the Omnibus” respectively) and the holder of the vehicle licence (hereinafter called ‘the proprietor’) shall ensure that they are aware of their duties and responsibilities in respect of the vehicle, driver and the Licensing Authority. He/she shall comply with the provisions of The Town Police Clauses Act 1847 and 1889, Part II of the Local Government (Miscellaneous Provisions) Act 1976 and any Bye-laws and conditions in respect of the licensing of horse drawn vehicles.
2. The driver of a Horse Drawn Omnibus shall be over 21 years of age, have held a full driving licence for at least 12 months.
3. The driver of a Horse Drawn Omnibus will have attained a Road Driving Certificate as described in the Department of Transport’s Code of Practice for Horse Drawn Vehicles.
4. The driver will be required to be certified medically fit and have the physical ability to handle a Horse Drawn Omnibus.
5. The driver will ensure that the Omnibus keeps to the prescribed route as approved by the Council.
6. The driver shall not permit children under the age of 14 years to travel in the Omnibus unless accompanied by an adult.
7. The driver shall not allow passengers to be carried in the Omnibus unless a driver’s assistant/groom is in attendance to supervise passengers whilst the Omnibus is in motion.
8. If the driver is convicted of an offence he/she must inform the Licensing Officer in writing within 7 days of conviction, giving full details.
9. The holder of a driver’s licence shall not act as driver of the Omnibus without the consent of the proprietor of the Omnibus.
10. The driver shall not allow any animal to be conveyed in the Omnibus unless it is an assistance dog.
11. The driver shall at all times when driving the Omnibus carry with him a copy of the Bye laws and these conditions and shall make it available for inspection on request by the hirer or any other passenger.
12. The holder of any licence must provide the address of his/her normal place of abode and if the address changes he/she must give notice in writing to the Licensing Office with seven days of such change.
13. The holder of any licence shall co-operate with any Officer of the City Council and undertake to comply with any reasonable request or instruction given by the aforesaid Officer.

14. The holder of any licence shall co-operate fully in the investigation of complaints by any authorised Officer and shall attend at the Offices of the Council and produce any information reasonably requested during the course of the investigation.
15. Holders of any licence should be aware that the council does not take responsibility for informing licence holders of the expiry of the licence and that refunds are not made for any unexpired periods of a surrendered licence.
16. The Licensing Authority reserves the right to amend, delete or add any conditions to the Licence by way of written notice to the Licensee.

Proprietor Conditions

1. The driver of Horse Drawn Omnibus (hereinafter called “the driver” and “the Omnibus” respectively) and the holder of the vehicle licence (hereinafter called ‘the proprietor’) shall ensure that they are aware of their duties and responsibilities in respect of the vehicle, driver and the Licensing Authority. He/she shall comply with the provisions of The Town Police Clauses Act 1847 and 1889, Part II of the Local Government (Miscellaneous Provisions) Act 1976 and any Bye-laws and conditions in respect of the licensing of horse drawn vehicles.
2. The proprietor must be aware and have a copy of any byelaw relating to the licensing of an Omnibus
3. The proprietor shall ensure that the driver and guide are aware and adhere to the conditions on their licence at all times.
4. The proprietor shall, on ceasing to operate the Omnibus for which a licence is granted or when required to do so surrender the licence to the Licensing Office, together with any plate required to be affixed to the vehicle.
5. The proprietor must ensure the welfare of any animals and that the driver/guide are trained sufficiently to do so.
6. The proprietor must make arrangements for a suitable person to assume the day to day responsibilities in respect of both vehicle and driver should he/she not be readily available to undertake them.
7. The holder of any licence must provide the address of his/her normal place of abode and if the address changes he/she must give notice in writing to the Licensing Office with seven days of such change.
8. The holder of any licence shall co-operate with any Officer of the City Council and undertake to comply with any reasonable request or instruction given by the aforesaid Officer.
9. The holder of any licence shall co-operate fully in the investigation of complaints by any authorised Officer and shall attend at the Offices of the Council and produce any information reasonably requested during the course of the investigation.
10. Holders of any licence should be aware that the council does not take responsibility for informing licence holders of the expiry of the licence and that refunds are not made for any unexpired periods of a surrendered licence.
11. The Licensing Authority reserves the right to amend, delete or add any conditions to the Licence by way of written notice to the Licensee.

Proposed Route Provisionally Agreed with Oxfordshire County Council

The route should take approximately 30 minutes. The carriage stand is in Broad Street

- Starting from Broad Street right into Catte Street
- Through into Radcliffe Square (authority and key permitting) , round Camera back into Catte Street, straight on to Parks Road
- Left into Keble Road, left into Blackhall Road, left into Museum Road
- Right into Parks Road. Left into South Parks Road
- Right into St. Cross Road, into Longwall Street
- Left into High Street, over Magdalen Bridge to The Plain, back up High Street
- Left into Merton Street, right into Oriel Square
- King Edward Street (authority permitting)
- Left into High Street, right into Turl Street
- Left into Broad Street and back to stand

APPENDIX FOUR

DRAFT

OXFORD CITY COUNCIL

BYELAWS

Made under section 6 of the Town Police Clauses Act 1889, as incorporated with the Public Health Act 1875, by the Oxford City Council with respect to Omnibuses in the City of Oxford.

Interpretation

1. Throughout these byelaws :-

“the Council” means the Oxford City Council,

“the district” means the City of Oxford,

“veterinary surgeon” means a Member or Fellow of the Royal College of Veterinary Surgeons, and

“vehicle licence” means a licence issued under section 37 of the Town Police Clauses Act 1847 and any conditions attached to the grant of such a licence in accordance with section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976.”

Provisions regulating the manner in which the number of each omnibus corresponding with the number of its licence shall be displayed.

2. (a) The proprietor of an omnibus shall cause the number of the licence granted to him in respect of that omnibus to be legibly painted or marked on a plate, of a design and type supplied by the Council, which is prominently displayed at the rear of the vehicle.

(b) A proprietor, driver or conductor of an omnibus shall not :-

(a) wilfully or negligently cause or suffer any such number to be concealed from public view while the vehicle is plying or standing for hire by or used to carry passengers;
or

(b) cause or permit the vehicle to ply or stand for hire or be used to carry passengers with any such plate so defaced that any figure or material particular is illegible.

Provisions securing the fitness of the omnibus and the harness of the animals drawing the same.

3. The proprietor of an omnibus shall cause the omnibus and all of its fittings and equipment to be kept in a clean and safe condition, well maintained and in every way fit for public service.
4. A proprietor or driver of an omnibus shall cause every part of the harness of any animal hitched up to the omnibus to be kept in good order so that the animal is properly and securely attached to the vehicle and under control at all times.

Provisions regulating the conduct of the proprietors, drivers and conductors of omnibuses plying within the district in their several employments, and determining whether such drivers and conductors shall wear any and what badges.

5. The proprietor, driver or conductor of an omnibus shall not carry or permit to be carried in such omnibus any greater number of passengers than the number of passengers which it is licensed to carry.
6. A driver or conductor of an omnibus shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in, entering or alighting from the omnibus, and of any animal used to draw it.
7. A driver or conductor of an omnibus shall not smoke at any time when the omnibus is being used to convey passengers.
8. A driver or conductor of an omnibus shall at all times when the omnibus is plying or standing for hire by or used to carry passengers wear the badge provided by the Council in such a position and manner as to be plainly visible.
9. A driver or conductor of an omnibus shall not, at any time when the omnibus is plying or standing for hire by or used to carry passengers, operate a radio or other sound-reproducing equipment other than for the purposes of sending or receiving messages in connection with the operation of the vehicle.

10. A driver of an omnibus when plying for hire or carrying passengers shall proceed without delay between the points determined by the vehicle licence issued in respect of that omnibus, and only via any of the stands determined by the said vehicle licence.
11. The proprietor, driver or conductor of an omnibus shall not, in any street within the district, feed or allow to be fed any animal harnessed or otherwise attached to the omnibus, except with food contained in a proper bag or container suspended from the head of the animal or from any centre pole of the vehicle, or which is being held and delivered with the hand of the person feeding the animal.

Provisions regulating the number and securing the fitness of the animals to be allowed to draw an omnibus, and for the removal therefrom of unfit animals.

12. The proprietor or driver of an omnibus shall not cause or permit the same to be drawn by more than two animals at any one time, and shall ensure that the two animals are of the same species.
13. A proprietor or driver of an omnibus shall not cause or permit the animal to be used to draw the omnibus unless, within the preceding twelve months, a certificate of fitness, in a form supplied by the Council, has been issued in respect of that animal following an examination by a veterinary surgeon specialising in large animal practice.
14. A proprietor or driver of an omnibus shall not, at any time when the omnibus is plying or standing for hire or being used to carry passengers, drive or allow to be driven or harness or allow to be harnessed to the omnibus any animal in such condition as to expose any person being conveyed or being in such omnibus, or any person traversing any street, to risk of injury.
15. A proprietor or driver of an omnibus shall not cause or permit an animal to draw any omnibus or to be harnessed or otherwise attached to such an omnibus for more than six hours in any one day. And, if the animal is harnessed to an omnibus for a period of three consecutive hours, the proprietor or driver shall ensure that the animal is rested for a period of not less than one hour, during which time the animal must be fed and watered.
16. A proprietor or driver of an omnibus shall not cause or permit any animal which has

previously been used to draw an omnibus for a total of not more than six hours, on any one day, to be used at any other time during the remainder of that day for any other purpose in connection with that or any other omnibus.

17. A proprietor or driver of an omnibus shall ensure that while an animal is being rested in accordance with byelaw 15 above, that the animal shall not remain harnessed, or otherwise attached to an omnibus, or used for any other purpose in connection with an omnibus.
18. (a) The proprietor or driver of an omnibus shall, on being so instructed by an authorised officer of the Council, immediately cease to use, for the purpose of drawing an omnibus, any animal which that officer, after consultation with a veterinary surgeon, specialising in large animal practice, considers to be unfit for that purpose.

(b) Where a proprietor or a driver of an omnibus has been instructed to stop using a particular animal for the purpose of drawing an omnibus, no such proprietor or driver shall cause or permit that animal to be used again for that purpose until a certificate of fitness has been issued by a veterinary surgeon, specialising in large animal practice, in a form supplied by the Council.

Provisions for securing the safe custody and return of private property

19. The driver or conductor of an omnibus shall, before departing from any point fixed by the vehicle licence issued in respect of that omnibus, carefully search the omnibus for any property which may have been accidentally left therein.
20. Any proprietor, driver or conductor of an omnibus shall, if any property accidentally left therein by any person who may have been conveyed in the omnibus be found by or handed to him, take it as soon as possible and in any event within 24 hours, if not claimed by or on behalf of its owner, to a police station in the district and leave it in the custody of a police constable on his giving a receipt for it.

Provisions for the exhibition on some conspicuous part of every omnibus of a statement in legible letters and figures of the fares to be demanded and received from the persons using an omnibus.

21. (a) The proprietor of an omnibus shall cause a statement of the fares payable by passengers to be exhibited conspicuously inside the vehicle, in clear legible letters and figures.
- (b) The proprietor, driver or conductor of an omnibus bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time when the vehicle is plying or standing for hire by or used to carry passengers.

Provisions preventing importuning and the blowing of or playing upon horns or other musical instruments, or the ringing of bells, by any person travelling on or using an omnibus.

22. The owner, driver or conductor of an omnibus shall not, at any time when the omnibus is plying or standing for hire by or used to carry passengers, by touting, calling out or otherwise, importune any person to use or to be carried for hire in such omnibus, to the annoyance of any such person or of any other person, and shall not make use of the services of any other person for the purpose.
23. A driver, conductor or any person travelling on or using an omnibus shall not blow or play upon any horn or other musical instrument or ring any bell.

Penalties

24. Any person who offends against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale, and in the case of a continuing offence to a further fine not exceeding two pounds for each day during which the offence continues after the date of conviction.

**THE COMMON SEAL OF THE)
OXFORD CITY COUNCIL was)
hereunto affixed by order of the)
Council in the presence of :-)**

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into force on the day of 2011.

Signed by authority of the Secretary of State,

Department for
Transport

Daniel Smith Esq
Oxford City Council

dsmith@oxford.gov.uk

Miss P A Brown
Policy Adviser
Taxi Policy Branch
Department for Transport
3/11 Great Minster House
76 Marsham Street
LONDON
SW1P 4DR
Direct Line: 020 7944 2278
Divisional Enquiries: 020 7944 2278
Fax: 020 7944 2212
GTN No: 3533 2278

Web Site: www.dft.gov.uk

Our Ref: BAT 2/12/01

23 May 2011

Dear Mr Smith,

HORSE-DRAWN OMNIBUS BYELAWS

Thank you for your e-mail of 23 May enclosing for provisional approval draft byelaws relating to horse-drawn omnibuses in Oxford.

The draft byelaws are acceptable.

Subject to the consideration of any objections we might receive, we shall be prepared to submit the byelaws for confirmation on behalf of the Secretary of State for Transport if, having been made by the Council and sealed, they are then advertised and submitted in accordance with the procedure prescribed in section 236 of the Local Government Act 1972.

Yours sincerely,

Miss P A Brown

APPENDIX FIVE

Name	Postcode	Question: Do you have any comments to make regarding the proposal to licence a Horse Drawn Carriage	Question: HDC2 Do you have any comments to make regarding the implementation of the Byelaw YES / NO / OTHER
Brian Lester	OX4 6DS	I feel that the use of horses to pull a carriage is in my opinion detrimental to the horses health and safety. the noise of all the buses that use these streets could scare them causing danger to the horses and passengers. the toxic fumes caused by traffic could affect the said horses health. there's more enough site seeing vehicles now causing congestion on these proposed routes now without causing further delays which in turn cause more pollution which these poor animals would have to endure.	will these operators be allowed to ply for hire. we have already had the saga of the rickshaws in recent years who after being allowed a stand then applied for a hackney carriage license to ply for hire. gladly that was turned down, is this another ploy; when it is proven uneconomical will the owners apply for a hackney carriage license, then stop the service and try to transfer the license to a taxi cab?
Martin Sutton	OX4 2RY	Whilst care has been taken over the route, I am concerned Longwall Street - the Plain - Oriel Street/King Edward Street - Turl Street will add to delays for buses. From this weekend there are fewer buses using High Street as part of the "Transform Oxford" vision to improve the environment for pedestrians. This proposals would appear to be somewhat at odds with that vision. We strongly caution against the High Street being part of the route.	Congestion: cars vans buses & lorries all use the Longwall, South Parks Road route and although a 20mph limit is now imposed in the City centre, it is not enforced. The average speed of a horse drawn vehicle is approximately 7 mph, and there will be no opportunity to overtake the carriage safely along a considerable stretch of an important through route for motor vehicles. This will cause extreme holdups, and consequent frustration to drivers attempting to go about their legitimate business.
Elizabeth Mills OBE	OX4 1LH	I object to the proposal on grounds of public health and hygiene: where the horse stands in the Broad, urine will run in the roadway, into the public drainage system, cause smell and attract flies. Faeces left in the roadway, on the route, will be trodden into the paving, run over by vehicles, and impossible to clear up, as the applicant claims he will do at the end of every day. They will also smell and attract flies.	Congestion: cars vans buses & lorries all use the Longwall, South Parks Road route and although a 20mph limit is now imposed in the City centre, it is not enforced. The average speed of a horse drawn vehicle is approximately 7 mph, and there will be no opportunity to overtake the carriage safely along a considerable stretch of an important through route for motor vehicles. This will cause extreme holdups, and consequent frustration to drivers attempting to go about their legitimate business.
	OX4 1PA		I am not convinced that the proposed Byelaws could be effectively enforced
	OX4 1AY	I would be concerned for the welfare of the horses. The centre of the city is polluted, noisy and busy. This is not good for the health of the people, let alone a horse which will not be given any choice about being there. I think this is not a good advertisement for how Oxford regards animal welfare.	
Mike Ratcliffe	ox3 7lt	This is fine. Can't be any more annoying than the tour buses.	

Gemina	OX3 0DW	I'm against the proposal. Route includes streets with serious traffic congestion - it would be cruel to horses and dangerous. In tourist season pavements often overcrowded - pedestrians forced into roadway (over 65 young Japanese visitors counted in one single group in High Street, near Carfax, in July 2011).	I am against the implementation of the proposed Byelaws. Proposal to introduce horse-drawn carriage rides in Oxford City centre does not make sense, given high volume of traffic, traffic congestion - cruelty to horses.
Roger Evans	OX3 0DW	Totally agree with this proposal, Oxford needs a more varied selection of offers for tourists who come to our great city!	Implement them
	OX4 1QG	I object. I don't know how without ticking 'other'. I am pedestrian, cyclist, car driver & resident. Using roads on route suggested has been difficult with the amount of traffic and with drivers & tourists who have little road sense. A h-drawn carriage will slow up traffic and be very hard for cyclists to negotiate. Will someone pick up dung quickly so that bikes don't slip over when it's wet? Is the bottleneck of the Plain roundabout the best place for a slow, tourist, money-, making enterprise?	Haven't had time to read them will try to do so before the consultation is over.
	OX1 3AS	A Horse Drawn Carriage operation in the city centre would be an additional draw for visitors to the city. The location of the stand on Broad Street needs to be carefully considered. I note that the 'other side of the road to the main row of shops opposite the Tourist Information Centre' has been suggested. This seems to be a reasonable proposal as siting the stand on the same side of the road as the shops and Information Centre would cause additional congestion to what is already a busy area.	
Helen Hutchinson	OX4 3BS	I oppose the use of horse drawn carriages for: animal welfare, the risk of accidents, the cost to the tax payer for the regulation and enforcement, hygiene in the street, and the fate of injured and retired horses. This is a very old fashioned, cruel, and unnecessary form of entertainment. Please see Animal Aid's report as to why horse drawn carriages should not be licenced in Oxford http://www.animalaid.org.uk/h/n/CAMPAIGNS/other/ALL/444/	
Leah	BN2 3ED	Against the proposal. Dangers to horses and the public. Congestion issues for residents and visitors. Would influence my decision to visit and my opinion of the city, in a negative way.	
Dr. A. Morovat	OX3 9DU	I should like to record my strong objection to the proposal. To use horse-drawn carriages is a backward move and merely a romanticisation. The reality is animal discomfort and cruelty.	

Martin Edward Henig	OX2 0DB As there is other traffic in the streets there will be considerable risk to the safety of the horses. I fear that many will be injured, perhaps killed, by buses and other vehicles. There may also be an increased risk to pedestrians. I am well aware of the accident potential of bolting horses even before we had motorised transport. Oxford is busy even on sundays and is no longer suitable for horse-drawn carriages.	I am sure you can ameliorate the situation if you go ahead but that is all.
Graham Maynard	OX29 4JS (No Comment Entered)	(No Comment Entered)
Ann Furtado	OX2 0QT Excellent idea that will definitely boost the appeal of Oxford for tourists.	
	OX12 8RN (No Comment Entered)	(No Comment Entered)
	OX2 8BG I am neither a trader nor an animal rights activist. As a bus-user, cyclist and pedestrian, I object strongly on the grounds that these carriages will add to congestion in the city centre, especially for buses in the High Street.	
	ox11 9dp I have serious concerns as a resident of Oxfordshire, who visits Oxford regularly & as a horse owner, for the following reasons: * Welfare of the horse * Disruption of traffic and congestion indirectly causing additional emissions due to lower speeds on the designated route * Health & Safety of pedestrians in the event of a horse being spooked * Horse allergies/cleaning of urination & faeces, when street cleaning is under pressure. * Fly nuisance * Banned in other major cities worldwide	as above
Jane Marshall	OX4 4JE As a resident of Oxford I am concerned for the following reasons: * Animal welfare * Traffic disruption and subsequent pollution due to lower speeds * Other cities have already banned this type of enterprise * The unpredictability of horses causing Health & Safety issues * Congestion due to slow speed * Difficulties of removing manure efficiently *	

Horse Drawn Carriages in Oxford

This document has been produced on behalf of representatives of a joint trades committee made up of Hackney Carriage & Private Hire trades in Oxford.

Concern was raised at a joint trades meeting on May 31st 2011 where the prospect of Horse Drawn Carriage licensing was announced by taxi licensing officials, there had up to this point in time, been no consultation with either trade on this subject since 2009?

During the early part of 2011, many local regulations regarding the licensing of taxi, private hire drivers & their vehicles, had been significantly enhanced, the exercise resulted in the long overdue tightening up of control over the type of person & vehicle that would be permitted to obtain a license, taking those tighter controls into account, representatives from both trades are at a loss as to how or why taxi licensing officials have then made approaches to Defra with the view to actually 'relaxing' controls which would result in Horse drawn Carriages & their drivers being permitted to offer hire & reward services in Oxford, an absolute attempt at dual standards.

The trade organisations also are at a loss as to why Taxi Licensing fees have apparently been used in order to achieve this 'relaxation' of controls for one service provider without the applicant being asked to lodge some financial deposit, we are of the opinion that whilst one door has been closed on sub-standard operations in Oxford, the back door will now be opened for all & sundry to apply to operate sub standard services of many different types. Once opened, with today's culture of legal challenge, its always an impossible task to close the door to all other types of operations.

This situation has happened before in Oxford & those who can remember the previous 'small bus' fiasco of the 1990's, where one operator took advantage of a relaxation in controls, will also remember how it led to Oxford being flooded with over 140 unlicensed saloon vehicles & their drivers operating Hire & Reward Service without being properly vetted or licensed, legislators (Defra) eventually realised that they had presented themselves with more safety issues than they had ever imaged, had to eventually close the loopholes that they had unwittingly allowed, the joint trades committee are of the opinion that this is about to happen again if the licensing of horse drawn carriages is permitted in Oxford, others would follow & chaos would soon be upon our streets once again.

We are deeply concerned over the effects such an operation would have on the already congested streets and public transport corridors such as bus lanes, horse drawn carriages would (because they would be considered to be an 'omnibus' by Defra) be permitted to use bus/taxi priority routes before & during their operation each day, presumably the operation would need to access the city from the outskirts of Oxford & would therefore be able to travel the whole length of one or more of the major arterial routes into Oxford, can you imagine a horse drawn carriage, travelling at around five miles per hour along the whole of length of the Woodstock or Banbury Road bus/taxi lanes? normal traffic flows would actually be flowing faster during rush hour than buses & taxis who were following horse drawn carriages in bus lanes, a facility originally designed to allow less congested access into the city not slower, to license one of these unusual operations, would we feel, open the floodgates to many other unusual forms of hire & reward transport, once open, refusal to allow others would become extremely difficult to refuse or control.

Of the existing 700+ hackney carriage & private hire vehicles, all, are required to comply with disability & elderly access regulations, carry fire extinguishers, first aid kits, weather resistant bodywork, heating systems, the list goes on, exactly how many of those requirements would be applied in order to obtain a horse drawn carriage license? Which section of Oxford City Council would regulate & enforce the regulations, how would the cost of their enforcement be separately accounted for by whichever office dealt with the operation?

Continued on page two.....

If it was decided that the taxi licensing office were to regulate & enforce the horse drawn carriage, there is no doubt that additional staff would be needed in that section, if not, then the service already provided to the taxi & private hire operators & drivers would be reduced, would the 'alternative' hire & reward service operators pay licence fees which reflected the actual/true cost of that process as do the two existing services? under existing city council resolution & with present financial restrictions it would have to, then would the applicant be prepared to pay the high fees that this would require?

Although enforcement of the existing trades has been increased over the past few months, it is still not sufficient, any additional drain on licensing officer's time would reduce existing levels of services & enforcement offered to existing license holders, we would then be applying for a reduction in license fees.

We hereby object in the strongest possible terms to the licensing of horse drawn carriages in Oxford.

Alan Ward
City of Oxford Licensed Taxicab
Association
COLTA

Licensing Authority
Oxford City Council

14 JUN 2011

Received

ALISON Julian

From: Jane Shepherd [jane@algerontrust.org.uk]
Posted At: 19 July 2011 23:25
Conversation: Horse drawn carriages
Posted To: HORSE DRAWN

Subject: Horse drawn carriages

There is far too much animal abuse in this country as it is, please don't add to it. It is unrealistic to believe that the welfare of the horses will be as important as making money and who will monitor the conditions and care of these animals? There is too much potential for injury on busy roads and in 2011 horse drawn carriages are an anachronism. Please think very carefully about equine welfare and drop this proposal.

Jane Shepherd
Algeron Trust
Linshire Farm
Whittlebury
NN12 8XN

ALISON Julian

From: CLEMENTS Sophie
Sent: 18 July 2011 11:16
To: ALISON Julian
Subject: FW: HORSE DRAWN CARRIAGES IN OXFORD

*Sophie Clements
Team Support Officer
Environmental Development
01865 252561*

From: SHEARER Carina
Sent: 15 July 2011 09:43
To: environment@oxford.gov.uk
Subject: FW: HORSE DRAWN CARRIAGES IN OXFORD

Carina
Customer Service Officer
Oxford City Council

From: Hilary Isaac [mailto:hilary@fahamu.org]
Posted At: 15 July 2011 09:19
Posted To: customerservices@oxford.gov.uk
Conversation: HORSE DRAWN CARRIAGES IN OXFORD
Subject: HORSE DRAWN CARRIAGES IN OXFORD

Please don't do this. Apart from the Animal Welfare issues which are enormous the centre of Oxford is already over-crowded in the summer where on earth would horse drawn carriages be located? We need so many other things to make Oxford a pleasure to come to and this is not one of them. We need better shops, cleaner streets, less badly behaved school parties from abroad but NOT and I would emphasise NOT horse drawn carriages.

Hilary Isaac
Fahamu
51 Cornmarket Street
Oxford
OX1 3HA
Tel: 01865 727006

"No one could make a greater mistake than he who did nothing because he could do only a little." - Edmund Burke



ALISON Julian

From: CLEMENTS Sophie
Sent: 15 July 2011 08:53
To: CRAMER Jill; ALISON Julian
Subject: FW: introduction of horse drawn carriages

*Sophie Clements
Team Support Officer
Environmental Development
01865 252561*

From: CATHERINE THOMPSON [mailto:thompson966@btinternet.com]
Posted At: 14 July 2011 16:17
Posted To: environment@oxford.gov.uk
Conversation: introduction of horse drawn carriages
Subject: introduction of horse drawn carriages

Dear All

I would like to register my objections to the introduction of horse-drawn carriages in Oxford. Any romantic images would be far outweighed by the animal welfare issues that would arise. Please reject this proposal.

Regards

Catherine Thompson

ALISON Julian

From: CLEMENTS Sophie
Sent: 15 July 2011 08:52
To: CRAMER Jill; BROME Natalie; ALISON Julian; THORNTON Robert M
Subject: FW: No to horse-drawn carriages in Oxford

*Sophie Clements
Team Support Officer
Environmental Development
01865 252561*

From: Riki Therivel [mailto:levett-therivel@phonecoop.coop]
Posted At: 15 July 2011 06:42
Posted To: environment@oxford.gov.uk
Conversation: No to horse-drawn carriages in Oxford
Subject: No to horse-drawn carriages in Oxford

Dear Sir or Madam,

I oppose the use of horse-drawn carriages in Oxford on several grounds: increased congestion as buses and cars try to safely pass the carriages, manure in the streets, the welfare of the horses. Oxford already has experience with bicycle rickshaws, which are anyway more in keeping with the 'sustainable transport' theme of the city.

Yours sincerely,

Riki Therivel
28A North Hinksey Lane
Oxford OX2 0LX

ALISON Julian

From: CLEMENTS Sophie
Sent: 15 July 2011 08:53
To: CRAMER Jill; ALISON Julian
Subject: FW: horse drawn carriages

Sophie Clements
Team Support Officer
Environmental Development
01865 252561

-----Original Message-----

From: Denise Watt [mailto:denise.watt@qeh.ox.ac.uk] **Posted At:** 14 July 2011 16:47 **Posted To:** environment@oxford.gov.uk
Conversation: horse drawn carriages
Subject: horse drawn carriages

Dear Ox City Council

I'm not very keen on horse-drawn carriages. It looks good but i can't think that the environment of our streets is very 'sympathetic' to horses. traffic is already a nightmare with bikes and cars, never mind cyclists swerving around horses, and offering to collect manure between rides every half hour is not good enough.

Yours,

Denise Watt

--

Denise Watt
Assistant to the Head of Department, Professor Valpy FitzGerald Oxford Department of International Development Queen Elizabeth House University of Oxford
3 Mansfield Road
Oxford OX1 3TB
Email: denise.watt@qeh.ox.ac.uk
Tel: 01865 281803
Fax: 01865 281801

www.qeh.ox.ac.uk

ALISON Julian

From: THOMPSON Emma
Sent: 18 July 2011 13:05
To: ALISON Julian; CRAMER Jill
Subject: FW: Ridiculous horse and carriage plan

From: Vicky Mann [mailto:v_lizzy@hotmail.com]
Posted At: 18 July 2011 11:11
Posted To: licensing@oxford.gov.uk
Conversation: Ridiculous horse and carriage plan
Subject: Ridiculous horse and carriage plan

To whom this may concern,

I am writing to express my objection to this ridiculous plan to introduce these to our city centre. This is nothing but simple exploitation of animals to make money and is not acceptable. I have worked with horses for many years, and regardless of whether or not people deem a particular horse or even breed to be 'bombproof' let me tell you, these creatures are animals. They are unpredictable. I have seen plenty of accidents in my years working with these animals and by allowing them into our already congested city centre you are exposing them to frightening situations and putting not only the animals but the general public at risk. This exploitation of animals at any cost has got to stop. Should some senseless, selfish fool be prepared to back this not only me, but every of the nearly 1000 animal rescue workers I work with in this county will be boycotting the city centre.

Yours sincerely,

Vicky Mann

ALISON Julian

From: NICKLIN Sarah
Sent: 19 July 2011 09:41
To: ALISON Julian
Subject: FW: Horse and Carriage

Sarah Nicklin

Technician (Planning and Building Control) | City Development | Oxford City Council
(01865)252186 | snicklin@oxford.gov.uk

From: stella@stella777.orangehome.co.uk [mailto:stella@stella777.orangehome.co.uk]
Posted At: 18 July 2011 19:22
Posted To: planning@oxford.gov.uk
Conversation: Horse and Carriage
Subject: Horse and Carriage

Dear Sir/Madam

I wish to strongly complain with regard to horse and carriages being considered at Oxford, this is a time to go forwards not backwards. Also, considering as a nation we don't have the resource to properly supervise the treatment of animals in any context, this must not go ahead, ever.

Yours faithfully

Stella Johns

ALISON Julian

From: THOMPSON Emma
Sent: 18 July 2011 13:05
To: ALISON Julian; CRAMER Jill
Subject: FW: Horse Drawn Carriages in Oxford

From: rosemarie marks-crockett [mailto:108rosie@live.co.uk]
Posted At: 17 July 2011 18:53
Posted To: licensing@oxford.gov.uk
Conversation: Horse Drawn Carriages in Oxford
Subject: Horse Drawn Carriages in Oxford

Dear Sir or Madam,

I am writing to express my dismay and outrage upon hearing about the proposal to introduce horse-drawn carriages to Oxford's streets. I have lived in Oxford for 22 years and am very familiar with the treacherous road conditions that already exist and know that introducing horses into the mix is a recipe for disaster.

There are serious animal welfare issues at stake in this too:

www.animalaid.org.uk/h/n/CAMPAIGNS/other/ALL/444/

The tourist industry is thriving in Oxford. We do not need horse-drawn carriages. Find some other way to cash in on all the money flowing into Oxford.

Yours sincerely,

Rosemarie Marks-Crockett

ALISON Julian

From: THOMPSON Emma
Sent: 18 July 2011 13:19
To: ALISON Julian; CRAMER Jill
Subject: FW: Horse and Carriage

From: Sonja Talboys [mailto:sonjatalboys@yahoo.co.uk]
Posted At: 18 July 2011 11:59
Posted To: licensing@oxford.gov.uk
Conversation: Horse and Carriage
Subject: Horse and Carriage

I have never heard of such a ridiculous idea as having horse drawn carriages in Oxford. Firstly it is very cruel having these poor horses hanging around, secondly it is dangerous for the horses with all the traffic we have now a days. Saying this is going back to old days is stupid, when horse's and carriages were used there was hardly any other traffic. When idiots come up with these ideas do they consider the animal, NO. So I am hoping that you will reconsider this most idiotic idea. NO NO NO to horse drawn carriages in Oxford or anywhere else. Mrs S Allen

ALISON Julian

From: NICKLIN Sarah
Sent: 19 July 2011 09:41
To: ALISON Julian
Subject: FW: Please to NOT reintroduce horse-carriages

Sarah Nicklin

Technician (Planning and Building Control) | City Development | Oxford City Council
(01865)252186 | snicklin@oxford.gov.uk

From: Mirella Colalillo [<mailto:mirella.colalillo@gmail.com>]
Posted At: 18 July 2011 22:31
Posted To: planning@oxford.gov.uk
Conversation: Please to NOT reintroduce horse-carriages
Subject: Please to NOT reintroduce horse-carriages

Dear Madam, Dear Sir,

I have been sadly informed of your City Council's plans to reintroduce horse-drawn carriages.

The horse-drawn carriage industry is not kind nor romantic. It is based on exploitation of the horses to benefit the pockets of few and in many cities it has been banned and other cities are following suite.

Please, I urge you not to reintroduce horse-carriages. Let's continue to evolve as humans and not take steps backwards.

Thank you.

Mirella

ALISON Julian

From: NICKLIN Sarah
Sent: 19 July 2011 09:41
To: ALISON Julian
Subject: FW: Horse and buggies in Oxford? Are you kidding?

Sarah Nicklin

Technician (Planning and Building Control) | City Development | Oxford City Council
(01865)252186 | snicklin@oxford.gov.uk

From: Zelda [<mailto:zpenzel@twcmetrobiz.com>]
Posted At: 19 July 2011 02:05
Posted To: planning@oxford.gov.uk
Conversation: Horse and buggies in Oxford? Are you kidding?
Subject: Horse and buggies in Oxford? Are you kidding?

Gentlemen, Ladies,

Look at the polls!!!! No one wants to see these poor beasts tethered to a carriage and dragging tourists through clogged city streets. That is a foolish "romanticized" notion which has no place in a civilized society, especially now that we have come to understand and appreciate the needs, the intelligence, the beauty of seeing an animal that has not been forced into servitude, to be exploited for money. We are trying our best to rid our city of the suffering that is so evident. Please rid yourselves of this ridiculous anachronistic notion.

Sincerely,
Zelda Penzel, President
People for the End of Animal Cruelty and Exploitation~PEACE
NY, NY

ALISON Julian

From: NICKLIN Sarah
Sent: 19 July 2011 09:40
To: ALISON Julian
Subject: FW: Carriages

Sarah Nicklin
Technician (Planning and Building Control) | City Development | Oxford City Council
(01865)252186 | snicklin@oxford.gov.uk

-----Original Message-----

From: Ans Laver [<mailto:ans.laver@tiscali.co.uk>] Posted At: 18 July 2011 15:54 Posted To:
planning@oxford.gov.uk
Conversation: Carriages
Subject: Carriages

Dear Oxford City Council, I am very concerned about your proposal to allow horse drawn carriages into the city. This is not a good idea at all, as there are no facilities for horses in the city centre. Health and Safety (for horses) is involved. Please do not allow this to become a reality.
Yours sincerely, Mrs J C Laver, Oxford

ALISON Julian

From: CLEMENTS Sophie
Sent: 19 July 2011 16:06
To: ALISON Julian
Subject: FW: Horse Drawn Carriages

*Sophie Clements
Team Support Officer
Environmental Development
01865 252561*

From: Viktoria Nealis [mailto:viktorianealis@yahoo.co.uk]
Posted At: 19 July 2011 12:35
Posted To: environment@oxford.gov.uk
Conversation: Horse Drawn Carriages
Subject: Horse Drawn Carriages

Dear Sirs,

I am writing to oppose Oxford Council's plans to introduce horse drawn carriages on Oxford's streets. Not only would they cause congestion, as I understand that they would follow the route of the tourist buses, and their manure could cause a health risk due to flies and also people inadvertently getting some stuck to their shoes etc. but could be a significant risk to public safety, especially when small children are around.

My main objection, however, is that this proposal attaches to it severe animal welfare issues. I understand that London, Paris, Toronto and even Beijing have banned such schemes for this very reason. The horses will be exploited for money-making purposes, for that is obviously what is behind the idea in the first place - how to attract tourists and make money.

Oxford already has a poor reputation for it's complete lack of compassion for animals by allowing its University to continue with vivisection. This fact keeps many people, myself included, away from your historic city and horse drawn carriages would be another very good reason for avoiding it.

Please do not allow this proposal to go ahead.

Yours faithfully

Mrs Viktoria Nealis - London N16 5HF

Consultation Team
Oxford City Council
Town Hall, St Aldate's
Oxford
OX1 1BX

25 July 2011

Dear Consultation Team,

I am writing on behalf of People for the Ethical Treatment of Animals (PETA) and our more than 130,000 UK members and supporters. Having heard that you are currently considering allowing horse-drawn carriages to operate in the city centre once again, we strongly urge you to decide against it.

Horse-drawn carriages are not only cruel but also dangerous to both horses and people, especially in modern cities. Horses are forced to pull oversized loads in all temperatures and often suffer serious leg ailments from pounding on hard surfaces all day. Lameness and hoof deterioration are common, and many drivers, unwilling or unable to recognise signs of lameness, fail to give injured horses a break from working. Even in cities with stringent rules, violations such as overworking horses or failing to provide proper care are common, yet they frequently go unreported.

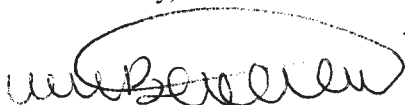
Horse-drawn carriages are also dangerous to riders, pedestrians and motorists. Horses can become spooked and run out of control, often causing serious and sometimes fatal accidents. In 2008, a bride in Worcestershire sustained major injuries when she was thrown from a horse-drawn carriage after the horse became frightened and ran amok. Just last month, a woman was killed and a number of other bystanders were injured by a runaway horse and carriage at a country fair in Bury St Edmonds.¹ The liability associated with these rides is very real.

Many cities around the world – including Paris, Toronto, Rome and cities across the US such as Las Vegas and Santa Fe, New Mexico – have banned horse-drawn carriages.

Please make the compassionate decision to protect Oxford's tourists, residents and horses by upholding your policy on horse-drawn carriages and refusing this proposal to reintroduce them. May I please hear from you about this important matter? I can be contacted on +44 (0)207 357 9229, extension 238, or at MimiB@peta.org.uk.

Thank you for your attention to this important matter. I look forward to your speedy reply.

Yours sincerely,



Mimi Bekhechi
Manager
People for the Ethical Treatment of Animals

The Licensing Authority
Oxford City Council



PETA

PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS
(PETA) FOUNDATION

PO BOX 36678
LONDON SE1 1YE
+44 (0)20 7357 9229
+44 (0)20 7357 0901 FAX
Info@peta.org.uk
PETA.org.uk

An international
organisation dedicated to
protecting the rights
of all animals.

PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS
(PETA) FOUNDATION

is a charitable company limited
by guarantee.

Registered in England and Wales.

Company No: 3135903

Charity No: 1056453

Registered Address:

Lacon House, Theobald's Road
London WC1X 8RW

ALISON Julian

From: cerihutton@mac.com
Posted At: 21 July 2011 10:25
Conversation: Don't Reintroduce Horse-Drawn Carriages to Oxford
Posted To: HORSE DRAWN

Subject: Don't Reintroduce Horse-Drawn Carriages to Oxford

Oxford City Council

I was disappointed and shocked to learn that after more than 70 years without horse-drawn carriages in your city, plans have been set in motion to reintroduce them.

Horses are extremely sensitive to loud noises and unexpected sounds, and busy city streets have plenty of both. Horses and people have been seriously hurt – with some injuries resulting in fatalities – when horses have become spooked and run amok.

There have also been countless incidents in which carriages have been hit by impatient or careless drivers. Accidents have occurred in nearly every city in which carriage rides are allowed. London, Paris, Toronto and Beijing have all banned horse-drawn carriages.

Horses are not tourist attractions; please reject plans to reintroduce horse-drawn carriages to the city.

Yours sincerely,

Ceri Hutton
76 Market Street
Ulverston
Cumbria
LA12 7LT
cerihutton@mac.com

APPENDIX FIVE

Name	Postcode	Question:HDC1 Do you have any comments to make regarding the proposal to licence a Horse Drawn Carriage YES / NO / OTHER	Question:HDC2 Do you have any comments to make regarding the implementation of the Byelaw YES / NO / OTHER
Brían Lester	OX4 6DS	Other (please specify) I feel that the use of horses to pull a carriage is in my opinion detrimental to the horses health and safety, the noise of all the buses that use these streets could scare them causing danger to the horses and passengers, the toxic fumes caused by traffic could affect the said horses health, there's more enough site seeing vehicles now causing congestion on these proposed routes now without causing further delays which in turn cause more pollution which these poor animals would have to endure.	Other (please specify) will these operators be allowed to ply for hire, we have already had the saga of the rickshaws in recent years who after being allowed a stand then applied for a hackney carriage license to ply for hire, gladly, that was turned down, is this another ploy, when it is proven uneconomical will the owners apply for a hackney carriage license, then stop the service and try to transfer the license to a taxi cab?
Martin Sutton	OX4 2RY	Other (please specify) Whilst care has been taken over the route, I am concerned Longwall Street - the Plain - Oriat Street/King Edward Street - Turf Street will add to delays for buses. From this weekend there are fewer buses using High Street as part of the "Transform Oxford" vision to improve the environment for pedestrians. This proposal would appear to be somewhat at odds with that vision. We strongly caution against the High Street being part of the route.	NO
Elizabeth Mills OBE	OX4 1LH	Other (please specify) I object to the proposal on grounds of public health and hygiene: where the horse stands in the Broad, urine will run in the roadway, into the public drainage system, cause smell and attract flies. Faeces left in the roadway, on the route, will be trodden into the paving, run over by vehicles, and impossible to clear up, as the applicant claims he will do at the end of every day. They will also smell and attract flies.	Other (please specify) Congestion: cars vans buses & lorries all use the Longwall, South Parks Road route and although a 20mph limit is now imposed in the City centre, it is not enforced. The average speed of a horse drawn vehicle is approximately 7 mph, and there will be no opportunity to overtake the carriage safely along a considerable stretch of an important through route for motor vehicles. This will cause extreme holdups, and consequent frustration to drivers attempting to go about their legitimate business.
	OX4 1PA	YES	Other (please specify) I am not convinced that the proposed Byelaws could be effectively enforced
	OX4 1AY	Other (please specify) I would be concerned for the welfare of the horses. The centre of the city is polluted, noisy and busy. This is not good for the health of the people, let alone a horse which will not be given any choice about being there. I think this is not a good advertisement for how Oxford regards animal welfare.	NO
Mike Ratcliffe	ox3 7it	Other (please specify) This is fine. Can't be any more annoying than the tour buses.	NO
Gemma	OX3 0DW	Other (please specify) I'm against the proposal. Route includes streets with serious traffic congestion - it would be cruel to horses and dangerous. In tourist season pavements often overcrowded - pedestrians forced into roadway (over 65 young Japanese visitors counted in one single group in High Street, near Carfax, in July 2011).	Other (please specify) I am against the implementation of the proposed Byelaws. Proposal to introduce horse-drawn carriage rides in Oxford City centre does not make sense, given high volume of traffic, traffic congestion - cruelty to horses.
Roger Evans	OX3 0DW	Other (please specify) Totally agree with this proposal, Oxford needs a more varied selection of offers for tourists who come to our great city!	Other (please specify) Implement them
	OX4 10G	Other (please specify) I object.I don't know how without ticking 'other'. I am pedestrian, cyclist, car driver & resident. Using roads on route suggested has been difficult with the amount of traffic and with drivers & tourists who have little road sense. A h-drawn carriage will slow up traffic and be very hard for cyclists to negotiate.Will someone pick up dung quickly so that bikes don't slip over when it's wet? Is the bottleneck of the Plain roundabout the best place for a slow, tourist, money-making enterprise?	Other (please specify) Havent had time to read them will try to do so before the consultation is over.
	OX1 3AS	Other (please specify) A Horse Drawn Carriage operation in the city centre would be an additional draw for visitors to the city. The location of the stand on Broad Street needs to be carefully considered. I note that the 'other' side of the road to the main row of shops opposite the Tourist Information Centre has been suggested. This seems to be a reasonable proposal as siting the stand on the same side of the road as the shops and information Centre would cause additional congestion to what is already a busy area.	NO
Helen Hutchinson	OX4 3BS	Other (please specify) I oppose the use of horse drawn carriages for animal welfare, the risk of accidents, the cost to the tax payer for the regulation and enforcement, hygiene in the street and the fate of injured and killed horses. This is a very old fashioned, cruel, and unnecessary form of entertainment. Please see Animal Aids report as to why horse drawn carriages should not be licensed in Oxford http://www.animalaid.org.uk/hr/CAMP/AGS/other/ALL444/	Other (please specify)
leah	BN2 3ED	Other (please specify) Against the proposal. Dangers to horses and the public. Congestion issues for residents and visitors. Would influence my decision to visit and my opinion of the city, in a negative way.	YES
Dr. A. Morovat	OX3 9DU	Other (please specify) I should like to record my strong objection to the proposal. To use horse-drawn carriages is a backward move and merely a romanticisation. The reality is animal discomfort and cruelty.	NO
Martin Edward Heng	OX2 0DB	Other (please specify) As there is other traffic in the streets there will be considerable risk to the safety of the horses. I fear that many will be injured, perhaps killed, by buses and other vehicles. There may also be an increased risk to pedestrians. I am well aware of the accident potential of pulling horses even before we had motorised transport. Oxford is busy even on sundays and is no longer suitable for horse-drawn carriages.	Other (please specify) I am sure you can ameliorate the situation if you go ahead but that is all.
Graham Maynard	OX29 4JS	YES	NO
Ann Furlado	OX2 0QT	Other (please specify) Excellent idea that will definitely boost the appeal of Oxford for tourists.	NO
	OX12 8RN	YES	NO
	OX2 8BG	Other (please specify) I am neither a trader nor an animal rights activist. As a bus-user, cyclist and pedestrian, I object strongly on the grounds that these carriages will add to congestion in the city centre, especially for buses in the High Street.	NOT SURE
	ox11 9dp	Other (please specify) I have serious concerns as a resident of Oxfordshire, who visits Oxford regularly & as a horse owner, for the following reasons: * Welfare of the horse * Disruption of traffic and congestion indirectly causing additional emissions due to lower speeds on the designated route * Health & Safety of pedestrians in the event of a horse being spooked * Horse allergies/cleaning of urination & faeces, when street cleaning is under pressure. * Fly nuisance * Banned in other major cities worldwide	Other (please specify) as above
Jane Marshall	OX4 4JE	Other (please specify) As a resident of Oxford I am concerned for the following reasons: * Animal welfare * Traffic disruption and subsequent pollution due to lower speeds * Other cities have already banned this type of enterprise * The unpredictability of horses causing Health & Safety issues * Congestion due to slow speed * Difficulties of removing manure efficiently *	NOT SURE

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Horse Drawn Carriages in Oxford

This document has been produced on behalf of representatives of a joint trades committee made up of Hackney Carriage & Private Hire trades in Oxford.

Concern was raised at a joint trades meeting on May 31st 2011 where the prospect of Horse Drawn Carriage licensing was announced by taxi licensing officials, there had up to this point in time, been no consultation with either trade on this subject since 2009?

During the early part of 2011, many local regulations regarding the licensing of taxi, private hire drivers & their vehicles, had been significantly enhanced, the exercise resulted in the long overdue tightening up of control over the type of person & vehicle that would be permitted to obtain a license, taking those tighter controls into account, representatives from both trades are at a loss as to how or why taxi licensing officials have then made approaches to Defra with the view to actually 'relaxing' controls which would result in Horse drawn Carriages & their drivers being permitted to offer hire & reward services in Oxford, an absolute attempt at dual standards.

The trade organisations also are at a loss as to why Taxi Licensing fees have apparently been used in order to achieve this 'relaxation' of controls for one service provider without the applicant being asked to lodge some financial deposit, we are of the opinion that whilst one door has been closed on sub-standard operations in Oxford, the back door will now be opened for all & sundry to apply to operate sub standard services of many different types. Once opened, with today's culture of legal challenge, its always an impossible task to close the door to all other types of operations.

This situation has happened before in Oxford & those who can remember the previous 'small bus' fiasco of the 1990's, where one operator took advantage of a relaxation in controls, will also remember how it led to Oxford being flooded with over 140 unlicensed saloon vehicles & their drivers operating Hire & Reward Service without being properly vetted or licensed, legislators (Defra) eventually realised that they had presented themselves with more safety issues than they had ever imaged, had to eventually close the loopholes that they had unwittingly allowed, the joint trades committee are of the opinion that this is about to happen again if the licensing of horse drawn carriages is permitted in Oxford, others would follow & chaos would soon be upon our streets once again.

We are deeply concerned over the effects such an operation would have on the already congested streets and public transport corridors such as bus lanes, horse drawn carriages would (because they would be considered to be an 'omnibus' by Defra) be permitted to use bus/taxi priority routes before & during their operation each day, presumably the operation would need to access the city from the outskirts of Oxford & would therefore be able to travel the whole length of one or more of the major arterial routes into Oxford, can you imagine a horse drawn carriage, travelling at around five miles per hour along the whole of length of the Woodstock or Banbury Road bus/taxi lanes? normal traffic flows would actually be flowing faster during rush hour than buses & taxis who were following horse drawn carriages in bus lanes, a facility originally designed to allow less congested access into the city not slower, to license one of these unusual operations, would we feel, open the floodgates to many other unusual forms of hire & reward transport, once open, refusal to allow others would become extremely difficult to refuse or control.

Of the existing 700+ hackney carriage & private hire vehicles, all, are required to comply with disability & elderly access regulations, carry fire extinguishers, first aid kits, weather resistant bodywork, heating systems, the list goes on, exactly how many of those requirements would be applied in order to obtain a horse drawn carriage license? Which section of Oxford City Council would regulate & enforce the regulations, how would the cost of their enforcement be separately accounted for by whichever office dealt with the operation?

Continued on page two.....

If it was decided that the taxi licensing office were to regulate & enforce the horse drawn carriage, there is no doubt that additional staff would be needed in that section, if not, then the service already provided to the taxi & private hire operators & drivers would be reduced, would the 'alternative' hire & reward service operators pay licence fees which reflected the actual/true cost of that process as do the two existing services ? under existing city council resolution & with present financial restrictions it would have to, then would the applicant be prepared to pay the high fees that this would require ?

Although enforcement of the existing trades has been increased over the past few months, it is still not sufficient, any additional drain on licensing officer's time would reduce existing levels of services & enforcement offered to existing license holders, we would then be applying for a reduction in license fees.

We hereby object in the strongest possible terms to the licensing of horse drawn carriages in Oxford.

Alan Ward
City of Oxford Licensed Taxicab
Association
COLTA

Licensing Authority
Oxford City Council

14 JUN 2011

Received

ALISON Julian

From: Jane Shepherd [jane@algerontrust.org.uk]
Posted At: 19 July 2011 23:25
Conversation: Horse drawn carriages
Posted To: HORSE DRAWN

Subject: Horse drawn carriages

There is far too much animal abuse in this country as it is, please don't add to it. It is unrealistic to believe that the welfare of the horses will be as important as making money and who will monitor the conditions and care of these animals? There is too much potential for injury on busy roads and in 2011 horse drawn carriages are an anachronism. Please think very carefully about equine welfare and drop this proposal.

Jane Shepherd
Algeron Trust
Linshire Farm
Whittlebury
NN12 8XN

ALISON Julian

From: CLEMENTS Sophie
Sent: 18 July 2011 11:16
To: ALISON Julian
Subject: FW: HORSE DRAWN CARRIAGES IN OXFORD

*Sophie Clements
Team Support Officer
Environmental Development
01865 252561*

From: SHEARER Carina
Sent: 15 July 2011 09:43
To: environment@oxford.gov.uk
Subject: FW: HORSE DRAWN CARRIAGES IN OXFORD

Carina
Customer Service Officer
Oxford City Council

From: Hilary Isaac [mailto:hilary@fahamu.org]
Posted At: 15 July 2011 09:19
Posted To: customerservices@oxford.gov.uk
Conversation: HORSE DRAWN CARRIAGES IN OXFORD
Subject: HORSE DRAWN CARRIAGES IN OXFORD

Please don't do this. Apart from the Animal Welfare issues which are enormous the centre of Oxford is already over-crowded in the summer where on earth would horse drawn carriages be located? We need so many other things to make Oxford a pleasure to come to and this is not one of them. We need better shops, cleaner streets, less badly behaved school parties from abroad but NOT and I would emphasise NOT horse drawn carriages.

Hilary Isaac
Fahamu
51 Cornmarket Street
Oxford
OX1 3HA
Tel: 01865 727006

"No one could make a greater mistake than he who did nothing because he could do only a little." - Edmund Burke



ALISON Julian

From: CLEMENTS Sophie
Sent: 15 July 2011 08:53
To: CRAMER Jill; ALISON Julian
Subject: FW: introduction of horse drawn carriages

*Sophie Clements
Team Support Officer
Environmental Development
01865 252561*

From: CATHERINE THOMPSON [mailto:thompson966@btinternet.com]
Posted At: 14 July 2011 16:17
Posted To: environment@oxford.gov.uk
Conversation: introduction of horse drawn carriages
Subject: introduction of horse drawn carriages

Dear All

I would like to register my objections to the introduction of horse-drawn carriages in Oxford. Any romantic images would be far outweighed by the animal welfare issues that would arise. Please reject this proposal.

Regards

Catherine Thompson

ALISON Julian

From: CLEMENTS Sophie
Sent: 15 July 2011 08:52
To: CRAMER Jill; BROME Natalie; ALISON Julian; THORNTON Robert M
Subject: FW: No to horse-drawn carriages in Oxford

*Sophie Clements
Team Support Officer
Environmental Development
01865 252561*

From: Riki Therivel [mailto:levett-therivel@phonecoop.coop]
Posted At: 15 July 2011 06:42
Posted To: environment@oxford.gov.uk
Conversation: No to horse-drawn carriages in Oxford
Subject: No to horse-drawn carriages in Oxford

Dear Sir or Madam,

I oppose the use of horse-drawn carriages in Oxford on several grounds: increased congestion as buses and cars try to safely pass the carriages, manure in the streets, the welfare of the horses. Oxford already has experience with bicycle rickshaws, which are anyway more in keeping with the 'sustainable transport' theme of the city.

Yours sincerely,

Riki Therivel
28A North Hinksey Lane
Oxford OX2 0LX

ALISON Julian

From: CLEMENTS Sophie
Sent: 15 July 2011 08:53
To: CRAMER Jill; ALISON Julian
Subject: FW: horse drawn carriages

Sophie Clements
Team Support Officer
Environmental Development
01865 252561

-----Original Message-----

From: Denise Watt [mailto:denise.watt@qeh.ox.ac.uk] **Posted At:** 14 July 2011 16:47 **Posted To:** environment@oxford.gov.uk
Conversation: horse drawn carriages
Subject: horse drawn carriages

Dear Ox City Council

I'm not very keen on horse-drawn carriages. It looks good but i can't think that the environment of our streets is very 'sympathetic' to horses. traffic is already a nightmare with bikes and cars, never mind cyclists swerving around horses, and offering to collect manure between rides every half hour is not good enough.

Yours,

Denise Watt

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Denise Watt
Assistant to the Head of Department, Professor Valpy FitzGerald Oxford Department of International Development Queen Elizabeth House University of Oxford
3 Mansfield Road
Oxford OX1 3TB
Email: denise.watt@qeh.ox.ac.uk
Tel: 01865 281803
Fax: 01865 281801

www.qeh.ox.ac.uk

ALISON Julian

From: THOMPSON Emma
Sent: 18 July 2011 13:05
To: ALISON Julian; CRAMER Jill
Subject: FW: Ridiculous horse and carriage plan

From: Vicky Mann [mailto:v_lizzy@hotmail.com]
Posted At: 18 July 2011 11:11
Posted To: licensing@oxford.gov.uk
Conversation: Ridiculous horse and carriage plan
Subject: Ridiculous horse and carriage plan

To whom this may concern,

I am writing to express my objection to this ridiculous plan to introduce these to our city centre. This is nothing but simple exploitation of animals to make money and is not acceptable. I have worked with horses for many years, and regardless of whether or not people deem a particular horse or even breed to be 'bombproof' let me tell you, these creatures are animals. They are unpredictable. I have seen plenty of accidents in my years working with these animals and by allowing them into our already congested city centre you are exposing them to frightening situations and putting not only the animals but the general public at risk. This exploitation of animals at any cost has got to stop. Should some senseless, selfish fool be prepared to back this not only me, but every of the nearly 1000 animal rescue workers I work with in this county will be boycotting the city centre.

Yours sincerely,

Vicky Mann

ALISON Julian

From: NICKLIN Sarah
Sent: 19 July 2011 09:41
To: ALISON Julian
Subject: FW: Horse and Carriage

Sarah Nicklin

Technician (Planning and Building Control) | City Development | Oxford City Council
(01865)252186 | snicklin@oxford.gov.uk

From: stella@stella777.orangehome.co.uk [mailto:stella@stella777.orangehome.co.uk]
Posted At: 18 July 2011 19:22
Posted To: planning@oxford.gov.uk
Conversation: Horse and Carriage
Subject: Horse and Carriage

Dear Sir/Madam

I wish to strongly complain with regard to horse and carriages being considered at Oxford, this is a time to go forwards not backwards. Also, considering as a nation we don't have the resource to properly supervise the treatment of animals in any context, this must not go ahead, ever.

Yours faithfully

Stella Johns

ALISON Julian

From: THOMPSON Emma
Sent: 18 July 2011 13:05
To: ALISON Julian; CRAMER Jill
Subject: FW: Horse Drawn Carriages in Oxford

From: rosemarie marks-crockett [mailto:108rosie@live.co.uk]
Posted At: 17 July 2011 18:53
Posted To: licensing@oxford.gov.uk
Conversation: Horse Drawn Carriages in Oxford
Subject: Horse Drawn Carriages in Oxford

Dear Sir or Madam,

I am writing to express my dismay and outrage upon hearing about the proposal to introduce horse-drawn carriages to Oxford's streets. I have lived in Oxford for 22 years and am very familiar with the treacherous road conditions that already exist and know that introducing horses into the mix is a recipe for disaster.

There are serious animal welfare issues at stake in this too:

www.animalaid.org.uk/h/n/CAMPAIGNS/other/ALL/444/

The tourist industry is thriving in Oxford. We do not need horse-drawn carriages. Find some other way to cash in on all the money flowing into Oxford.

Yours sincerely,

Rosemarie Marks-Crockett

ALISON Julian

From: THOMPSON Emma
Sent: 18 July 2011 13:19
To: ALISON Julian; CRAMER Jill
Subject: FW: Horse and Carriage

From: Sonja Talboys [mailto:sonjatalboys@yahoo.co.uk]
Posted At: 18 July 2011 11:59
Posted To: licensing@oxford.gov.uk
Conversation: Horse and Carriage
Subject: Horse and Carriage

I have never heard of such a ridiculous idea as having horse drawn carriages in Oxford. Firstly it is very cruel having these poor horses hanging around, secondly it is dangerous for the horses with all the traffic we have now a days. Saying this is going back to old days is stupid, when horse's and carriages were used there was hardly any other traffic. When idiots come up with these ideas do they consider the animal, NO. So I am hoping that you will reconsider this most idiotic idea. NO NO NO to horse drawn carriages in Oxford or anywhere else. Mrs S Allen

ALISON Julian

From: NICKLIN Sarah
Sent: 19 July 2011 09:41
To: ALISON Julian
Subject: FW: Please to NOT reintroduce horse-carriages

Sarah Nicklin

Technician (Planning and Building Control) | City Development | Oxford City Council
(01865)252186 | snicklin@oxford.gov.uk

From: Mirella Colalillo [<mailto:mirella.colalillo@gmail.com>]
Posted At: 18 July 2011 22:31
Posted To: planning@oxford.gov.uk
Conversation: Please to NOT reintroduce horse-carriages
Subject: Please to NOT reintroduce horse-carriages

Dear Madam, Dear Sir,

I have been sadly informed of your City Council's plans to reintroduce horse-drawn carriages.

The horse-drawn carriage industry is not kind nor romantic. It is based on exploitation of the horses to benefit the pockets of few and in many cities it has been banned and other cities are following suite.

Please, I urge you not to reintroduce horse-carriages. Let's continue to evolve as humans and not take steps backwards.

Thank you.

Mirella

ALISON Julian

From: NICKLIN Sarah
Sent: 19 July 2011 09:41
To: ALISON Julian
Subject: FW: Horse and buggies in Oxford? Are you kidding?

Sarah Nicklin

Technician (Planning and Building Control) | City Development | Oxford City Council
(01865)252186 | snicklin@oxford.gov.uk

From: Zelda [<mailto:zpenzel@twcmetrobiz.com>]
Posted At: 19 July 2011 02:05
Posted To: planning@oxford.gov.uk
Conversation: Horse and buggies in Oxford? Are you kidding?
Subject: Horse and buggies in Oxford? Are you kidding?

Gentlemen, Ladies,

Look at the polls!!!! No one wants to see these poor beasts tethered to a carriage and dragging tourists through clogged city streets. That is a foolish "romanticized" notion which has no place in a civilized society, especially now that we have come to understand and appreciate the needs, the intelligence, the beauty of seeing an animal that has not been forced into servitude, to be exploited for money. We are trying our best to rid our city of the suffering that is so evident. Please rid yourselves of this ridiculous anachronistic notion.

Sincerely,
Zelda Penzel, President
People for the End of Animal Cruelty and Exploitation~PEACE
NY, NY

ALISON Julian

From: NICKLIN Sarah
Sent: 19 July 2011 09:40
To: ALISON Julian
Subject: FW: Carriages

Sarah Nicklin
Technician (Planning and Building Control) | City Development | Oxford City Council
(01865)252186 | snicklin@oxford.gov.uk

-----Original Message-----

From: Ans Laver [<mailto:ans.laver@tiscali.co.uk>] Posted At: 18 July 2011 15:54 Posted To:
planning@oxford.gov.uk
Conversation: Carriages
Subject: Carriages

Dear Oxford City Council, I am very concerned about your proposal to allow horse drawn carriages into the city. This is not a good idea at all, as there are no facilities for horses in the city centre. Health and Safety (for horses) is involved. Please do not allow this to become a reality.
Yours sincerely, Mrs J C Laver, Oxford

ALISON Julian

From: CLEMENTS Sophie
Sent: 19 July 2011 16:06
To: ALISON Julian
Subject: FW: Horse Drawn Carriages

*Sophie Clements
Team Support Officer
Environmental Development
01865 252561*

From: Viktoria Nealis [mailto:viktorianealis@yahoo.co.uk]
Posted At: 19 July 2011 12:35
Posted To: environment@oxford.gov.uk
Conversation: Horse Drawn Carriages
Subject: Horse Drawn Carriages

Dear Sirs,

I am writing to oppose Oxford Council's plans to introduce horse drawn carriages on Oxford's streets. Not only would they cause congestion, as I understand that they would follow the route of the tourist buses, and their manure could cause a health risk due to flies and also people inadvertently getting some stuck to their shoes etc. but could be a significant risk to public safety, especially when small children are around.

My main objection, however, is that this proposal attaches to it severe animal welfare issues. I understand that London, Paris, Toronto and even Beijing have banned such schemes for this very reason. The horses will be exploited for money-making purposes, for that is obviously what is behind the idea in the first place - how to attract tourists and make money.

Oxford already has a poor reputation for it's complete lack of compassion for animals by allowing its University to continue with vivisection. This fact keeps many people, myself included, away from your historic city and horse drawn carriages would be another very good reason for avoiding it.

Please do not allow this proposal to go ahead.

Yours faithfully

Mrs Viktoria Nealis - London N16 5HF

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PETA

**PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS
(PETA) FOUNDATION**

PO BOX 36678
LONDON SE1 1YE
+44 (0)20 7357 9229
+44 (0)20 7357 0901 FAX
Info@peta.org.uk
PETA.org.uk

Consultation Team
Oxford City Council
Town Hall, St Aldate's
Oxford
OX1 1BX

The Licensing Authority
Oxford City Council

25 July 2011

Dear Consultation Team,

I am writing on behalf of People for the Ethical Treatment of Animals (PETA) and our more than 130,000 UK members and supporters. Having heard that you are currently considering allowing horse-drawn carriages to operate in the city centre once again, we strongly urge you to decide against it.

Horse-drawn carriages are not only cruel but also dangerous to both horses and people, especially in modern cities. Horses are forced to pull oversized loads in all temperatures and often suffer serious leg ailments from pounding on hard surfaces all day. Lameness and hoof deterioration are common, and many drivers, unwilling or unable to recognise signs of lameness, fail to give injured horses a break from working. Even in cities with stringent rules, violations such as overworking horses or failing to provide proper care are common, yet they frequently go unreported.

Horse-drawn carriages are also dangerous to riders, pedestrians and motorists. Horses can become spooked and run out of control, often causing serious and sometimes fatal accidents. In 2008, a bride in Worcestershire sustained major injuries when she was thrown from a horse-drawn carriage after the horse became frightened and ran amok. Just last month, a woman was killed and a number of other bystanders were injured by a runaway horse and carriage at a country fair in Bury St Edmonds.¹ The liability associated with these rides is very real.

Many cities around the world – including Paris, Toronto, Rome and cities across the US such as Las Vegas and Santa Fe, New Mexico – have banned horse-drawn carriages.

Please make the compassionate decision to protect Oxford's tourists, residents and horses by upholding your policy on horse-drawn carriages and refusing this proposal to reintroduce them. May I please hear from you about this important matter? I can be contacted on +44 (0)207 357 9229, extension 238, or at MimiB@peta.org.uk.

Thank you for your attention to this important matter. I look forward to your speedy reply.

Yours sincerely,

Mimi Bekhechi
Manager
People for the Ethical Treatment of Animals

An international
organisation dedicated to
protecting the rights
of all animals.

**PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS
(PETA) FOUNDATION**
is a charitable company limited
by guarantee.
Registered in England and Wales.
Company No: 3135903
Charity No: 1056453
Registered Address:
Lacon House, Theobald's Road
London WC1X 8RW

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ALISON Julian

From: cerihutton@mac.com
Posted At: 21 July 2011 10:25
Conversation: Don't Reintroduce Horse-Drawn Carriages to Oxford
Posted To: HORSE DRAWN

Subject: Don't Reintroduce Horse-Drawn Carriages to Oxford

Oxford City Council

I was disappointed and shocked to learn that after more than 70 years without horse-drawn carriages in your city, plans have been set in motion to reintroduce them.

Horses are extremely sensitive to loud noises and unexpected sounds, and busy city streets have plenty of both. Horses and people have been seriously hurt – with some injuries resulting in fatalities – when horses have become spooked and run amok.

There have also been countless incidents in which carriages have been hit by impatient or careless drivers. Accidents have occurred in nearly every city in which carriage rides are allowed. London, Paris, Toronto and Beijing have all banned horse-drawn carriages.

Horses are not tourist attractions; please reject plans to reintroduce horse-drawn carriages to the city.

Yours sincerely,

Ceri Hutton
76 Market Street
Ulverston
Cumbria
LA12 7LT
cerihutton@mac.com

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To: General Purposes Licensing Committee

Date: 19 October 2011

Item No:

Report of: Head of Environmental Development

Title of Report: Hackney Carriage Unmet Demand Survey

Summary and Recommendations

Purpose of report: To inform the Committee of the requirement for a new “unmet demand survey” of Hackney Carriage vehicles, if the regulated number of Hackney Carriage vehicles is to be maintained.

Report Approved by:

Finance: Paul Swaffield

Legal: Daniel Smith

Policy Framework: A vibrant and sustainable economy

Recommendation(s):

The Committee is recommended to:

- (i) determine whether it is minded to recommend Council maintain a regulated number of Hackney Carriage vehicle licenses as set out in the Council’s Policy Framework; and**
- (ii) if minded to recommend Council to maintain a regulated number of Hackney Carriage vehicles, to authorise the Head of Environmental Development to tender for a new unmet demand survey to be carried out in 2012 following the guidelines set by the Department of.**

Introduction

1. There is no statutory requirement to limit the number of Hackney Carriage vehicle licences issued within the City, but historically the Council has opted to, as set out in the Council’s Policy Framework. There are currently 107 licensed Hackney Carriage vehicles operating within the city. Under Section 16 of the Transport Act 1985 an Authority can only limit the number of Hackney Carriage vehicle licences granted if it is satisfied that “there is no significant demand for the services of Hackney Carriage vehicles (within Oxford City), which is unmet”. The effect of this is that a refusal to grant a Hackney Carriage proprietor’s licence, on the grounds of

the numbers of Hackney Carriages within the area, could only be justified if the Council could demonstrate that there is no significant demand which remains unmet for Hackney Carriage vehicle services.

2. If an Authority has a regulated number of licenses an “unmet demand survey” is required to be carried out regularly to demonstrate that there is not an unmet demand for Hackney Carriage vehicles. An interval of 3 years has been regarded as the maximum reasonable period between such surveys.
3. The last unmet demand survey was carried out towards the latter part of 2009 and showed that there was no unmet demand. The survey conclusions were presented to the General Purposes Licensing Committee in June 2010. The Committee recommended that Council retain the limit on the number of Hackney Carriage vehicle licenses and agreed that a further demand survey be commissioned in 2012. In July 2010 Council resolved to follow the recommendation and maintain the policy of quantity control of licensed Hackney Carriage vehicles.
4. If Council were to decide not to maintain a regulated number of Hackney Carriage vehicles, or an unmet demand survey shows the need of a significant increase in licenses, consideration of the current available taxi-rank space must to be taken into account. Oxfordshire County Council would need to be consulted in order to agree and approve any new taxi-rank that may be required.
5. Correspondence from the City of Oxford Taxicab Trade Association (COLTA) regarding the regulation of the number of Hackney Carriage vehicle licenses issued by this Authority is attached at **Appendix One**.

Legislation

6. Under Section 16 of the Transport Act 1985 a Licensing Authority may set a regulated number of Hackney Carriage vehicle licenses if, but only if, there is no significant demand which is unmet. As already stated in Paragraphs 1 and 2 of this report, if an Authority has regulated the number of Hackney Carriage vehicles, an unmet demand survey must be carried out on a regular basis.
7. The Department for Transport has set out in a report titled ‘Taxi and Private Hire Vehicle Licensing Best Practice Guidance’ guidance on what an Authority should do if it decides to have in place a regulated number of Hackney Carriage vehicle licenses. The relevant section of the Department of Transport guidance is attached at **Appendix Two**.
8. The Department of Transport guidance states that ‘the department also expects the justification for any policy on quantity restrictions to be included in the Local Transport Plan.

Financial Implications

10. Previous unmet demand surveys have been funded by the City of Oxford Licensing Taxi Association (COLTA) members. COLTA collected the payment from its members and passed the payment to the Council who then paid for the survey on completion.
11. At full Council in 2008 it was decided that any future surveys carried out should come from the fee of a Hackney Carriage vehicle licence. The Hackney Carriage vehicle licence fee was increased accordingly on 1st April 2011; therefore there are no financial implications to the Council as there are sufficient funds in the Taxi Licensing budget to pay for a new survey if the Council decides to commission a new unmet demand survey.

Recommendations

12. The Committee is recommended to:
 - (i) **determine whether it is minded to recommend Council maintain a regulated number of Hackney Carriage vehicle licenses as set out in the Council's Policy Framework;**
 - (ii) if minded to recommend Council to maintain a regulated number of Hackney Carriage vehicles, to authorise the Head of Environmental Development to tender for a new unmet demand survey to be carried out in 2012, following the guidance set by the Department of Transport.

Name and contact details of author: Jill Cramer
Senior Licensing Officer
Tel: (01865) 252257
Email: jrcramer@oxford.gov.uk

Background papers:

Appendix One: Correspondence from COLTA
Appendix Two: Department of Transport "Best Practice" Guidance

Version: 1.0

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APPENDIX ONE

From: AGW WOODWARD [agw.woodward@btinternet.com]
Sent: 28 September 2011 09:37
To: CRAMER Jill; ALISON Julian
Subject: Re: Unmet demand survey

Hi Jill

My impression of the 2009/10 decision by councillors regarding to survey or not to survey, was that Oxford City Council resolved (with all party support), to adopt a long term committment to survey driven regulation for the following reasons:

1) In order to assist in the reduction of pollution and vehicle useage within the city centre (evidence at that time stressed that each cab produces around 202 gms/ Km of CO2).

2) Each additional ten hackney carriage plate licenses issued would increase the CO2 footprint of the hackney carriage trade by 9.5%, this would appear to observers as a rather stange move when we consider the extremely successful efforts of the local authority to reduce the number of buses within the city centre, strange only then to open the floodgates to possibly hundreds of additional cabs, Local Authorities who have deregulated include Sheffield who after deregulation moved from 300 plates to 830 an increase in CO2 of around 177% , once plate numbers are increased its a policy of no return where plates cannot be taken back unless an offence has been committed & then only when an unmet demand survey has been undertaken again, Even though Sheffield council resolved to go back to regulation they have found it virtually impossible to reduce the number of plates.

3) Reading borough council, who had originally deregulated, found that the move subsequently resulted in mass overcrowding of rank space & were forced to provide additonal space for hackney carriage ranks, a lease agreement had to then be entered into in order to provide private land for additional ranking space after it was realised that the rail station rank had a 100% shortfall in facilities for cabs waiting to ply for hire.

4) The decision by Oxford City Council in 2009/10 to move to regular unmet demand surveys was as a result of Colta persuading its membership to reduce the CO2 footprint of Oxford's Hackney Carriage fleet, this has been carried out in accordance to the conditions that were set out by councillors, ie. particulate trap exhaust systems on pre 2003 hackney carriages with further initiatives over the next few years, as a part of that 'agreement' Colta's memebership agreed to a scheme whereby the cost of future surveys would be taken as a surcharge on annual hackney carriage plate license fees, that scheme has already commenced, such iniative has the full support of HM governments 'best practice guidance'.

During 2010/11 the trade has seen a downturn in taxi usage of around 40%, such loss of business has not witnessed since the 1980's, in fact, many within the trade who were operating in those days are of the opinion that the scale of this downturn has surpassed all previously known records.

We only have to visit the city's taxi ranks to witness the often ninety to 120 minute wait by taxi drivers for the next job, and visit the petrol forcourts to witness the unsustainable cost of filling a taxi fuel tank for £80+, in a cab which returns an average of just 23 miles per gallon or 26 pence per every mile, the use of purpose built taxis was as a result of agreement to retain numerical control of hackney carriages back in 1989.

Anyone who who owns a private car must have realised a vast increase in the cost of insurance for their private vehicle, the cost to a hackney carriage proprietor in Oxford has increase since 2009 by an average of 70%, some paying in excess of £2000 per year.

There is a perception within the hackney carriage trade, that the city councils decision in 2009/10 to hold regular unmet demand surveys (for which plate 'levies' have already been introduced), would allow proprietors to make positive, sound business decisions to invest in newer or brand new purpose built vehicles costing them up to £34,000 (around £800 per month in repayments), those proprietors with pre 2003 cabs, have invested in particulate trap exhaust systems costing up to £1600.

It is difficult to understand how a decison by Oxford City Council (an all party resolution) just three years ago, could possibly be reconsidered and or overturned following such intense investment by the trade in support with the agreements made at that time & also at a time when the trade is facing meltdown.

AlanWoodward

City of Oxford Licensed Taxidriver Association

**TAXI AND PRIVATE HIRE VEHICLE LICENSING:
BEST PRACTICE GUIDANCE**

March 2010

QUANTITY RESTRICTIONS OF TAXI LICENCES OUTSIDE LONDON

45. The present legal provision on quantity restrictions for taxis outside London is set out in section 16 of the Transport Act 1985. This provides that the grant of a taxi licence may be refused, for the purpose of limiting the number of licensed taxis 'if, but only if, the [local licensing authority] is satisfied that there is no significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet'.

46. Local licensing authorities will be aware that, in the event of a challenge to a decision to refuse a licence, the local authority concerned would have to establish that it had, reasonably, been satisfied that there was no significant unmet demand.

47. Most local licensing authorities do not impose quantity restrictions; the Department regards that as best practice. Where restrictions are imposed, the Department would urge that the matter should be regularly reconsidered. The Department further urges that the issue to be addressed first in each reconsideration is whether the restrictions should continue at all. It is suggested that the matter should be approached in terms of the interests of the travelling public - that is to say, the people who use taxi services. What benefits or disadvantages arise for them as a result of the continuation of controls; and what benefits or disadvantages would result for the public if the controls were removed? Is there evidence that removal of the controls would result in a deterioration in the amount or quality of taxi service provision?

48. In most cases where quantity restrictions are imposed, vehicle licence plates command a premium, often of tens of thousands of pounds. This indicates that there are people who want to enter the taxi market and provide a service to the public, but who are being prevented from doing so by the quantity restrictions. This seems very hard to justify.

49. If a local authority does nonetheless take the view that a quantity restriction can be justified in principle, there remains the question of the level at which it should be set, bearing in mind the need to demonstrate that there is no significant unmet demand. This issue is usually addressed by means of a survey; it will be necessary for the local licensing authority to carry out a survey sufficiently frequently to be able to respond to any challenge to the satisfaction of a court. An interval of three years is commonly regarded as the maximum reasonable period between surveys.

50. As to the conduct of the survey, the Department's letter of 16 June 2004 set out a range of considerations. But key points are:

the length of time that would-be customers have to wait at ranks. However, this alone is an inadequate indicator of demand; also taken into account should be...

waiting times for street hailings and for telephone bookings. But waiting times at ranks or elsewhere do not in themselves satisfactorily resolve the question of unmet demand. It is also desirable to address...

latent demand, for example people who have responded to long waiting times by not even trying to travel by taxi. This can be assessed by surveys of people who do not use taxis, perhaps using stated preference survey techniques.

peaked demand. It is sometimes argued that delays associated only with peaks in demand (such as morning and evening rush hours, or pub closing times) are not 'significant' for the purpose of the Transport Act 1985. The Department does not share that view. Since the peaks in demand are by definition the most popular times for consumers to use taxis, it can be strongly argued that unmet demand at these times should not be ignored. Local authorities might wish to consider when the peaks occur and who is being disadvantaged through restrictions on provision of taxi services.

consultation. As well as statistical surveys, assessment of quantity restrictions should include consultation with all those concerned, including user groups (which should include groups representing people with disabilities, and people such as students or women), the police, hoteliers, operators of pubs and clubs and visitor attractions, and providers of other transport modes (such as train operators, who want taxis available to take passengers to and from stations);

publication. All the evidence gathered in a survey should be published, together with an explanation of what conclusions have been drawn from it and why. If quantity restrictions are to be continued, their benefits to consumers and the reason for the particular level at which the number is set should be set out.

financing of surveys. It is not good practice for surveys to be paid for by the local taxi trade (except through general revenues from licence fees). To do so can call in question the impartiality and objectivity of the survey process.

51. Quite apart from the requirement of the 1985 Act, the Department's letter of 16 June 2004 asked all local licensing authorities that operate quantity restrictions to review their policy and justify it publicly by 31 March 2005 and at least every three years thereafter. The Department also expects the justification for any policy of quantity restrictions to be included in the Local Transport Plan process. A recommended list of questions for local authorities to address when considering quantity controls was attached to the Department's letter. (The questions are listed in Annex A to this Guidance.)

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To: General Purposes Licensing Committee

Date: 19 October 2011 **Item No:**

Report of: Head of Environmental Development

Title of Report: Designation of Streets for Street Trading –
Consultation Responses

Summary and Recommendations

Purpose of report: To report back to Committee on the responses to the public consultation on the proposal to designate all streets in Oxford City as Consent streets for the purposes of Street Trading.

Report Approved by:

Finance: Paul Swaffield (Approved)

Legal: Daniel Smith (Approved)

Policy Framework: Vibrant, sustainable economy

Recommendations:

Committee is recommended to:

(a) consider responses to the consultation,

(b) resolve to recommend that Council designates all streets within the Oxford City Council boundary as Consent Streets for the purposes of the Street Trading Scheme with effect from 1st April 2012,

(c) remove the designation of the Covered Market Walkways, the Clarendon Centre Walkways and the Westgate Centre Walkways,

(d) request the Head of Environmental Development to include a fee for daytime trading for sites outside the City centre and for community / charitable events in the review of fees and charges for 2011/12.

Introduction

1. At its meeting on the 15th June 2011 General Purposes Licensing Committee received a report on the Designation of Streets for Street Trading. The purpose of the report was to address inconsistencies in the designation of streets under the current scheme. Committee considered two options for extending the street trading scheme. Option 1 was to retain the designation of Prohibited and Consent Streets and designate the remainder of the streets in Oxford as Consent Streets. Option 2 was to designate all streets in Oxford (including the City centre) as Consent Streets. Committee resolved:
 - (1) To recommend Council designates all streets within the Oxford City Council boundary as Consent Streets for the purposes of the Street Trading Scheme;
 - (2) To remove the designation of the Covered Market Walkways, the Clarendon Centre Walkways and the Westgate Centre Walkways;
 - (3) To authorise the Head of Environmental Development to carry out the required consultation as set out in paragraph 13 of the report;
 - (4) To receive a further report to consider responses to the consultation before making a recommendation to Council.
2. This report summarises the responses to the consultation.

Consultation

3. The statutory public notice was printed in the Oxford Times on Thursday 11th August 2011 inviting views of the proposal.
4. A letter was sent to 70 stakeholders inviting their views. Amongst these were;
 - Clarendon Shopping Centre
 - Existing traders at sites on or adjacent to undesignated streets
 - Existing weekly and annual street traders
 - Oxford Castle
 - Oxfordshire County Council Highways
 - Oxfordshire Fire & Rescue
 - Planning
 - Templar Square Shopping Centre
 - Thames Valley Police
 - Westgate Shopping Centre
5. An email was sent to 'Councillors All Members' on Friday 12th August with an attachment of the Public Notice and a briefing note. A press release was issued on Tuesday 16th August 2011.

Summary of responses

6. Two responses were received via the Oxford City Council website. Both the respondents did not agree with expanding the designation of consent streets and both did not agree with removing the current designation of the Covered Market Walkways, the Clarendon Centre Walkways and the Westgate Centre Walkways. One respondent commented *“can’t see any good reason for obstructing car advertisers”* and did not see how advertising a car for sale could be antisocial. The other respondent wrote *“the centre of Oxford is already a depressingly commercialised place with numerous stalls selling cheap tourist garbage. We don’t need more of it.”*
7. Four written responses were also received (Appendix). In summary:
 - Christ Church is in favour of extending the definition of Consent Street to all streets in the City but is against the reclassifying of Prohibited Streets
 - Pembroke College, St Aldates Church and Commonwealth House are strongly against the reclassification and urge the Council to adjust its proposed amendments to move to two categories of designation of streets: one being 'Consent' Streets and the other being 'Prohibited' Streets
 - Oxford Streets for People and Headington Action were concerned in particular that costs and bureaucratic paperwork would make it unviable for local activities such as street parties, farmers’ markets and festivals. They also ask that street trading regulations do not apply to park based events.
 - Alan Joyce expressed his concern that his business could no longer be viable and suggests that street trading fees be commensurate with business rates.

Officer comments

8. The two responses received via the website were against extending the designation of Consent Street to the whole of the City and against removing the designation of the shopping centre walkways. They do not give reasons for their views.
9. Christ Church, Pembroke College, St Aldate’s Church and Commonwealth House made a joint response. They are opposed to redesignating the whole of the City as Consent Street and support retaining the designation of Prohibited Street and extending the designation of Consent Street to the whole of the City. This was one of the options considered by Committee on 15 June.
10. The Street Trading Policy contains the criteria for deciding applications for Street Trading Consents and makes it clear that there is a process of

consultation to adhere to, before any new pitches are approved. If the current distinctions of Consent Street and Prohibited Street are maintained this may create an expectation that all applications for street trading consents in Consent Streets are likely to be successful. It also does not give the flexibility in allowing street trading to take place during special events in streets that may previously have been prohibited.

11. If all streets become Consent Streets, then existing traders on or adjacent streets that are currently undesignated will require a Street Trading Consent. Alan Joyce is the only one of such traders to respond to the consultation. He is concerned that should the scheme be extended with the current Consent fees being applied to all traders then his business would not be financially viable. From the content of his letter, it could be interpreted that he operates as a “rounds man” and would be exempt for the requirement for a Street Trading Consent. However, this does raise the question of setting an appropriate fee for those that are outside the scope of the current scheme. It is suggested that a lower fee be applied for daytime trading for sites outside the City centre. Officers would propose an appropriate fee for consideration at the annual fees and charges review that will be considered at the February Committee.
12. Oxford Streets for People and Headington Action raised issues with street parties, farmers’ markets and park based events. Small charitable activities associated with street parties and community events, fairs etc within parks do not require a Street Trading Consent. However, farmers’ markets held on Consent Streets would require a consent. Headington Farmers’ Market is already treated as a community/charitable event for its Road Closure application fee. It is suggested that it is treated similarly for the purposes of street trading and that an appropriate fee be proposed for consideration at the annual fees and charges review that will be considered at the February Committee.

Legal Implications

13. In 1986 the Council resolved that Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 should apply to its area. Under Schedule 4 of the Act the Council can manage street trading by designating streets as ‘Consent Streets’, ‘Licence Streets’ or ‘Prohibited Streets’.
14. Should the Council decide to designate or change the designation of streets within its area, it must follow the procedure laid down in Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
15. The procedure to be followed before the Council can formally change the designation of streets is as follows;
 - The publication of a notice of intention to pass the resolution in a local newspaper and serve copies on the Chief Officer of Police and on the County Council as Highway Authority.

- A period of 28 days must elapse from the time of the initial publication of the notice to the time the Council passes the resolution confirming the proposed designation. This is to allow objections to be made, which must be considered before a resolution is passed.
- Once the resolution is passed, the Council must publish notice of the fact on 2 consecutive weeks in a local newspaper. The first publication date must be no later than 28 days before the date specified in the resolution as the date on which the designation comes into force.

Financial Implications

16. The Council collects licence fees for the Street Trading function. Fees are reviewed annually prior to the Council setting its budget. Predicted income from licence fees is included in the Council's budget.

Recommendations

17. Committee is recommended to:

- (a) consider responses to the consultation,
- (b) resolve to recommend that Council designates all streets within the Oxford City Council boundary as Consent Streets for the purposes of the Street Trading Scheme with effect from 1st April 2012,
- (c) remove the designation of the Covered Market Walkways, the Clarendon Centre Walkways and the Westgate Centre Walkways,
- (d) request the Head of Environmental Development to include a fee for daytime trading for sites outside the City centre and for community / charitable events in the review of fees and charges for 2011/12.

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Background papers:

Version number:

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Pembroke College
Oxford OX1 1DW

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2nd September 2011

Mr John Copley
Head of Environmental Development
Oxford City Council
Ramsay House
10 St Ebbe's Street
Oxford OX1 1PT



Dear Sir

Proposed Amendments to Designation of Streets for Street Trading

This letter of representation is written by Pembroke College, St Aldates Church and Commonwealth House in response to your notice of 11th August 2011 seeking views on the Council's proposed amendments to Designation of Streets for Street Trading.

As we understand the current position, streets are currently divided into three categories: 'Designated' (also called 'Consent') Streets, 'Undesignated' Streets and 'Prohibited' Streets.

'Designated' Streets mean that street trading in such streets is governed by the Council Street Trading Policy and the Council is therefore able to enforce that policy.

'Undesignated' means the Council has no control over street trading and is unable to enforce its policy. Effectively therefore anyone can set up on these streets.

'Prohibited' Streets are those where street trading is not allowed. They do come under the jurisdiction of the City Council's Trading Policy, like Designated Streets, but no street trading is allowed.

We can therefore clearly see that it would be in the interests of the Council and Oxford as a whole for the category of Undesignated Streets to be removed so that there is no longer a category of streets where the Council's policy on street trading cannot be enforced. However, the proposed amendment in the published notice of 11th August does not seek merely to achieve this, but instead to designate all streets as Consent Streets. We are strongly against amendment in this form for the following reasons:-

1. Making every street in Oxford a Consent Street prima facie enables one or more applications to be made for a street trading licence in every single street in Oxford. Apart from the increased administration that this will involve for the Council, this result produces the highly unfortunate consequence that all people living and working in every street in Oxford will need to be on their

toes watching out for applications for street trading which may be made in their street, even though that street may, in their view, be inappropriate for such trading.

2. We are aware from the Council's Street Trading Policy issued in July 2010 that there are present a large number of streets which are classified as Prohibited Streets. We believe that it is in the interests of the Council and Oxford as a whole, not least considering the Council's strategy of 'building pride in our City', that there continue to be some streets in the City where street trading is at all times and for all purposes prohibited.
3. We have seen that your briefing note on this proposal gives only one reason for removing the designation of streets as Prohibited. This is that 'if an organiser of an event/street party wanted to have stalls selling goods in a Prohibited Street (even if the event was properly organised and the proceeds were going to charity) they would not be able to do so'. We would suggest that those people living or working in a street which regularly holds, or believes that it may well in the future want to hold, any such event/street party as described above would apply for their street to be designated as a Consent Street rather than a Prohibited Street. On the other hand, we feel certain that there will be many streets where the people living and working in them would prefer an outright prohibition on street trading and hence maintaining the designation of 'Prohibited' Streets would be appropriate.

In summary, therefore, we urge the Council to adjust its proposed amendments to move to two categories of designation of streets: one being 'Consent' Streets and the other being 'Prohibited' Streets.

There should also be a mechanism for applying for the designation of a street to be changed from Consent to Prohibited and vice versa.

Also the criteria for designating streets as Consent or Prohibited should be set out. In default of a case being successfully made to the Council to designate a street as a Consent Street, the street should be a Prohibited Street.

To illustrate the point we make above about the desirability of a designation of Prohibited Street, may we mention the case of our own street, Pembroke Square. The signatories to this letter are the three institutions located in Pembroke Square. We would wish to lobby the Council strongly for the reclassification of Pembroke Square as a Prohibited Street. We can confirm that there is no likelihood of any of us wanting to organise an event or street party with stalls selling goods in Pembroke Square. We would all therefore wish street trading to be prohibited altogether.

We would each state our opposition to street trading in Pembroke Square as follows:-

Pembroke College

We have set out our issues on the kebab van in Pembroke Square in several meetings and in extensive correspondence with the Environmental Development section of the City Council over the past ten years. These relate principally to nuisance from noise and other anti-social behaviour. More recently, however, there are additional reasons in the case of Pembroke why we would strongly urge the Council to prohibit street trading in Pembroke Square. These reasons relate to the major new building development of the College now underway in Brewer Street of which the Council is of course fully aware. This major new £30m development will have two main outcomes:-

1. It will increase by 96 the number of students that the College can itself house, thus removing the students from the rental market within the City, an objective strongly and understandably pursued by the Council; and
2. It will house a multi-purpose auditorium and art gallery in which, in addition to student activities, there will be events and exhibitions open to the public.

The additional students to be housed and the public coming to events in the new development will enter the College through the existing main entrance of the College in Pembroke Square. The current effect of street trading in Pembroke Square through the large kebab van sited at the very entrance to Pembroke Square is to produce both an unattractive, uninviting and restricted entrance to the College, particularly during the van's busy hours from 6.30 pm onwards. This is because the van, given its position in Pembroke Square, attracts numerous customers who park (illegally) in Pembroke Square while collecting and sometimes continuing to eat their purchases while so parked. In addition, as the night wears on and particularly in the early hours of the morning, large numbers of people congregate around the van and Pembroke Square. This contrasts with the position with many other street trading sites within the centre of Oxford where customers tend to purchase and then move on. In Pembroke Square there is the opportunity and the attraction of lingering and congregating around this van.

These features of the entrance to Pembroke Square brought about by the kebab van located there are unsightly and extremely unattractive to those coming in and out of the College. This affects not only the large numbers of students and staff but also the visitors the College already attracts in the evenings. Both the number of students and the visitors will increase in the light of the new development referred to above.

The new development will also address the Council's objective of regenerating that part of the City centre. In this context it should also be noted that it has been agreed that the substantial Section 106 payment of £166,000 made by the College in respect of the new development will be used to fund improvements to the areas surrounding the College, The removal of the kebab van would add to those improvements and make the investment much more complete and worthwhile.

St Aldates Church

We support the general points made by Pembroke College above. In addition, we have found continuing examples of anti-social behaviour having an adverse effect on our congregation's ability to safely enjoy events in the church, particularly when leaving events in the late evening.

The positioning of the kebab van and its associated equipment makes car, bicycle and pedestrian access difficult for our staff and congregation arriving at and departing from the church. This is particularly relevant for children's and youth events in the evenings, when families can face both difficult and dangerous restrictions to access and sometimes a rather threatening atmosphere as large numbers of people congregate around the van. Again, this is most evident in the late evening. This access question is also a strong cause for concern in relation to emergencies. We will often have several hundred people in the church building during events, and we rely on swift and safe access to all our doors in the event of emergency. The van's size and position is a significant and dangerous barrier to such access.

Our Sunday evening services are often affected by disturbing levels of noise coming from the area around the van, which is directly alongside the church building.

Of particular concern to our staff and congregation is the concentration of those who are clearly intoxicated by drink and/or drugs around the van late at night. Apart from the issues of anti-social behaviour mentioned above, this unfortunately leads to a very unpleasant burden placed on our verger team in having to clean up urine, vomit and occasionally syringes on and around the church building prior to Sunday services.

Commonwealth House

We support the general points made by Pembroke College and St Aldates Church above. In addition, the issue of late night noise from the van and its activities has been a particular concern for the Warden and residents for some years. The parts of the House towards the St Aldates end of Pembroke Street are particularly badly affected by this and the summer months are made very difficult by the need to keep windows open on the upper floors to make living bearable, thus making the noise intrusion even worse. We have noted that noise levels are high both from the clients of the van, who typically become progressively more drunken and raucous as the evening progresses, and also from the operators of the van even after they have finished serving food.

We would add that we simply see this commercial operation as being completely out of keeping with the academic and residential nature of Pembroke Square.

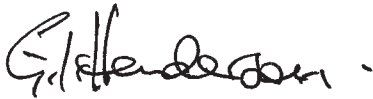
For all these reasons the three institutions signing this letter would wish to argue strongly for the classification of Pembroke Square as a Prohibited Street.

We are happy of course to answer any questions you may have on this letter of representation.

Yours faithfully

For Pembroke College

For St Aldates Church



.....
Giles Henderson, Master

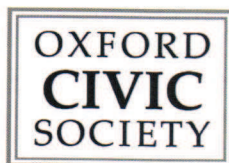


.....
Revd Charlie Cleverly, Rector

For Commonwealth House



.....
John Tranter, Chairman - Management Committee



Street Trading - Designation of Streets

Response by **Oxford Streets for People** and **Headington Action**

We are responding to the proposed changes on behalf of two organisations:

Oxford Streets for People, a group within the Oxford Civic Society which is promoting street parties as a means of community development;

Headington Action, an 'umbrella' group of Headington organisations which, amongst other things, runs the Headington Farmers market and Headington Festival.

We wish to make the following comments:

We appreciate that the change is being made to regularise the consent process across the city and to control undesirable activities. But we infer that the level of cost is set for revenue raising purposes (the current charge of several thousand pounds for an annual licence is clearly not related to the Council's administrative cost).

The proposed change will have little impact on street parties, as most street parties do not include any form of trading. However, organisers of some street parties may wish to raise small amounts of money to cover costs by selling, for example, cakes or to raise money for charity. It will be regrettable if the proposed cost, and associated paper-work, prevents such beneficial activity.

We are unsure how the proposed changes will apply to farmers' markets. The levy may have an impact on a market's viability – particularly those such as at Headington which are community organised.

We note that the purpose of the policy is to regulate the location and number of street traders and prevent the obstruction of the streets so that the activities do not cause nuisance or annoyance to the people in the area. It is not necessary to regulate community supported markets and festivals further as these activities do not relate to the purpose of the policy. Therefore, **we ask that the proposal does not relate to small scale one-off community activities in streets**. We see no justifiable reason why the Council should attempt to raise revenue from such community activities. If it is argued that the cost is applied to cover the cost of consent administration then we suggest such cost is best avoided by dispensing with the process! A key principle of regulation is that it must be proportionate – to regulate these activities is not proportionate.

We note that a street trading consent will require the approval of not just the City Council but the Highways Authority, Nightsafe, Oxfordshire Fire & Rescue Service, the Planning Authority at the City Council and Thames Valley Police. We assume the City Council will be the sole point of contact to obtain such consent.



We have been informed that events such as the Headington Festival will also fall into the category of needing a trading licence. This is odd; parks are not streets, trading activities in parks are already regulated and significant charges are already levied. We can see no case for adding more cost and more paper-work to park-based events. Already we are aware that some park events do not take place because the organisers find the process too burdensome. **We ask that street trading consent regulations do not apply to park-based events and the whole process for park-based events is examined to make it simpler.**

We note that you intend to consult with local residents and retailers when you receive an application for consent. What mechanism are you going to use? Will it be the same process which Planning uses, which allows interested parties to receive an alert for any application within x meters of their home? We will be very concerned if the consultation process involves the applicant in further bureaucratic processes.

9 September 2011

Richard Bradley
Coordinator, Oxford Streets for People

24 Beaumont Road
Headington
Oxford
OX3 8JN

Tel: 01865 762418

Patrick Coulter
Chair, Headington Action

20 Stapleton Road
Headington
Oxford

Tel: 01865 766341

Environmental Development
Oxford City Council
13 SEP 2011
Received

Christ Church
OXFORD OX1 1DP

RECEIVED 05 SEP 2011

*— Acknowledged & advise pushed to Mary from
— Send to my Payne
for feed of into the street
& consent of street.
Ask him to respond in
due course to college.
L.*

Mr. T. Sadler
Executive Director
City Services
Street Trading
Oxford City Council
Oxford OX1 1PT

1 September 20 11

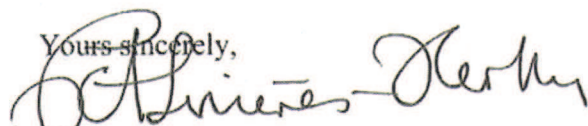
Dear Mr. Sadler

Street Trading Outside Christ Church

I have recently taken over as Steward at Christ Church following the retirement of John Harris. It has been brought to my attention by the Domestic Bursar at Pembroke that there is a plan by OCC to reclassify all streets in the city as 'designated' that requiring consent for street trading. Whilst Christ Church would be in favour of this reclassification we would be against the reclassifying of 'prohibited' streets. I note that there is to be wider consultation and no doubt you will be writing to all colleges including Christ Church in due course.

I would also like to take this opportunity to say that Christ Church would very much appreciate it if the location of the pizza van trader which is parked immediately to the left of our main entrance in St. Aldate's be relocated further down the street so that it is no longer outside student and senior members' rooms. We fully understand that traders need to make a living but would ask that due consideration be given to not disturbing those who live and study in the immediate vicinity and have to contend with noise from those hanging around the van inevitably talking etc, cooking smells and the even noisier late night revellers.

Thank you for your consideration and I look forward to hearing from you.

Yours sincerely,

Steward

Pauline Linières-Hartley, Steward of Christ Church
Tel: 01865 286580 • Fax: 01865 286328 • email: pauline.linieres-hartley@chch.ox.ac.uk
Registered Charity No. 1143423.

P.O. Box 581

Banbury
OXON

OX16 6BS

Environmental Department

10th Abbas Street

Oxford

OX1 1PT

09/09/11



Ref - Redesignation of Streets

Dear Sir/Madams,

I would like to make the following points with respect to the above proposal and would like my submission to be attached to any relevant council appendices.

1. In principle I am supportive of the extended street trading scheme. However, I am a very small trader and will be severely affected by this scheme. My current trading comprises of two business units.

① Organic Bacon Baps & ② Organic Ice Cream. Some of my hot food sales take place on private land

and are unaffected by your new scheme²¹⁷. But for 1 hour per day between 13:30 - 14:30 during term time I trade on Mill Street outside Bellerbys College. My maximum turnover for this site is £25 per day (£4000 PA) and if the Council were to apply a charge of £7000 then this will clearly put me out of business - I am requesting some sort of "Roundsman" licence to cover this activity.

I also trade at Port Meadow with my Organic Ice Cream unit at the weekends during the summer. This year I have had a maximum of 10 days, I typically take £150 per day (£1500 PA) and feel that even your ~~max~~ minimum fee of £3500 for six months trading is excessive. During the school holidays weeks I also sell ice creams outside the Natural History Museum on Parks Road and take approximately £80 per day for 5 days per week (10 weeks per year). The total maximum takings¹⁴² are £4000, but

in reality, due to the weather my takings ^{3/7}
this year were about £2200. Again the
licence fee of £3500 is excessive and
will put me out of business and force
me to apply for benefits, which is not an
action I would like to take.

2. That the charges being proposed are too
great and need to be justified - I am
a sole trader and my business isn't too
dissimilar to that of a taxi driver. My
business expenses and income are similar and the
amount of council involvement in my business
is ^{also} not too dissimilar. The council currently
charge £282 PA for a private taxi licence
and £296 PA for a Hackney Cab licence.
These licences allow the vendor to operate
24 hours a day 365 days per year.

3. The charges being proposed are completely

out of line with the City Business Rates. ^{4/7}
Business Rates are based on Rateable Value
x the Government weighting (currently 0.433).
I have contacted 2 or 3 commercial agencies
and they tell me that the maximum annual
rental in Central Oxford is about £70 per
square foot. Some gives examples are both
from Nick Berrill a Director of Savilles in Oxford.

① Richer Sounds in Park End Street at £16.04
per square foot.

② Culpeper in New Hall Street at £63.76 per
square foot.

An A1 commercial premise in Oxford of 1000
square ft would command a rental of
£70000 and have a rateable value of
 $£70000 \times 0.433 = £30310.$

The average kebab van measures approximately
15 x 6.5 feet or 97.5 square feet.

If the council were to apply the same financial charge to this van based in Central Oxford then the business rates would only be £2955 rather than £7000. The kebab van is subject to the same conditions as any other normal business i.e. Environmental Health, Trading Standards etc. and should not cost the council any more per unit. Therefore it is difficult to understand why the licence fees are so much greater. It should also be remembered that the trading hours of these kebab vans is also highly restricted. In my own example my unit occupies 18 square feet and would have a rateable value of no more than £272.79 for six months trading (which is coincidentally very similar to a taxi licence). It also makes more sense to charge

larger mobile units more per year as they are likely to have higher takings and employ more staff. Rateable values should be assigned to location i.e. the council could look at the rateable value ~~of~~ ^{being} used for businesses adjacent to the proposed mobile site and use the same value per square foot.

4. I understand that the Street Trading Scheme is ~~not~~ designed to neither make a profit or loss for the council. I also understand that the council incurred a loss of (a) £7000 last year due to legal matters. I believe that the council has also ~~not~~ ~~recently~~ redesigned the main licencing officer and redelegated his work to others in the office which must be a saving of (a) £30 k PA. My suggestion for the council to use the Business Rates section of the council would definitely save further costs

and ~~make~~ ^{make} the activity more efficient. 9/17

5. My final point is that the Street Trading Scheme was designed to encourage new businesses - the fees being proposed actually discourage new business and I believe are wholly unfair. I would like you ~~to~~ to seriously reconsider the impact that this scheme will cause and take on my suggestion of using a business rates type calculator which gives all businesses in Oxford the ^{same} competitive edge.

Yours sincerely



Alan Joyce

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GENERAL PURPOSES LICENSING COMMITTEE

Wednesday 15 June 2011

COUNCILLORS PRESENT: Councillors Cook (Vice-Chair), Campbell, Clarkson, Goddard, Gotch, Keen and Royce.

1. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies were received from Councillors Brundin (Councillor Brett to substitute), Van Coulter and Williams.

In the absence of Councillor Brundin (Chair), Councillor Cook (Vice Chair) chaired the meeting.

2. DECLARATIONS OF INTEREST

None made.

3. HACKNEY CARRIAGES AND PRIVATE HIRE LICENSING SUB-COMMITTEE MEMBERSHIP

Councillor Royce asked for this item to be included on the agenda. She explained to the Committee that she wanted to ensure that women's views were represented at bodies such as the Hackney Carriage and Private Hire Licensing Sub Committee. Women were the main users of taxis in Oxford, and therefore it was important for female views to be represented. There should be at least one woman on any panel at all times.

Councillor Cook pointed out that nominations to the various Committees were made by the political groups, and that it would be best to take up this issue via those groups. Daniel Smith (Legal) added that the Hackney Carriage sub committee had to be politically balanced. Substitutions were permitted, but they had to be by someone from the "parent" committee, and from the same political party as the member being substituted.

Resolved that this issue should be taken forwards via the political groups.

4. UPDATE ON TAXI LICENSING ACTIVITY JANUARY 2011 - MARCH 2011

The Head of Environmental Development submitted a report (previously circulated, now appended), concerning taxi licensing activity between January and March 2011. Julian Alison (Licensing Team Leader) presented the report to the Committee, explained the background and answered questions. He explained that the onus was on applicants to prove that they were a "fit and proper" person to hold a licence, and that they met the criteria required by the Council. Each application was carefully processed. Criminal Records Bureau (CRB) checks would pick up anything that had been omitted from the form.

However, the Committee felt that it was important for applicants without any convictions to state this fact on their application form, not simply leave the boxes blank.

Resolved:-

- (1) To note the contents of the report;
- (2) To note all comments made.

5. UPDATE ON REQUEST TO LICENCE A HORSE DRAWN CARRIAGE AS AN OMNIBUS

The Head of Environmental Development submitted a report (previously circulated, now appended) concerning a request to licence a horse drawn carriage as an omnibus. The applicant, Mr Kevin Merry, attended the meeting and answered questions from the Committee. He explained the proposed route through Oxford and plans to clear any manure from the roads on a daily basis. The horse drawn omnibus was different from a taxi - the fare paid would cover the fixed sightseeing journey. The fare would be approximately £40 for a 25 minute journey.

Daniel Smith (Legal) added that concerns had been expressed by the joint committee of Hackney Carriage and Private Hire Vehicle operators. If the Committee agreed to the proposal, the Council would make a bye-law permitting this scheme to operate, after which there would be a period of consultation. Councillor Cook suggested that the joint committee be informed how the scheme was intended to run, and then if they so chose, they could make any objections as part of the normal consultation process. Mr Merry should be invited to the next meeting of the licensed taxi trade so that they could address any concerns to him, and he could answer any questions.

Resolved:-

- (1) To note the progress made with Oxfordshire County Council with regard to the proposed Horse Drawn Carriage Scheme;
- (2) To approve the level of fee determined to be reasonable for the guide, driver and proprietor of a Horse Drawn Carriage;
- (3) To recommend Council to make the appropriate Bye-laws;
- (4) To authorise the Head of Environmental Development and the Head of Law and Governance to carry out the statutory advertisement of the Bye-laws.

6. CLOSED CIRCUIT TELEVISION IN LICENSED VEHICLES - UPDATE

The Head of Environmental Development submitted a report (previously circulated, now appended) giving an update on the progress of the CCTV initiative that was implemented on 1st March 2011.

Resolved to note the current position.

7. HACKNEY CARRIAGE TARIFF - APPLICATION FOR INCREASE

The Head of Environmental Development submitted a report (previously circulated, now appended) giving consideration to the proposal that an automatic increase to the Hackney Carriage Tariff of 20 pence per journey be applied upon the price of a litre of diesel fuel reaching £1.50.

Councillor Cook expressed doubt about this. Fuel costs were complicated, and he did not think that the cost of fares should vary from day to day. The taxi trade could ask for an increase in tariffs at any time should there be a significant rise in the price of diesel fuel. It would be preferable for an approach to be made to the Committee, with evidence of prices, and a request for a specific increase, rather than creating a system that would make pricing over complicated.

Therefore the recommendations were not approved.

8. PAVEMENT STALL SIZE

The Head of Environmental Development submitted a report (previously circulated, now appended) that detailed proposals for the design, layout and size of street trading pitches, with special reference to pitches that had the capacity to overhang the 2m x 1m curtilage. Tony Payne and Andy Thompson (Licensing) introduced this item to the Committee and explained the background. A range of manufacturers provided a standard stall measuring 2.4m by 1.3m, which was easily obtained. This slight increase in size, from the current 2m by 1m, would make it easier to achieve a more uniform appearance of stalls across the City. The Committee felt that, if this was agreed, there should be no supernumerary stands and displays extending beyond the stalls agreed curtilage would need to be agreed by condition.

Resolved:-

- (1) To grant delegated authority to the Head of Environmental Development to decide and authorise variations to stall sizes where it is reasonable and appropriate to do so, having regard to the location of the stall and the type of goods to be sold, up to a maximum size of 2.4m x 1.3m (8ft x 4ft);
- (2) To agree the prescriptive criteria for a street trading stall as set out in Appendix 3 of the report;
- (3) To approve that the Head of Environmental Development only be required to refer the decision to Committee for approval if representations are received from interested parties that a stall should not be increased in size or the conditions varied.

9. DESIGNATION OF STREET FOR STREET TRADING

The Head of Environmental Development submitted a report seeking approval for an amendment to the Street Trading Policy in relation to the designation of streets in the City of Oxford.

Resolved:-

- (1) To recommend Council designates all streets within the Oxford City Council boundary as Consent Streets for the purposes of the Street Trading Scheme;
- (2) To remove the designation of the Covered Market Walkways, the Clarendon Centre Walkways and the Westgate Centre Walkways;
- (3) To authorise the Head of Environmental Development to carry out the required consultation as set out in paragraph 13 of the report;
- (4) To receive a further report to consider responses to the consultation before making a recommendation to Council.

10. AMENDMENT TO FEES AND CHARGES 2011/12

The Head of Environmental Development submitted a report (previously circulated, now appended) that sought to amend the fee for a weekly street trading fee in order to rectify an error.

Resolved to approve the amendment of the fee for a one week street trading consent to £155.

11. MINUTES

Resolved to confirm as a correct record the minutes of the meetings held on 1st March and 19th May 2011.

12. DATES OF FUTURE MEETINGS

Resolved to:-

- (1) Note that the next meetings would be held on 19th October 2011 and 22nd February 2012,
- (2) Request that the meetings followed on *immediately after* meetings of the Licensing and Gambling Acts Committee without a break between them.

The meeting started at 6.00 pm and ended at 7.15 pm