

Declarations of Interest

Any Member attending the meeting is reminded of the requirement to declare if he/she has a personal interest in any item of business, as defined in the Code of Conduct. If that interest is a prejudicial interest as defined in the Code the Member should also withdraw from the meeting.

A G E N D A

(Pages)

1. **Apologies for Absence**
2. **Minutes**
To confirm the minutes of the meeting of the Committee held on 8 October 2014. (1 - 2)
Statutory Functions - Licensing Act 2003
3. **Licensing Act 2003 - Schedule of Licensing Sub-Committee Determinations and Appeal**
To consider report of the Director of Services. (3 - 4)
4. **Licensing Act 2003 - Officer Determinations**
To note the report of the Director of Services. (5 - 6)
5. **Licensing Sub-Committee**
To receive the minutes of meetings of the Licensing Sub-Committee held on:
22 October 2014 (7 - 16)
13 November 2014 (17 - 24)
Other Licensing Matters
6. **Hackney Carriage and Private Hire Fees**
To consider report of the Director of Services. (25 - 30)
Appendix 1 (31 - 32)
Appendix 2 (33 - 34)
Appendix 3 (35 - 38)
Appendix 4 (39 - 40)
7. **Hackney Carriage and Private Hire Licensing**
To note the report of the Director of Services. (41 - 42)
8. **Licensing of House to House Collections and Street Collections**
To note the report of the Director of Services. (43 - 44)

9. **Any other Business**

To consider any other business the Chairman decides is urgent.

The next meeting is due to take place on Wednesday, 18 March 2015

LICENSING COMMITTEE

Meeting - 8 October 2014

Present: Mr Walters (Chairman)
Mrs Simmonds, Mr Clark, Mr Egleton, Mr Pepler, Mrs Royston,
Mr Samson and Mr D Smith

Apologies for absence: Mr Brown

17. MINUTES

The minutes of the meeting of the Licensing Committee held on 2 July 2014 were confirmed and signed by the Chairman.

Statutory Functions - Licensing Act 2003

18. LICENSING ACT 2003 - SCHEDULE OF LICENSING SUB-COMMITTEE DETERMINATIONS AND APPEAL

The Committee received a report which informed Members of Licensing Sub Committee determinations during the period July 2014 to September 2014 and all pending appeals/recently determined appeals against licensing decisions.

RESOLVED that the report be noted.

19. LICENSING ACT 2003 - OFFICER DETERMINATIONS

The Committee received a report which informed Members of Officer Determinations during the period 7 June 2014 to 11 September 2014.

RESOLVED that the report be noted.

20. LICENSING SUB - COMMITTEE

The minutes of the Licensing Sub-Committee held on 28 July 2014 were received.

Other Licensing Matters

21. SEXUAL ENTERTAINMENT VENUES - CONSULTATION RESPONSES

The Committee received a report which informed Members of the responses received during the eight week consultation exercise concerning the requirement for Sexual Entertainment Venues (SEVs) to be licensed within the South Bucks area.

The report set out the 9 responses which were received during the consultation, all of which were in support of adopting the legislation requiring SEVs to be licensed.

The Committee noted the following verbal updates to the report:

- Paragraph 4.1 - a total of 82 consultation letters and a number of emails were sent out to people who lived and worked in the area and details of the consultation were also posted on the Council's website.
- Paragraph 6.1 and 6.2 - that the decision to reaffirm the Council's adoption of the amendments to Schedule 3 of the 1982 Act by Section 27 of the 2009 Act relating to

Licensing Committee - 8 October 2014

the licensing of SEVs with effect from 1 January 2015 comes under the remit of Council rather than Licensing Committee and therefore the Licensing Committee was asked to make recommendations to Council.

Having considered the responses to the consultation, the Committee **RESOLVED** to **RECOMMEND** to Council that the adoption of the amendments to Schedule 3 of the 1982 Act by Section 27 of the 2009 Act relating to the licensing of Sexual Entertainment Venues with effect from 1 January 2015 be reaffirmed and the appropriate newspaper notices be posted as required by the legislation.

22. LICENSING OF HOUSE TO HOUSE COLLECTIONS AND STREET COLLECTIONS

The Committee received a report showing the total number of house-to-house collection permits and street collection permits issued by Officers for the period 7 June 2014 to 11 September 2014.

RESOLVED that the report be noted

23. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING

The Committee received a report which informed Members of Officer Determinations in respect of private hire and hackney carriage matters during the period 7 June 2014 to 11 September 2014.

RESOLVED that the report be noted.

The meeting terminated at 6.11 pm

SUBJECT:	Licensing Act 2003 - Schedule of Licensing Sub-Committee Determinations and Appeals
REPORT OF:	Officer Management Team - Director of Services Prepared by - Head of Health and Housing

1. Purpose of the Report

- 1.1 To inform members of Licensing Sub-Committee determinations during the period October 2014 - December 2014.

<u>File Reference</u>	<u>Applicants/Premises Name</u>	<u>Type of Application</u>	<u>Date Of Application</u>	<u>Date Determined</u>	<u>Outcome</u>
14/02136/LA PRE	The Stag, Wexham Street, Stoke Poges	Premises Licence Variation	29.08.2014	22.10.2014	Granted

- 1.2 To inform members of all pending appeals/recently determined appeals against licensing decisions.

<u>File Reference</u>	<u>Applicants/Premises Name</u>	<u>Type of Application</u>	<u>Date Of Appeal</u>	<u>Date Determined</u>	<u>Outcome</u>
None					

2. Recommendation

- 2.2 It is recommended that the information in this report be noted.

Officer Contact:	Nathan March 01494 732249 nmarch@chiltern.gov.uk
Background Papers:	Service Application Files

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SUBJECT:	Licensing Act 2003 - Officer Determinations
REPORT OF:	Officer Management Team - Director of Services
	Prepared by - Head of Health and Housing

1. Purpose of the Report

1.1 To inform members of Officer Determinations during the period 12th September 2014 to 12th December 2014

1.2 Personal Licences:

<u>File Reference</u>	<u>Applicants Name</u>	<u>Type of Application</u>	<u>Date Of Application</u>	<u>Date Determined</u>	<u>Outcome</u>
14/02714/LAPER	Mrs Margareta Carmen Suket	New	17.11.14	Pending	Waiting for DBS
14/02902/LAPER	Ms Baljinder Gill	New	05.12.14	08.12.14	Granted
14/02900/LAPER	Mr Jess Rhys Harasimow	New	02.12.14	05.12.14	Granted
14/02656/LAPER	Mrs Oi Fong To	New	11.11.14	27.11.14	Granted
14/02618/LAPER	Mr Brian Rueben James Newman-Smith	New	05.11.14	02.12.14	Granted
14/02536/LAPER	Mr Callum Lewis Bryan Hawes	New	23.10.14	27.10.14	Granted
14/02502/LAPER	Mr Jason Sexton	New	21.10.14	21.10.14	Granted
14/02446/LAPER	Miss Lauren Gibney	New	14.10.14	14.10.14	Granted
14/02432/LAPER	Michelle O'Toole	New	07.10.14	13.10.14	Granted
14/02326/LAPER	Miss Kashmir Dhillon	New	01.10.14	01.10.14	Granted
14/02384/LAPER	Rachel Hannah Jeans	New	23.09.14	07.10.14	Granted
14/02225/LAPER	Joanne Bristow	New	15.09.14	15.09.14	Granted

1.3 Premises licence grants and variations:

<u>File Reference</u>	<u>Premises Name</u>	<u>Type of Application</u>	<u>Date Of Application</u>	<u>Date Determined</u>	<u>Outcome</u>
14/02567/LAPRE	The Hope and Champion	Variation	30.10.2014	07.11.14	Granted
14/02399/LAPRE	2 Fulmer Corner	New	03.10.14	02.11.14	Granted
14/02368/LAPRE	40 Bathurst Walk	New	30.09.14	02.12.14	Granted

1.4 Premises licence grants and variations pending:

<u>File Reference</u>	<u>Premises Name</u>	<u>Type of Application</u>	<u>Date Of Application</u>
14/02613/LAPRE	Iver Flowerland	New	04.11.14

1.5 In addition, 51 temporary event notices, NIL notifications of interest, 11 designated premises supervisor variations and 3 transfer of licence have been dealt with.

2. Recommendation

2.2 It is recommended that the information in this report is noted.

Officer Contact:	Nathan March - 01494 732249 - nmarch@chiltern.gov.uk
Background Papers:	Uniform Database

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LICENSING SUB-COMMITTEE

Meeting - 22 October 2014

Present: Mr Brown (Chairman),
Mr Pepler and Mrs Royston

1. APPLICATION FOR A VARIATION OF A PREMISES LICENCE AT THE STAG, WEXHAM STREET, STOKE POGES, BUCKS SL3 6PA

Because of parking difficulties at the Council Offices the start of the meeting was delayed until 10.15 am to enable all parties to attend.

Following introductions by all parties present (which included representatives from Environmental Health and Thames Valley Police), the Sub-Committee considered a report of the Director of Services on an application for a variation of a Premises Licence at The Stag, Wexham Street, Stoke Poges, Buckinghamshire SL3 6PA. During the introductions Councillor Smith, after explaining that he would be speaking on behalf of some of the residents in his capacity as Ward member for Stoke Poges, confirmed that he had no declarations of interest to declare.

The report referred to above included eight appendices and the Council's adopted Hearings Procedure. With the consent of all parties present the following were circulated at the Hearing:

- A document from the applicant reducing the hours applied for, proposing some new Conditions and seeking amendments to existing Conditions 8 and 15;
- An improved copy of the article included in Appendix 7 from This is Local London dated 25 July 2005 on the verdict of Tottenham Magistrates Court upholding the decision of Haringey Council not to grant a sex establishment licence to the applicant (Mr Burmail) in respect of premises known as Charlie Brown's;
- A copy of an email from Naomi Arnold dated 17 September 2014 forwarding comments from Mr Burmail seeking to clarify his application.

The Sub-Committee conducted the Hearing in accordance with its adopted procedure. It was noted that the objections and representations received were listed in the Report at paragraph 5 –including objections from Thames Valley Police and the Local Authority (Head of Environment – Environmental Health Officer as set out in appendices 5 and 6 respectively. Whilst Environmental Health had raised objections they had also made a number of recommendations to reduce the hours of operation which would be acceptable and the Hearing noted that the reductions now sought by the applicant as set out in the document referred to above were in accordance with these recommendations.

The Local Planning Authority (Head of Sustainable Development) and Buckinghamshire Fire and Rescue had also responded but had raised no objections. Fifty six representations had been received objecting to the application and copies were attached at appendix 7. Appendix 8 attached the two representations that had been received in support (full and partial) of the application. The objections related in the main to the Prevention of Public Nuisance and in particular to concerns about the noise that would be generated by both live and recorded music in the event of the application being approved. Concern was also expressed regarding noise from patrons leaving the premises as well as smoking outside the premises late at night.

The Council's Licensing Officer addressed the Hearing, summarising the report presented, the representations received and the options available to the Sub-Committee to determine

the application as amended by the applicant. The Licensing Officer also confirmed that a Temporary Event Notice had been granted in respect of the late night event held in August 2014. The Licensing Officer concluded by saying that the proposed conditions set out in the report would alleviate the concerns expressed in the representations received.

Following the conclusion of the Licensing Officer's address at 10.30am the Hearing was adjourned to enable members of the public in attendance to read the report and the amendments submitted by the applicant.

On reconvening at 10.47pm the Licensing Officer answered questions from the objectors relating to hours of other licensed premises and who the complaints were from.

Councillor Smith, representing some of the residents, Mrs Doyle and Ms Doyle addressed the Hearing to express their objections which related mainly to noise nuisance from music and patrons arriving and leaving late in the evening or in the early hours of the morning to the detriment of people living in the village and breaches of existing conditions. Councillor Smith also referred to the large number of objections which had been received.

After the objectors had answered questions from the applicant and Councillor Brown, Mr Deane addressed the Hearing and reiterated the objections of Thames Valley Police as set out in his letter attached at Appendix 5. Mr Deane submitted that the noise emanating from the premises, which were located in a quiet rural environment, had a significant impact on residents particularly at night and that the applicant might not fully appreciate the environment he was operating in and the effect his business might have on the community. Mr Deane answered questions from objectors relating to the number of complaints received and the August TEN.

The Environmental Health Officer addressed the Hearing and confirmed that the reduced hours reflected their recommendations as set out in Appendix 6. However in view of concerns about noise outside he urged retention of existing conditions 8 and 15. The Environmental Health Officer also confirmed that, in the event of the application being approved, any complaints received about breaches of the conditions particularly about noise, would be investigated and stressed the importance of maintaining log sheets to support such investigations.

The Environmental Health Officer then answered questions relating to what a nuisance is as defined by law, conditions 8 and 15, speakers outside and parking at the premises.

Mr Piers Warne, Solicitor, representing the applicant, addressed the Hearing. He was supported by the applicant, Mr. Burmali. In his address Mr Warne referred to the amendments to the application including amendments to conditions to 8 and 15 He explained that the application sought to clean up the licence and also allow background music outside which in itself was not a licensable. Mr Warne refuted any suggestion that the application had been submitted in an attempt to turn the premises into a night club/sex establishment/live music venue – it was a food based premises offering good wine and champagne. Having invested heavily in the refurbishment of the premises, Mr Burmali was very keen to ensure that the business was a success which could only be achieved by attracting customers and offering them a pleasant setting in which to eat and drink whilst listening to music. The level of the music would be closely monitored to ensure that it did not cause a nuisance to local residents. Mr Warne acknowledged that there had been some teething troubles.

Referring to the event held on 26 July and the complaints received about noise, Mr Warne said that Mr Burmali recognised that he had made a mistake in allowing the band to play an encore. Mr Burmali had learnt from this mistake and Mr Warne pointed out that, although a number of serious allegations had been made about the further event held on 30/31 August which was an all-day family event no evidence had been provided to substantiate them. Whilst this event had been well attended (and by members of the local community), the

number present at any one time never exceeded 150 and certainly never reached 500 as had been claimed by one of the objectors. A CCTV recording of the event had been made which would be made available on request.

Mr Warne concluded his address by referring to visits by Licensing officers who had not observed any breaches of the licence or conditions and by saying that the applicant, Mr Burmali, recognised the importance of securing the support of local residents and was very keen to work with them to alleviate their concerns, as evidenced by the reduced hours and the new conditions being proposed in the amended application. These conditions would not permit customers to gather or smoke immediately outside the front entrance to the premises; a log book would be maintained and completed; and noise levels would be monitored and action taken if levels were such as to cause a nuisance.

Mr Warne then answered questions relating to noise from vehicles late at night, the location of a smoking area, reasons for the amendments, CCTV and access to recordings, the TEN, use of the garden climbing frame and monitoring thereof, the entrance to the licensed premises, capacity at the premises and clarification on the arrangements that would be made by Mr Bumali to monitor music levels, particularly from the external speakers, to ensure that action was taken in the event of the levels causing a nuisance to residents.

The Sub-Committee then turned to consider the without prejudice list of new conditions and amendments to existing conditions 8 and 15 proposed by the applicant and the new conditions proposed by the Licensing Officer.

The parties were given the opportunity to make closing submissions. The Licensing Officer submitted that, although there had been a number of complaints and there may have been some breaches in the past, the conditions being proposed should the application be granted would allow the premises to be regulated and monitored more closely. That log books would again be offered to complainants and CCTV could be used to assist in investigations of any future alleged breaches. Mr Warne submitted that there had been a lot of allegations but little evidence offered to substantiate the allegations. He reminded Members that their determination should be evidence based referring to national Guidance. Mr Warne accepted that the August TEN had done them no favours and apologised for this and the upset caused.

The Sub-Committee retired to make its Decision.

After considering all the evidence, the Sub Committee:-

RESOLVED that the application to further vary the existing Premise Licence (05/00839/LAPRE) for the Stag Public House, Wexham Street, Stoke Poges, Bucks, SL3 6PA be allowed in part, subject to the new and existing and the Mandatory Conditions which are imposed on the Premises Licence, as set out in in full in the Decision Notice attached to and forming part of these minutes.

The meeting terminated at 2.55 pm

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APPLICATION BY: MR CEVAT BURMALI

FOR A FURTHER VARIATION OF A PREMISES LICENCE

DECISION OF THE LICENSING SUB-COMMITTEE SITTING ON 22nd OCTOBER 2014.

The Licensing Sub-Committee has before it an application from Mr Cevat Burmali to further vary the existing Premises Licence reference number 05/00839/LAPRE for the Stag Public House, Wexham Street, Stoke Poges, Bucks, SL3 6PA.

The Variations applied for are as set out in the Application Form appended to the Licensing Officer's report as Appendix 4 ("the Report") a copy of which all the Sub-Committee Members and Relevant Parties have received but amended by the Applicant prior to the Hearing to reduce the hours applied for, to propose some new Conditions and amendments to existing Conditions 8 and 15 as set out in the letter from the Applicant handed out at the Hearing by the Licensing Officer.

The Variations sought can be summarised as follows -

- Live Music, Recorded Music, Sale of Alcohol and Opening Hours - permission to **increase** some of the current permitted hours of operation;
- Existing Conditions - permission to **amend** existing Conditions 8 and 15.

No other variations to the Premises Licence have been applied for.

The Sub-Committee has listened to all the evidence, submissions and responses thereto and has read all the material before it including the Report, a clearer version of page 98 of the Agenda and a copy of an email dated 17th September 2014 from Ms Arnold tabled by one of the objectors with the consent of the parties present.

The objections and representations received are listed in the Report at paragraph 5 consisting of responses from the Local Planning Authority and the Fire Authority neither of which raise any objection and objections from the Thames Valley Police, the Local Authority (Head of Environment), 56 separate letters and emails from local residents and the Clerks to Stoke Poges Parish Council and Wexham Parish Council (appended to the Report as Appendices 5, 6 and 7 respectively) and an email in partial support and email in support of the application (appended to the Report as Appendix 8).

It was noted that whilst the Local Authority (Head of Environment) and the Parish Councils had submitted objections to the applications they had suggested reduced hours of operation which would be acceptable to them if the application was granted.

The Licensing Sub-Committee is satisfied on balance that in all the circumstances and for the Reasons given below that this Application as **amended by the Applicant prior to the Hearing** should be:

Allowed in part with immediate effect - the hours permitted are now as follows:-

Standard timings -

Live Music - Indoors Only.

Monday to Thursday inclusive - 7pm to 11pm

Friday and Saturday inclusive - 7pm to midnight.

Sunday - 7pm to 11pm

Recorded Music - Indoors only.

Monday to Thursday inclusive - 11am to 11.30pm

Friday and Saturday inclusive - 11am to midnight

Sunday - 11am to 11pm

Sale of Alcohol - On and Off the Premises.

Monday to Thursday inclusive - 11am to midnight

Friday and Saturday inclusive - 11am to 00.30am the following day.

Sunday - 11am to 11pm

Opening Hours -

Monday - Thursday inclusive - 11am to 00.30am the following day

Friday and Saturday inclusive - 11am to 1am the following day

Sunday - 11am to 11pm

Existing Conditions 8 and 15.

Existing Condition 8 shall remain on the Licence but amended to read as follows -

All external areas of the licensed premises will be closed and cleared of the public **by 11.00pm on a Sunday to Thursday inclusive and by 11.30pm on a Friday and Saturday** save for access and egress for smoking purposes only.

Existing Condition 15 is to remain on the Premises Licence as currently stated.

Subject to the Mandatory Conditions, the Informative and the existing and additional Conditions as set out in the Schedule to the Report (re-numbered as applicable) but **amended and added to** by the Sub-Committee as follows -

New Conditions by the Applicant's Solicitor as amended by the Licensing Sub-Committee -

1. Customers will not be permitted to gather or smoke immediately outside the front entrance to the premises. Signs will be displayed at the entrance to this effect.
2. No customers will be permitted to use the children's play area after 21.00 hours. Signs will be displayed on the children's play area from 21:00 hours each night to that effect.
3. A complaints log will be maintained and completed. The log will record any complaints made either by customers or residents and will show the date, time and nature of the complaint along with any remedial action taken. The Duty Manager/DPS will check the log on a weekly basis to ensure any

complaints logged are properly dealt with and will sign when checked. The logbook will be made available for inspection on demand to an authorised officer of the South Bucks District Council.

4. A written record will be made of the noise monitoring patrols made in accordance with special condition (x) in a logbook kept for this purpose and will include dates and times of the patrols, the person making them, the results and action taken. Such records will be made available for inspection on demand by an authorised officer of South Bucks District Council.
5. The CCTV system installed at the premises will be maintained in working order and operated at the Licensed Premises 24 hours a day to a standard and in accordance with established Thames Valley Police Guidance on installing CCTV as amended from time to time. The recordings from the system whether installed in digital or other format will be retained for a period of 28 days and stored during that time in a suitable and secure facility and will be made available to an authorised officer of the South Bucks District Council and/or the Police when requested. A sign advising patrons that CCTV is in operation will be positioned in a prominent position on the Licensed Premises.
6. **Existing Condition 6 shall be amended to read as follows** - During Regulated Entertainment the Duty Manager or DPS will ensure that the noise levels are such that they will not cause disturbance to residents in the immediate vicinity of the premises. The noise monitoring will be carried out by physically checking the noise levels from the entertainment outside both the front and the back of the premises where the boundary of the premises is closest to residential properties to ensure that the entertainment is inaudible.

I confirm the Sub-Committee considered each new Condition individually and considers them **appropriate, proportionate and relevant** in terms of promoting the Licensing Objectives.

This decision is considered to be justified as being appropriate for the promotion of the following Licensing Objectives

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of children from harm

and proportionate in consideration of representations made, the operating schedule submitted and matters heard today.

REASONS.

The Licensing Sub-Committee considered very carefully all of the Objectors representations and submissions which mainly related to the removal of existing Conditions 8 and 15, nuisance, disturbance, noise and the monitoring of noise at the Licensed Premises. Members noted that Objectors had experienced

disturbances, nuisance and noise in connection with the Premises in the past and in particular from the event held in August 2014 under a Late TEN which had not been objected to by the Police or Environmental Health. Members also considered the location of the Premises in a quiet residential area and its close proximity to some of the residential properties shown on the location plans appended to the Report at Appendix 1.

The Licensing Sub-Committee also took into consideration those representations objecting to the application received from the Thames Valley Police and Environmental Health regarding concerns mainly relating to the Prevention of Public Nuisance.

Consideration was also given to the representations from Environmental Health and the two Parish Councils regarding reduced hours and also the two representations received in support of extending the hours at the Premises and that the Applicant in light of the representations received prior to the Hearing had amended the Application to reduce hours and had also suggested some new Conditions to be imposed on the Premises Licence.

Having also listened to the detailed submissions made by the Applicant's Solicitor regarding the reason for the Application, past issues arising at the Premises including those related to the Late TEN (Temporary Event Notice) the references to the new Guidance issued in October 2014 and that the amended application and proposed conditions were submitted to address the concerns, the Licensing Sub-Committee believes that by allowing the reduced hours on some of the days that this addresses the Objectors concerns whilst also being proportionate and balancing the need for flexibility for the Applicant.

Regarding the amendment of existing Condition 8 and Condition 15 the Licensing Sub-Committee considered the representations and submissions of both the Applicant's Solicitor regarding the reason for the proposed amendments and the Objectors regarding noise including the representations from the Wexham Parish Council regarding different terminal hours for Condition 8. The Licensing Sub-Committee believe that Condition 8 as amended and Condition 15 are still appropriate and proportionate and should remain on the Premises Licence in order to ensure that noise and disturbance from the Licensed Premises will be kept to a minimum.

Consideration has also been given to the proposed new Conditions and the amendment to existing Condition 6 relating to monitoring patrols, the keeping of logbooks and CCTV and it was noted that the parties at the Hearing agreed to these Conditions as amended. Members considered that the new Conditions as amended will result in effective noise and complaint monitoring and that written records will be available to the Council for investigation and compliance purposes.

Therefore the Sub-Committee considers that the reduced hours together with all of the Conditions now imposed on the Premises Licence will be sufficient, proportionate and appropriate measures if properly implemented to address the licensing objectives and the Objectors concerns.

The Sub-Committee, whilst making this decision, also took into account the ability of the Objectors to make representation in the future which will lead, where evidence shows the premises is the cause of public nuisance, disturbance and/or noise to a review of the Premises Licence where steps could be taken to address

the issues. Accordingly the Objectors should be reassured that the Licensing Authority does have significant powers when dealing with a premises on review if appropriate and proportionate in all circumstances.

I also confirm that the Licensing Sub-Committee has had regard to

National Guidance;
The Council's Licensing Policy;
The Human Rights Act 1998, as amended and
The individual merits of this case

before reaching this decision.

The Rights of Appeal will be sent out with the Decision Notice.

DATED 22nd OCTOBER 2014.

Cllr Ken Brown - Chair
Cllr David Pepler
Cllr Mrs Maureen Royston

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LICENSING SUB-COMMITTEE

Meeting - 13 November 2014

Present: Mr Walters (Chairman)
Mrs Simmonds and Mr D Smith

Also Present: Mr Samson (Observer)

1. APPLICATION FOR A NEW PREMISES LICENCE AT DROPMORE VINEYARD, BROOK END FARM HOUSE, DROPMORE ROAD, LITTLEWORTH COMMON, BURNHAM, BUCKINGHAMSHIRE, SL1 8NF

Following introductions by all parties present, the Sub-Committee considered a report of the Director of Services on an application for a new Premises Licence for Dropmore Vineyard, Brook End Farmhouse, Dropmore Road, Littleworth Common, Burnham, Bucks SL1 8NF.

All parties had received, prior to the hearing, a copy of the Agenda which included the report referred to above, three appendices and the Council's adopted Hearings Procedure. Copies of the Supplementary Agenda which included a written submission by the Applicant, received by the Council before the Hearing (Appendix 4 to the report), had also been previously circulated to the parties and were available at the Hearing.

The Sub-Committee conducted the Hearing in accordance with its adopted procedure. It was noted that the objections and representations received were listed in the Report at paragraph 5 – consisting of responses from the Chief Officer of Police, the Local Planning Authority (Head of Sustainable Development) and from the Local Authority (Head of Environment – Environmental Health Officer) none of which raised any objections. A representation from Mr and Mrs Reeve objecting to the application was appended to the Report at Appendix 3.

The Council's Licensing Officer addressed the Hearing, summarising the report presented and the options available to the Sub-Committee to determine the application. In response to a comment made by the Licensing Officer about the Licensed Premises being open to the public, the Applicant confirmed that visitors to the Licensed Premises would be his invitees and people he knew including friends and family.

In response to questions from the Objectors regarding alcohol sales by wholesale and why alcohol sales could not take place as before without coming to the Licensed Premises, the Licensing Officer confirmed that the Applicant did not require a licence for selling alcohol to offsite wholesalers, but would require a licence to sell alcohol on the Licensed Premises and that because an application for a new Premises Licence had been submitted to the Council it had to be determined by the Council. In response to a question from the Applicant relating to the proposed conditions which he had not agreed to, the Licensing Officer confirmed that the proposed conditions were compiled after speaking to all parties and in consideration of the representations received from the Objectors. In response to questions raised by Members regarding the proposed condition relating to a logbook, the Licensing Officer explained that in order to monitor that all visitors coming to the Licensed Premises to purchase alcohol had made pre-booked appointments, this additional condition had been suggested.

The Objectors, Mr and Mrs Reeve, along with their representative Mr Barrack, addressed the Hearing and outlined the reasons for objecting to the application. Their concerns related to the inappropriate use of the land for commercial activity, increase in public nuisance, noise disturbing the peace and tranquillity of the area, increase in traffic and concerns regarding the security of their property; their fundamental concern being the impact all this could have

which was not at present known. Mr Barrack confirmed that he had known Mr and Mrs Reeve for a long time. He stated that there were concerns that this was the thin edge of the wedge and that the conditions being proposed would not be sufficient to prevent these concerns from occurring and raised issues relating to the monitoring of these proposed conditions.

In response to Members questions regarding which licensing objective Mr and Mrs Reeve were concerned about and what their concerns were regarding the effect of sales of alcohol at the Licensed Premises compared to the sale of other produce including eggs, manure etc, Mr Reeve confirmed that they were concerned with Public Nuisance and that this was a quiet residential area and they did not want commercialisation. It was concluded that their concerns were the same regardless of what was sold from the Licensed Premises.

It was confirmed by the Chairman that the parties should refrain from making personal comments about the character of the other party in their submissions and only concerns relating to the Licensing Act 2003 and/or the Licensing Objectives would be taken into account by the Licensing Sub Committee.

The Applicant, Mr Petersen, addressed the Hearing and read out his written submissions. Clarification was sought regarding the sale of alcohol to family and friends and when looking at his application Mr Petersen acknowledged that his application stated that the Licensed Premises would not be open to visitors buying alcohol unless they had made a pre-booked appointment. Mr Petersen explained that he had taken the time to carefully consider the licensing objectives and confirmed that he has gained a qualification in order for him to be a Personal Licence Holder. Mr Petersen was of the view that the objections were out of proportion and that there would not be an increase in traffic causing public nuisance. Mr Petersen referred to the fact that there have been no objections from the relevant authorities including the Police.

In response to questions from Mr Reeve as to what the licence was for, the Licensing Officer confirmed the purpose of the application being the sale of alcohol. The Chairman also referred to the pages in the application form which referred to pre-booked appointments regarding the sale of alcohol.

In response to Members' questions, Mr Petersen confirmed that there would be no difference between the effect of what was sold historically at the Vineyard compared to the sale of alcohol, that he did not advertise the tours on any website and would not advertise on the internet in the future if he was to be granted a Premises Licence. Furthermore, Mr Petersen confirmed that he would just be selling wine and not any other type of alcohol. Mr Petersen also explained how visitors gained access to the Vineyard and the use of the gates at the premises and stated that there would be no difference to the tours that were already taking place except that visitors would be able to purchase alcohol after the tour and therefore there would not be an increase in public nuisance or traffic.

The Sub-Committee then turned to consider the without prejudice list of conditions proposed by the applicant and the additional conditions proposed by the Licensing Officer as set out in the schedule to the report. In going through each condition, Members questioned the enforceability of some of the conditions. Mr Petersen stated that he was not in support of the Licensing Officer's suggested additional conditions numbered 1-5 as he was of the opinion that they were inappropriate and too excessive and in particular CCTV was not proportionate and would be expensive. In relation to the Licensing Officer's additional condition number 2, Mr and Mrs Reeve requested that CCTV surveillance be 24 hours. The Chairman confirmed that Members would consider all the comments made regarding the proposed conditions when determining the application.

The parties were given the opportunity to make closing submissions which the Licensing Officer, the Applicant and Objectors did summing up their submissions, representations and

concerns. As part of the Objectors' closing submission, a copy of a review from the "Wine Cellar Door" and a letter dated 3 October 2012 attaching a sworn statement from the Applicant was submitted to the Hearing by the Objectors with the consent of the Applicant for Members' consideration.

The Sub-Committee then retired to make its Decision during which legal advice was given regarding enforceability of conditions and the effect of the Application.

After considering all the evidence, the Sub Committee:-

RESOLVED that the application for a new Premises Licence for Dropmore Vineyard, Brook End Farmhouse, Dropmore Road, Littleworth Common, Burnham, Bucks SL1 8NF be allowed in full, subject to the Mandatory and other Conditions and Informative set out in the Schedule to the Report, as amended and deleted by the Sub-Committee, as set out in full in the Decision Notice attached to and forming part of these minutes.

The meeting terminated at 1.29pm

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APPLICATION BY: JOHN PETERSEN

FOR A NEW PREMISES LICENCE

DECISION OF THE LICENSING SUB-COMMITTEE SITTING ON 13TH NOVEMBER 2014.

The Licensing Sub-Committee has before it an application from Mr John Petersen for the Dropmore Vineyard, Brook End Farmhouse, Dropmore Road, Littleworth Common, Burnham, Bucks SL1 8NF.

The details of the Premises Licence applied for are as set out in the Application form appended to the Licensing Officer's report at Appendix 2 ("the Report") a copy of which all the Sub-Committee Members and Relevant Parties have received.

The Sub-Committee has listened and had regard to all the evidence, submissions made today and responses thereto and has read all the material before it including the Report and the written submissions received from the Applicant before the Hearing (Appendix 4 to the Report), a copy of a review from the "Wine Cellar Door" and a letter dated 3rd October 2012 attaching a sworn statement from the Applicant submitted to the Hearing by the Objectors with the consent of the Applicant.

The Representations received are listed in the Report at paragraph 5 - namely responses from the Chief Officer of Police, the Local Authority (Head of Environment) and the Local Planning Authority (Head of Sustainable Development) - none of which raise any objection and a representation from local residents objecting to the application. A copy of the representation is appended to the Report at Appendix 3.

Regarding the references to planning issues included in the representations these were disregarded by the Licensing Sub-Committee as they do not relate to the Licensing Act 2003 and/or the Licensing Objectives and are not relevant to the determination of this application.

The Licensing Sub-Committee is satisfied on balance that in all the circumstances and for the Reasons set out below this Application should be:

Allowed in full as follows -

Standard timings -

Supply of alcohol - Off the Premises - Monday to Sunday inclusive - 10am to 6pm.

Hours premises are open to the public - Monday to Sunday inclusive - 10am to 6pm.

Subject to the Mandatory and other Conditions and Informative set out in the Schedule to the Report - as amended and deleted by the Sub-Committee. I confirm the Sub-Committee has considered each Condition which has been imposed on the Premises Licence individually and considers them appropriate, proportionate and relevant in terms of promoting the Licensing Objectives.

Conditions proposed by the Applicant -

Condition 1 shall refer to the “Licensed” Premises.

Condition 2 shall now read -

All visitors to the Licensed Premises must have a pre-booked appointment with the Licence Holder or his Representative to be permitted on the Licensed Premises in order to purchase alcohol from the Licensed Premises. The name of the visitor, time and the date of the pre-booked appointment will be entered into a logbook which will be made available for inspection on request to an authorised officer of South Bucks District Council.

Condition 3 shall now read -

Vineyard tours at which alcohol may be sold will consist of no more than 20 persons at a time.

Additional Conditions proposed by the Licensing officer -

Condition 1 shall now read - A clear legible notice shall be erected on the Licensed Premises requesting customers to keep noise to a minimum and respect local residents’ privacy whilst on the Licensed Premises and when entering and leaving the Licensed Premises and to advise customers to park legally and considerately.

Conditions 2, 3, 4 and 5 shall be deleted.

This decision is considered to be justified as being appropriate for the promotion of the following Licensing Objectives

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of children from harm

and proportionate in consideration of representations made, the Operating Schedule submitted and matters heard today.

REASONS.

The Licensing Sub-Committee considered very carefully the Objectors written representations and submissions made at the Hearing today which mainly related to concerns regarding impact on the residential area, noise, disturbance and the concern that the sale and storage of alcohol at the premises would make it a target for further instances of crime in the immediate area having been the victim of two recent crime incidents. It also considered the location of the Premises in close proximity to two residential properties in a residential area and its shared common drive.

However, it also took into consideration that no representations had been made by any of the Responsible Authorities and in particular by the Chief Officer of Police or Environmental Health in respect of this application which relates to a new premises licence.

Having also listened to and carefully considered the written submissions made by the Applicant including those submissions relating to the effect of this application, security lights and gates at the premises the Licensing Sub-Committee felt on balance that the licensable activity and the hours applied for were reasonable for this type of premises.

When considering the proposed Conditions Members felt that the Conditions as amended and now imposed on the Premises Licence together with the Mandatory Conditions would be sufficient and appropriate measures if properly implemented to address the licensing objectives and the Objectors concerns.

Members however, having considered the representations and having listened to the submissions made today, felt that the Conditions which have been deleted were not appropriate, proportionate or reasonable having regard to the licensable activity and the Licensed Premises.

The Licensing Sub-Committee, whilst making this decision, also took into account the ability of the Objectors to make representation in the future which will lead, where evidence shows the premises is the cause of crime and disorder, disturbance, public nuisance and/or noise, to a review of the Premises Licence where steps could be taken to address the issues. Accordingly the Objectors should be reassured that the Licensing Authority does have significant powers when dealing with a premises on review if appropriate and proportionate in all circumstances.

I confirm that the Licensing Sub-Committee has also had regard to

- National Guidance;
- The Council's Licensing Policy;
- The Human Rights Act 1998, as amended; and
- The individual merits of this case

before reaching this decision.

The Rights of Appeal will be sent out with the Decision Notice.

DATED 13th NOVEMBER 2014

Cllr Alan Walters - Chairman
Cllr Janet Simmonds
Cllr Duncan Smith

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SUBJECT:	Hackney Carriage and Private Hire Fees
REPORT OF:	Officer Management Team - Director of Services Prepared by - Head of Healthy Communities

1. Purpose of Report

- 1.1 To provide Members with proposed fees in relation to the licensing of Hackney Carriages and Private Hire Vehicles and Operators so that these can be considered and the fees agreed ahead of the required consultation.

2. Links to Council Policy Objectives

- 2.1 There is a link between an effective licensing regime for Hackney Carriage and Private Hire Vehicles and Operator and the Council's policy objective for Safe Communities.

3. Background

- 3.1 The fees in relation to the licensing of Hackney Carriages and Private Hire Vehicles and Operators were last increased in 2011 following the Licensing Committee meeting on 15th June 2011. This report sets out the proposal for fees from April 2015 as detailed in Appendix 1
- 3.2 The licence fees for vehicles, operators and drivers are subject to the provisions of the Local Government (Miscellaneous Provisions) Act 1976 ("1976 Act"). Section 53(2) of the 1976 Act in respect of Drivers Licences for hackney carriages and private hire vehicles provides that the Council may charge and recover the reasonable costs of issue and administration.
- 3.3 Section 70 of the 1976 Act further provides that the Council may charge such fees for the grant of vehicle and operator licences as may be sufficient to cover in whole or part the reasonable costs of carrying out inspections of vehicles, reasonable administrative or other costs, and the control and supervision of hackney carriages and private hire vehicles. The 1976 Act requires that where it is proposed that a fee exceeding £25 be imposed regarding vehicle and operators licences, an advertisement be published in the local newspaper, giving 28 days for objections. The Council also follows the same procedure regarding Drivers Licences.
- 3.4 If objections are received during the consultation period the authority must give them due consideration before either modifying or confirming the proposed fees. Once agreed, whether modified or otherwise, the fees will come into operation on the date to be agreed, without the need for further consultation.
- 3.5 The Licensing Service has been through the service review process as part of the shared service programme, which identified that the Council had not recovered the

costs of licensing for some time. The review also identified that as the costs are now shared then the fees should reflect the costs of the shared service with an aim of being cost neutral to both councils. The reduced costs of the service delivery arising from a single joint team and on line systems have minimised the increases required regarding some of the licence fees.

4. Fee setting process

- 4.1 The Licensing Service should be operated on a cost neutral basis as the legislation allows for full cost recovery of the licensing functions but requires that the service does not make a profit.
- 4.2 Recovery of enforcement costs incurred in connection with unlicensed drivers and operators from fees is not permitted under the legislation.
- 4.3 Fees may only be charged for functions connected to a specific licence i.e. private hire costs may not be offset against hackney carriage costs.
- 4.4 There have been recent legal challenges to the level of fees that have been levied by licensing authorities. The focus of these challenges has been where fees are considered to be higher than the cost of exercising the functions connected to the provision of licences and also where it has been considered that recovery of enforcement costs via fees is occurring.
- 4.5 Whilst surpluses and deficits have to be taken into consideration when setting fees. The fees for Hackney Carriages and Private Hire licensing has to be treated separately, so one cannot offset the other.
- 4.6 Appendix 4 shows that each year since 2011/12, the Licensing Service has not achieved full cost recovery and has had significant deficits in each of those years across all of the regimes that are licensed by the service. However the detail of the losses in relation to Hackney Carriages and Private Hire is not known. Therefore it is not proposed to recover any deficits within the current proposed fees and some of the proposed fees remain the same as set in 2011.
- 4.7 To ensure that the Council's fees are set appropriately for each Hackney and Private Hire licence, the following process has been used:
 1. The volume of work and the time taken to carry out all licensing functions associated with each taxi and private hire licence was estimated using data from the last 12 months.
 2. The Licensing Service resource costs taken from the current year joint service budget
 3. Items 1 and 2 above were used to establish the cost of the time spent on each function. This enabled the costs associated with the time spent on Hackney Carriage and Private Hire to be identified.
 4. The calculated costs relating to Hackney Carriage and Private Hire were compared to current fees to consider the appropriate level of the proposed fees.

5. Deficits and surpluses from previous years were considered as detailed in Paragraph 4.6 above.
- 4.8 As the costs have to be considered separately for all Hackney Carriage and Private Hire licences, the table in Appendix 3 shows the breakdown of time that is spent (as minutes per process) on each licence type and the associated cost in doing so, was taken into consideration.
- 4.9 The service review has identified that 60% of the joint service time is spent on Hackney Carriage and Private Hire delivery as shown in Appendix 2, the cost of which is £289,782 per annum.
- 4.10 The table of proposed fees for Hackney Carriage and Private Hire to be considered across both Chiltern and South Bucks (reflecting the joint service costs) attached in Appendix 1 will account for an increased income of £47,038, whilst still not achieving full cost recovery.
- 4.11 The proposed fees are set lower than the estimated cost of recovery for the licensing function to ensure that the Council is protected against the risk of a challenge connected to these fees and charges. If the fees are agreed as proposed, it is estimated that £253k of the cost of the licensing service will be recovered.

5. Further Information

5.1 Discounted Licences

A discount of 50% is provided for wheelchair accessible vehicles and fuel efficient vehicles (as defined in the Council's adopted Hackney Carriage and Private Hire policy). This discount does not have any effect on the standard fee and is a policy decision to encourage the use of such vehicles, which prevents full cost recovery in these circumstances.

5.2 Dual Drivers Licences

Currently Drivers are able to apply for a 'Dual' driver licence, which enables drivers to apply for a single licence to drive both hackney carriages and private hire vehicles without the requirement to apply for both a Hackney Carriage Drivers licence and a Private Hire Drivers licence. At the time Dual Licences were introduced it was considered that the advantage to the Council would be that it could apply the Private Hire Conditions to a driver operating as a hackney driver holding a dual licence. Case law now prevents this, therefore offering no administrative advantage to the Council in terms of enforcement. This will be considered at the time of any review of future policy. The review has identified that the current fee does not cover the cost of issuing dual licences which involves for example checking compliance with both hackney carriage and private hire criteria when determining the application. Therefore the additional administration involved in the issue of a dual licence as opposed to a Hackney Carriage Drivers licence or a Private Hire

Drivers licence is reflected in the proposal to maintain an additional nominal cost of £35 when compared to a 1 year Hackney Carriage Drivers Licence.

5.3 Disclosure and Barring Service Checks

Criminal Record Checks are now undertaken by the Disclosure and Barring Service (DBS) and are now known as DBS Checks. The DBS charges £44 for this service and this is currently included in the fee for a new licence. As the Council has no control over this DBS fee, it is proposed to show this as a separate fee in the fees table, which is charged in addition to the licence fees when these checks are required.

In addition a separate administration charge of £8.50 towards the costs of administration of the DBS process incurred by the Council is proposed.

5.4 3 year licences

The estimated cost of licensing a driver for 3 years has been calculated to be a saving of 10% administration time to the council compared to issuing three separate licences over a 3 year period. This saving has been passed to the drivers applying for a 3 year licence. On review, the current fees provide discounts of more than 10% which is too high to cover the cost of issuing those 3 year licences. This has resulted in the proposed fees being increased as shown in the table below:

Licence Type	Current Fee	Proposed Fee	Increase
Grant of 3 year Hackney Carriage driver	£165	£332	£167
Renewal of 3 year Hackney Carriage driver	£165	£256	£91
Grant of 3 Year Private Hire Driver	£165	£332	£167
Renewal of 3 Year Private Hire Driver	£165	£256	£91
Grant of 3 year Dual Drivers Licence	£270	£394	£124
Renewal of 3 year Dual Drivers Licence	£270	£297	£27

6. Resource, Risk and other Implications

6.1 The cost of carrying out the fees review and associated consultation including advertising costs will involve staff time and resources, but these costs will be met within the existing budget.

- 6.2 To achieve full cost recovery the licensing fees should reflect service costs. The proposed fees are set lower than the estimated cost of recovery for that licensing function to ensure that the Council's fees reflect current legislation and guidance as clarified by recent case law.
- 6.3 Whilst there is no right of appeal against fees once set, the decision of the Council could be the subject of a Judicial Review. If an application for Judicial Review were lodged this would result in legal fees to defend the review. In the event of a successful review the Council may also have to pay the applicants costs.
- 6.4 The proposed fees are set lower than the estimated full cost recovery for the Hackney Carriage and Private Hire licensing functions ensuring that the risk of challenge to the Council is low.
- 6.5 Dual Drivers licences should be considered at the next policy review as they do not provide the administration benefit to the council as originally intended and may incur costs should the council seek to enforce the conditions on the licences.

7. Recommendation

The Committee is requested to recommend to Council -

- 7.1 To approve the proposed changes to the fees for Hackney Carriage and Private Hire Licensing as set out in Appendix 1 and to authorise the Head of Healthy Communities to advertise the proposed fees increase for 28 days.
- 7.2 If no objections are received, the increases to the fees set out in Appendix 1 to become effective on 1st April 2015.
- 7.3 That any objections received during the consultation be considered by the Licensing Committee at its meeting on 18 March 2015 and the Licensing Committee determine the fees to come into effect on 2nd April 2015 with or without variation having had regard to objections received.
- 7.4 That the terms of reference of the Licensing Committee be amended to include the functions relating to the determining and setting of all fees relating to the licensing of hackney carriages and private hire vehicles including consideration of any representations thereon or objections thereto.

Officer Contact:	Nathan March 01494 732056 nmarch@chiltern.gov.uk
Background Papers:	Local Government (Miscellaneous Provisions) Act 1976. The fees have been calculated using an excel database which is available on request.

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SBDC Hackney Carriage and Private Hire Fees

Type of licence	Existing Fee (£)	Proposed Fee (£)
One year Hackney Carriage Vehicle Licence Grant	275	399
One year Hackney Carriage Vehicle Licence Grant for wheelchair accessible vehicles and fuel efficient vehicles as defined in the policy (50% reduction)	137.5	199.50
Renewal Hackney Carriage Vehicle Licence	155	300
Renewal Hackney Carriage Vehicle Licence for wheelchair accessible vehicles and fuel efficient vehicles as defined in the policy (50% reduction)	77.5	150
Hackney Carriage Drivers Licence Grant 1 year	75	161
Hackney Carriage Drivers Licence Grant 3 year	165	332
Hackney Carriage Drivers Licence Renewal 1 year	75	95
Hackney Carriage Drivers Licence Renewal 3 year	165	256
Dual Drivers Licence Grant (1 year)	110	196
Dual Drivers Licence Grant (3 year)	270	394
Dual Drivers Licence Renewal (1 year)	110	145
Dual Drivers Licence Renewal (3 year)	270	297
One year Private Hire Vehicle Licence Grant	230	329
One Year Private Hire Vehicle Licence Grant for wheelchair accessible vehicles and fuel efficient vehicles as defined in the policy (50% reduction)	115	164.50
Renewal Private Hire Vehicle Licence	230	230
Renewal Private Hire Vehicle Licence for wheelchair accessible vehicles and fuel efficient vehicles as defined in the policy (50% reduction)	115	115

Private Hire Drivers Licence Grant 1 year	75	161
Private Hire Drivers Licence Grant 3 year	165	332
Private Hire Drivers Licence Renewal 1 year	75	95
Private Hire Drivers Licence Renewal 3 year	165	256
Application Dispensation Certificate (per vehicle)	0	65
Transfer of Licence	80	90
Change of Vehicle	67	67
Replacement Internal Licence or badge	15	15
Replacement Plate	25	25
Private Hire Operators		
To operate 1 vehicle	155	155
To operate 2-4 vehicles	205	205
To operate 5-10 vehicles	255	255
To operate 11+ vehicles	305	305
Knowledge test	20	25
Bracket Charge		Cost of replacement
Disclosure and Barring Service	40	Cost of check (currently £44) +£8.50 Admin Charge
Admin charge should licence not be issued	40	47 (equates to 1 hours work)

Proportionate breakdown of Licensing regimes dealt with by the Licensing section

	Total Hours	% of total time
Taxi	4011	62.41
LA03	1374	21.38
GA05	165	2.56
Pet Shop	73	1.13
Boarding	124	1.92
Home Boarding	92	1.43
Breeding	15	0.23
Riding	19	0.29
DWA	5	0.08
Needles	45	0.70
Street Trading	0	0.00
Scrap Metal	116	1.81
Mobile Homes	102	1.58
Sex Establishment	0	0.00
H2H/Street	288	4.48
	6426	100.00

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SBDC Time Estimates for Taxi and Private Hire Related Licensing

Hackney Carriage Driver licence

Action	Total	Time Taken (minutes)	Total Time (minutes)
HCDL 1yr new application	5	30	150
HCDL 1yr renewal application	9	30	270
HCDL 3yr new application	0	30	0
HCDL 3yr renewal application	7	30	210
HCDL send renewal pack	36	10	360
Medical Reminder	11	6	66
DBS Reminder	12	6	72
Medical Suspension letter	1	10	10
DBS Suspension letter	1	10	10
Medical Received	11	7	77
DBS Received	11	7	77
DBS check returned faulty	2	15	30
Sub-Committee reports	1	60	60
Case briefings to management	1	60	60
		Total	1452

Private Hire Driver Licence

Action	Total	Time Taken (minutes)	Total Time (minutes)
PHDL 1yr new application	20	30	600
PHDL 1yr renewal application	2	30	60
PHDL 3yr new application	25	30	750
PHDL 3yr renewal application	0	30	0
PHDL send renewal pack	48	10	480
Medical Reminder	13	6	78
DBS Reminder	13	6	78
Medical Suspension letter	1	10	10
DBS Suspension letter	1	10	10
Medical Received	13	7	91
DBS Received	13	7	91
DBS check returned faulty	2	15	30
Sub-Committee reports	1	60	60
Case briefings to management	1	60	60
		Total	2398

Dual Driver Licence

Action	Total	Time taken per action (minutes)	Total time (minutes)
DUAL 1yr new application	10	30	300
DUAL 1yr renewal application	0	30	0
DUAL 3yr new application	1	30	30
DUAL 3yr renewal application	8	30	240
DLD 1yr send renewal pack	7	10	70
DLD 3yr send renewal	10	10	100
Medical Reminder	13	6	78
DBS Reminder	13	6	78
Medical Suspension letter	2	10	20
DBS Suspension letter	2	10	20
Medical Received	13	7	91
DBS Received	13	7	91
DBS check returned faulty	2	15	30
Sub-Committee reports	1	60	60
Case briefings to management	1	60	60
		Total	1268

Hackney Carriage Vehicle Licence

Action	Total	Time Taken (minutes)	Total Time (minutes)
HCVL new application	0	30	0
HCVL renewal application	45	30	1350
HCVL variation application	0	30	0
HCVL transfer application	0	30	0
HCVL send renewal pack	23	10	230
Insurance Reminder	29	6	174
MOT Reminder	29	6	174
Compliance Reminder	45	6	270
Insurance Suspension letter	9	10	90
MOT Suspension letter	5	10	50
Compliance Suspension letter	5	10	50
Insurance Received	45	7	315
MOT Received	27	7	189
Compliance Received	43	7	301
Accident Report Form Received	3	7	21
Hackney Carriage initiatives	1	420	420
Complaint visits	0	90	0
Inspections following accident	0	0	0
Sub-Committee reports	0	60	0
Case briefings to management	0	60	0
Inspections at Council	45	10	450
		Total	4014

Private Hire Vehicle Licence

Action	Total	Time Taken (minutes)	Total Time (minutes)
PHVL new application	3	30	90
PHVL renewal application	79	30	2370
PHVL variation application	1	30	30
PHVL transfer application	0	30	0
PHVL send renewal pack	80	10	800
Insurance Reminder	78	6	468
MOT Reminder	78	6	468
Compliance Reminder	110	6	660
Insurance Suspension letter	4	10	40
MOT Suspension letter	6	10	60
Compliance Suspension letter	11	10	110
Insurance Received	92	7	644
MOT Received	75	7	525
Compliance Received	112	7	784
Accident Report Form Received	7	7	49
Private Hire initiatives	1	420	420
Complaint visits	0	90	0
Inspections following accident	0	15	0
Inspections at Council	88	10	880
		Total	8398

Private Hire Operators Licence

Action	Total	Time Taken (minutes)	Total Time (minutes)
PHOP new application	0	30	0
PHOP renewal application	15	30	450
PHOP send renewal application	20	10	200
Private Hire base inspections	17	90	1530
Complaint visits	2	90	180
Sub-Committee reports	0	60	0
Case briefings to management	0	60	0
		Total	2360

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SBDC LICENSING Income and Expenditure

The figures below are the expenditure and income for the Licensing Service overall as figures were not available purely for Taxi and Private Hire licensing.

2011/12	
Expenditure	253,920
Income	-172,758
Deficit	81,162

2012/13	
Expenditure	265,672
Income	-139,500
Deficit	126,173

2013/14	
Expenditure	275,425
Income	-172,741
Deficit	102,684

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SUBJECT:	Hackney Carriage & Private Hire Licensing
REPORT OF:	Officer Management Team - Director of Services
	Prepared by - Head of Healthy Communities

1. Purpose of the Report

1.1 To inform members of the number of Officer Determinations in respect of private hire and hackney carriage matters during the period 12th September 2014 to 12th December 2014

New Applications:

Hackney Carriage Vehicle Licence New Application	10
Private Hire Vehicle Licence New Application	6
Hackney Carriage Drivers Licence New Application	3
Private Hire Drivers Licence New Application	1
Dual Driver Licence New Application	0
Private Hire Operator Licence New Application	3

Renewal Applications:

Hackney Carriage Vehicle Licence Renewal	18
Private Hire Vehicle Licence Renewal	11
Hackney Carriage Drivers Licence Renewal	6
Private Hire Drivers Licence Renewal	8
Dual Driver Licence Renewal	2
Private Hire Operator Renewal	8

1.2 To inform members of a pending appeal.

<u>File Reference</u>	<u>Applicants/Premises Name</u>	<u>Type of Application</u>	<u>Date Of Appeal</u>	<u>Date of Hearing</u>	<u>Outcome</u>
PHD 105	Mr K	Private Hire Drivers Licence	10/12/13	28/01/15	Pending

2. Recommendation

2.2 It is recommended that the information in this report is noted.

Officer Contact:	Nathan March - 01494 732249 - nmarch@chiltern.gov.uk
Background Papers:	Uniform Database

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SUBJECT:	Licensing of House to House Collections and Street Collections
REPORT OF:	Officer Management Team - Director of Services
	Prepared by - Head of Health and Housing

1. Purpose of the Report

1.1 To inform members of officer determinations during the period 12.09.2014 to 12.12.2014

The total number of house-to-house collection permits issued during this period was 1.

House-to-house collection permits are issued to none profit making bodies that wish to undertake collections door to door.

Some organisations have been allocated Exemption Orders from the Home Office granting them exemption certification from local authority licensing. The local authority has no control over the dates these organisations will be collecting.

The total number of street collection permits issued during this period was 30.

Street collection permits are issued to registered charities that wish to undertake collections or sales on behalf of a none profit making body on the public highway.

2. Recommendation

2.2 It is recommended that the information in this report is noted.

Officer Contact:	Nathan March - 01494 732249 - nmarch@chiltern.gov.uk
Background Papers:	Uniform Database

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