

Agenda

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General Purposes Licensing Committee

This meeting will be held on:

Date: **Thursday 4 February 2021**

Time: **6.15 pm**

Place: **Zoom - Remote meeting**

For further information please contact:

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Committee Membership

Councillor Mary Clarkson (Chair)
Councillor Mark Lygo (Vice-Chair)
Councillor Colin Cook
Councillor Nigel Chapman
Councillor Tiago Corais
Councillor Michael Gotch
Councillor Rae Humberstone
Councillor Dan Iley-Williamson
Councillor Tom Landell Mills
Councillor Christine Simm
Councillor John Tanner
Councillor Sian Taylor
Councillor Louise Upton
Councillor Elizabeth Wade
Councillor Dick Wolff

Apologies and notification of substitutes received before the publication are shown under *Apologies for absence* in the agenda. Those sent after publication will be reported at the meeting. Substitutes for the Chair and Vice-chair do not take on these roles.

Agenda

	Pages
1 Apologies for Absence	
2 Declarations of Interest	
3 Commercial Events, Hackney Carriage and Private Hire, Road Closure Orders, Scrap Metal Dealers, Sex Establishments and Street Parties: Licence Fees and Charges for the 2021/22 financial year	7 - 14
<p>The Head of Regulatory Services and Community Safety has submitted a report to seek agreement of the licence fees for 2021/22 where the Council has discretion over the level of fee charged.</p> <p>Recommendation: That the General Purposes Licensing Committee resolves to:</p> <ol style="list-style-type: none">1. Agree the licence fees and charges for 2021/22 as set out in Appendix 1 and recommend them to Council	
4 Miscellaneous Licensing: Licence Fees & Charges for the 2021/22 financial year	
<p>The Head of Regulatory Services and Community Safety will submit a report to seek agreement of the licence fees for 2021/22 where the Council has discretion over the level of fee charged.</p> <p>This report will follow as a supplement.</p>	
5 Minutes	15 - 18
<p>Recommendation: That the minutes of the meeting held on 22 September 2020 be APPROVED as a true and accurate record.</p>	
6 Dates of Future Meetings	
<p>Meetings are scheduled on:</p> <ul style="list-style-type: none">• 20 May 2021• 27 September 2021• 07 February 2022 <p>All meetings start at 6.00pm</p>	

Information for those attending

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The Chair of the meeting has absolute discretion to suspend or terminate any activities that in his or her opinion are disruptive.

Councillors declaring interests

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". The matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

To: General Purposes Licensing Committee
Date: 4 February 2020
Report of: Head of Regulatory Services and Community Safety
Title of Report: Commercial Events, Hackney Carriage and Private Hire, Road Closure Orders, Scrap Metal Dealers, Sex Establishments and Street Parties: Licence Fees and Charges for the 2021/22 financial year

Summary and recommendations	
Purpose of report:	To seek agreement of the licence fees for 2021/22 where the Council has discretion over the level of fee charged
Corporate Priority	Vibrant Sustainable Economy
Policy Framework	None
Recommendation(s): That the General Purposes Licensing Committee resolves to:	
1. Agree the licence fees and charges for 2021/22 as set out in the Appendix 1 and recommend them to Council	

Appendices	
Appendix 1	Commercial Events, Hackney Carriage and Private Hire, Road Closure Orders, Scrap Metal Dealers, Sex Establishments and Street Parties Fees and Charges 2021/22

Introduction

1. The purpose of this report is to seek agreement to the licence fees and charges that should apply for 2021/22, for those activities where the Council has discretion. This report does not cover the fees for Licensing and Gambling Act activities, which are reported separately to the Licensing and Gambling Acts Committee.
2. The fees and charges detailed within this report and found at **Appendix 1** relate solely to the functions of the General Licensing Team. A further report will be provided to Members in relation to the fees and charges related to the functions of the Miscellaneous Licensing Team.

3. The statutory principle in relation to the setting of fees is that they should be reasonable, proportionate and not exceed the cost of the procedures and formalities of the relevant licensing scheme, including staffing, training, administration, testing, inspections, hearings, and regulation.
4. Licence fees set by the Council and administered in the General Licensing function consist of Commercial Events, Hackney Carriage and Private Hire, Road Closure Orders, Scrap Metal Dealers and Sex Establishments.

Commercial Events and events with no commercial element (including street parties)

5. The making of Temporary Road Closure Orders under the Town Police Clauses Act 1847 is a discretionary service and the Council may make a charge for carrying it out, as long as the charge does not exceed the costs to the Authority.
6. A number of Road Closure applications have been made in the last years for events involving a commercial element, such as for Christmas Market, Little Clarendon Street Market, Art Market, North Parade Market, Christmas Light Festival etc.
7. A number of Road Closure applications have been submitted in the last years for street parties which do not include a commercial element. Such closures are community and local residents based.
8. The fees can be found in **Appendix 1**.

Hackney Carriage and Private Hire Licence Fees and Charges

9. It is proposed that for the 2021/22 Council year that no substantial variation to the current fees and charges is made in order to support the trade financial recovering from the Covid19 pandemic. Those can be found in **Appendix 1**.

Scrap Metal Dealers

12. The licensing of Scrap Metal Dealers and collectors is an executive function which is the responsibility of Cabinet. Therefore the setting of fees does not fall to this Committee. The fees for this function can be found in **Appendix 1** for Members to note.

Sex Establishments and Sexual entertainment venues

13. No variation to the current fees. Those can be found in **Appendix 1**.

Financial implications

16. The Council is responsible for collecting licence fees for these functions. Predicted income from licence fees is included in the Council's budget estimates for 2021/22.

Legal issues

17. The power to levy fees is contained in the legislation relevant to each function or in the Local Government Act 2003 in relation to discretionary services. Fees and charges should reasonably represent the costs of carrying out the function.

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GENERAL PURPOSES LICENSING COMMITTEE FEES & CHARGES 2021/2022	2020/21 Charge £	2021/22 Charge £	Increase/ (Decrease) £	Increase/ (Decrease) %
Taxi Licensing:				
VEHICLES				
Hackney Carriage	400.00	400.00	0.00	0.00
Hackney Carriage (Low Emission Vehicle)	300.00	300.00	0.00	0.00
Hackney Carriage (ULEV Early Adopter Discount)	0.00	0.00	0.00	0.00
Hackney Transfer of Ownership	100.00	100.00	0.00	0.00
Hackney Change of Vehicle	100.00	100.00	0.00	0.00
Hackney Temporary Vehicle	75.00	75.00	0.00	0.00
Private Hire	262.00	262.00	0.00	0.00
Private Hire (Low Emission Vehicle)	162.00	162.00	0.00	0.00
Private Hire (ULEV Early Adopter Discount)	0.00	0.00	0.00	0.00
Private Hire Transfer	100.00	100.00	0.00	0.00
Private Hire Change of Vehicle	100.00	100.00	0.00	0.00
Private Hire Temporary Vehicle	75.00	75.00	0.00	0.00
Taxi Licensing:				
DRIVERS				
Hackney Combined (1 year licence)	115.00	115.00	0.00	0.00
Hackney Combined (3 year licence)	345.00	345.00	0.00	0.00
Hackney Combined (3 year licence only) for Oxfordshire Licensed drivers with 1 full year on current licence	230.00	230.00	0.00	0.00
Hackney Combined (3 year licence only) for Oxfordshire Licensed drivers with 2 full years on current licence	115.00	115.00	0.00	0.00
Private Hire (1 year licence)	101.00	101.00	0.00	0.00
Private Hire (3 year licence)	303.00	303.00	0.00	0.00
Private Hire (3 year licence only) for Oxfordshire Licensed drivers with 1 full year on their current licence	202.00	202.00	0.00	0.00
Private Hire (3 year licence only) for Oxfordshire Licensed drivers with 2 full year on their current licence	101.00	101.00	0.00	0.00
Taxi Licensing:				
ADDITIONAL CHARGES:				
Mandatory Safeguarding and Disability Awareness Training - New	50.00	50.00	0.00	0.00
Local Knowledge & Safeguarding Test	75.00	75.00	0.00	0.00
Local Knowledge & Safeguarding Re-Test	75.00	75.00	0.00	0.00
DBS check - at cost	50.00	50.00	0.00	0.00
DVLA check - for new applicants only, at cost	7.00	7.00	0.00	0.00
Licence badge/replacement badge	10.00	10.00	0.00	0.00
Replacement external plate	25.00	25.00	0.00	0.00
Internal Vehicle Licence Plate	15.00	15.00	0.00	0.00
Replacement Internal Vehicle Licence Plate	15.00	15.00	0.00	0.00

GENERAL PURPOSES LICENSING COMMITTEE	2020/21	2021/22	Increase/	Increase/
FEES & CHARGES 2021/2022	Charge	Charge	(Decrease)	(Decrease)
	£	£	£	%
Exempt badge/replacement badge	25.00	25.00	0.00	0.00
Replacement approved fare chart	4.00	4.00	0.00	0.00
Replacement approved no smoking signs (includes VAT)	2.00	2.00	0.00	0.00
Duplicate paper licence (replacement)	5.00	5.00	0.00	0.00
Unpaid Cheque Charge	30.00	30.00	0.00	0.00
Amendments to Private Hire Operator Licence	100.00	100.00	0.00	0.00
Charge for Exemption Notice	50.00	50.00	0.00	0.00
Taxi Licensing:				
PRIVATE HIRE OPERATOR LICENCE				
Vehicle 3 & under (1 year licence)	490.00	490.00	0.00	0.00
Vehicle 4 & over (1 year licence)	980.00	980.00	0.00	0.00
Vehicle 3 & under (5 year licence)	2,450.00	2,450.00	0.00	0.00
Vehicle 4 & over (5 year licence)	4,900.00	4,900.00	0.00	0.00

GENERAL PURPOSES LICENSING COMMITTEE	2020/21	2021/22	Increase/	Increase/
FEES & CHARGES 2021/2022	Charge	Charge	(Decrease)	(Decrease)
	£	£	£	%
Road Closures				
Commercial Event Road Closures- Events (under 500 people)	105.00	105.00	0.00	0.00
Commercial Event Road Closures- Market and Street Fairs	255.00	255.00	0.00	0.00
Commercial Event Road Closures- Events (500 or more people)	305.00	305.00	0.00	0.00
Road Closure with no commercial element inc Street Parties	16.00	16.00	0.00	0.00
Scrap Metal Dealers (Three Year Licence)				
New Site Licence	1220.00	1220.00	0.00	0.00
Renewal Site Licence	1220.00	1220.00	0.00	0.00
Variation Site Licence	300.00	300.00	0.00	0.00
New Mobile Collector Licence	605.00	605.00	0.00	0.00
Renewal Mobile Collector Licence	605.00	605.00	0.00	0.00
Variation Mobile Collector Licence	300.00	300.00	0.00	0.00
Sex Establishments				
Sex establishment (Sex Shop or Sex Cinema)- New	2508.00	2508.00	0.00	0.00
Sex establishment (Sex Shop or Sex Cinema)- Renewal	2508.00	2508.00	0.00	0.00
Sex establishment (Sex Shop or Sex Cinema)- Variation/ transfer	449.00	449.00	0.00	0.00
Sexual entertainment venues new	5880.00	5880.00	0.00	0.00
Sexual entertainment venues renewal	5880.00	5880.00	0.00	0.00
Sexual entertainment variation/ transfer	449.00	449.00	0.00	0.00

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Minutes of a meeting of the General Purposes Licensing Committee on Tuesday 22 September 2020

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Committee members present:

Councillor Clarkson (Chair)

Councillor Cook (Vice-Chair)

Councillor Corais

Councillor Gotch

Councillor Tanner

Councillor Upton

Councillor Wade

Councillor Wolff

Officers present for all or part of the meeting:

Daniel Smith, Lawyer

Richard Adams, Community Safety Service Manager

Joshua Curnow, Senior Licensing Compliance Officer

John Mitchell, Committee and Member Services Officer

Apologies:

Councillor Taylor

In the temporary absence of the Committee's Chair and the absence of the Vice-Chair, the Committee nominated and seconded the temporary appointment of Councillor Cook as Chair of the meeting.

7. Declarations of Interest

None.

8. Variation (increase) of the current Hackney Carriage Tariffs (table of fares)

The Head of Regulatory Services and Community Safety had submitted a report to consider an application for a variation of the current Hackney Carriage Table of Fares from the City of Oxford Licensed Taxicab Association (COLTA).

The Senior Licensing Compliance Officer introduced the report which sought agreement to consult on the proposals from the COLTA, the consequences of which were set out in the report's appendices. The fares had last been varied in 2014.

Councillor Clarkson joined the meeting at this point and took over as Chair.

Mr Ahmed addressed the Committee in his role as Chair of the COLTA which had refrained from requesting any increases since 2014 in the light of “recession and austerity”. Providers of Hackney Carriages had since been faced with considerable increases in the costs of living in parallel with the expectation of significant financial investment in the improvement of the vehicles themselves. Other public transport providers had increased their fares during this period. The COLTA proposals were underpinned by a wish to “modernise and simplify” the tariff structure. Of particular concern to COLTA was a wish to introduce a more consistent approach to the determination of fares for journeys beyond the city boundary. The current system of negotiation resulted in inconsistency and the process of which was sometimes impractical and, on occasions, embarrassing, for the passenger(s). The current generation of digital fare meters enable the swift and easy determination of different fare structures which would facilitate the COLTA proposal which would in turn increase the confidence of the travelling public.

The Solicitor reminded the Committee that its jurisdiction over the determination of fares only extended to fares within the city boundary and there was no power to determine fares for journeys beyond the boundary.

Notwithstanding the inability to prescribe fares to be used outside the city, it was noted that there was no reason why the COLTA should not come to a voluntary agreement with its members to introduce such a scheme. The Committee agreed that it would support the principle of such an agreement, while being clear that it would be on an entirely voluntary basis with no means of subsequent enforcement.

In discussion about the proposed fare increases it was agreed that they were generally reasonable but at the same time noted that, in some cases, might run the risk of reduced the use of Hackney Carriages in favour of other transport options.

The process for reviewing the fare structure of Hackney Carriages could be triggered by the profession itself or any member of the public. It was agreed that this continued to be appropriate and that, on balance, there would be no benefit in instituting a regular Council led review.

Having considered the COLTA application and taken account of the discussion, the Committee resolved to:

1. **Instruct** the Head of Regulatory Services and Community Safety in consultation with the Head of Law and Governance to carry out the statutory requirement of a public consultation on the proposed table of fares variation;
2. **Delegate** to the Chair and the Head of Regulatory Services and Community Safety to consider any response to the proposed variation before recommending to Council such change to the table of fees as necessary; and
3. **Note** its support for the principle of the introduction of a voluntary scheme by the COLTA to improve the consistency of fares for journeys beyond the city boundary.

9. Minutes

The Committee resolved to approve that the minutes of the meeting held on 21 May 2020 be APPROVED as a true and accurate record.

10. Dates of Future Meetings

The next meeting of the Committee is scheduled to take place on 04 February 2021.

The meeting started at 6.00 pm and ended at 6.30 pm

ChairDate: Thursday 4 February 2021

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