

Public Document Pack



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5 November 2018

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **REGULATORY COMMITTEE** will be held in the Council Chamber at these Offices on Tuesday 13 November 2018 at 10.00 am when the following business will be transacted.

Members of the public who require further information are asked to contact Jemma Duffield on (01304) 872305 or by e-mail at democraticservices@dover.gov.uk.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nicky', written over a white background.

Chief Executive

Regulatory Committee Membership:

B W Butcher (Chairman)
P S Le Chevalier (Vice-Chairman)
P M Brivio
B Gardner
D P Murphy

AGENDA

1 **APOLOGIES**

To receive any apologies for absence.

2 **APPOINTMENT OF SUBSTITUTE MEMBERS**

To note appointment of Substitute Members.

3 **DECLARATIONS OF INTEREST** (Page 4)

To receive any declarations of interest from Members in respect of business to be transacted on the agenda.

4 **MINUTES** (Pages 5 - 6)

To confirm the attached Minutes of the meeting of the Committee held on 11 September 2018.

5 **FEES AND CHARGES 2019/20** (Pages 7 - 30)

To consider the report of the Head of Regulatory Services.

6 **EXCLUSION OF THE PRESS AND PUBLIC** (Page 31)

The recommendation is attached.

MATTERS WHICH THE MANAGEMENT TEAM SUGGESTS SHOULD BE CONSIDERED IN PRIVATE AS THE REPORT CONTAINS EXEMPT INFORMATION AS DEFINED WITHIN PART 1 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AS INDICATED AND IN RESPECT OF WHICH THE PROPER OFFICER CONSIDERS THAT THE PUBLIC INTEREST IN MAINTAINING THE EXEMPTION OUTWEIGHS THE PUBLIC INTEREST IN DISCLOSING THE INFORMATION

PROCEDURE FOR HEARING (Pages 32 - 34)

The procedure for the Hearing is attached.

7 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE** (Pages 35 - 49)

To consider the attached report of the Licensing Team Leader.

Access to Meetings and Information

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website www.dover.gov.uk. Minutes will be published on our website as soon as practicably possible after each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Jemma Duffield,

Democratic Services Officer, telephone: (01304) 872305 or email:
democraticservices@dover.gov.uk for details.

Large print copies of this agenda can be supplied on request.

Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

Minutes of the meeting of the **REGULATORY COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 11 September 2018 at 10.00 am.

Present:

Chairman: Councillor B W Butcher

Councillors: B Gardner
P S Le Chevalier

Officers: Contentious and Regulatory Lawyer
Licensing Team Leader
Licensing Enforcement Officer
Democratic Services Officer

Others in attendance: Mr N Wheeler (Minute No. 14)

10 APOLOGIES

An apology for absence was received from Councillor P M Brivio.

11 APPOINTMENT OF SUBSTITUTE MEMBERS

There were no substitute Members appointed.

12 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

13 MINUTES

The Minutes of the meeting of the Committee held on 10 July 2018 were approved as a correct record and signed by the Chairman.

14 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION TO LICENCE A VEHICLE OUTSIDE OF POLICY GUIDELINES

The Licensing Team Leader informed the Committee that Mr Nigel Wheeler had submitted an application to the Council asking for permission to licence a Vauxhall Insignia, registration plate LD60 XMK, as a Private Hire Vehicle. The Committee was asked to consider the application as the vehicle was outside of the policy guidelines by reason that the vehicle was outside the current age policy, being registered on 15 November 2010.

The Committee adjourned to examine the vehicle accompanied by the applicant and the officers. The vehicle had covered mileage of 36,500 miles would only be used for chauffeur services and no other private hire purpose. The applicant advised that all jobs would be pre-booked and would be, in the majority, long distance journeys totalling approximately 30-50k miles a year.

In accordance with the approved procedure, members of the committee and the legal officer withdrew from the meeting to consider the application.

- RESOLVED: (a) That, notwithstanding the Council's current policy guidelines, Mr N Wheeler be granted a Private Hire Vehicle Licence in respect of Vauxhall Insignia LD60 XMK for a period of 12 months; and
- (b) That, due to the vehicle's expected mileage and being outside of the Council's policy guidelines, prior to the expiration of the 12 month period the vehicle be brought before the Regulatory Committee to consider the renewal of the licence.

15 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - APPLICATION FOR STREET TRADING CONSENT

This item was withdrawn.

The meeting ended at 10.39 am.

Subject: FEES AND CHARGES 2019/20

Meeting and Date: Licensing Committee – 13 November 2018
 Regulatory Committee – 13 November 2018
 Cabinet (for information) – 14 January 2019 (part of larger report)

Report of: Diane Croucher, Head of Regulatory Services

Decision Type: Non- Executive

Classification: Unrestricted

Purpose of the report: This report has been prepared in order to obtain formal approval for the levels of fees and charges (F&Cs) for the financial year 2019/20. These revised F&Cs will be included in the budget estimates for 2019/20. It is also requested that the fees for animal licensing are approved with immediate effect.

Recommendation:

1. The Licensing Committee approve the Fees and Charges for 2019/20 as set out in Appendix 3
2. The Regulatory Committee approve the Fees and Charges for 2019/20 as set out in Appendix 4.
3. Members approve the general principle that fees are set at an appropriate inclusive level, irrespective of VAT status, and that the VAT element within the overall fee level is then determined.
4. Members approve the general principle that, unless the fee is set by statute, licensing fees will be set on a cost recovery basis.
5. That the Head of Regulatory Services is authorised to adopt fees at, or close to government directed levels without the need for further reporting, in cases where the Council is awaiting Government guidance and it has not been possible to set a fee level at this stage.
6. That the Head of Regulatory Services be authorised in consultation with the Director of Governance and the Director of Finance, Housing and Community to make minor adjustments to the fees and charges as necessary

1. Summary

1.1 The Council's constitution specifies that F&Cs shall be reviewed annually. In order to meet this requirement all Directors / Heads of Service have been asked to review the F&Cs within their areas of responsibility and to produce recommended levels for 2019/20.

2. Introduction and Background

- 2.1 The Council's constitution specifies that F&Cs shall be reviewed annually.
- 2.2 The level of Member approval required is dependent upon the types of F&Cs raised and therefore reports have to be submitted to:
- Licensing Committee
 - Regulatory Committee
 - Planning Committee (for information only)
 - Cabinet
- 2.3 In order to meet this requirement it is proposed to submit the following reports:
- Licensing Committee - Report to meeting on 13 November 2018 of all F&Cs to be set by the Licensing Committee.
 - Regulatory Committee – Report to meeting on 13 November 2018 of all F&Cs to be set by the Regulatory Committee.
 - Planning Committee – Report (for information) to the meeting on 22 November 2018 of all F&Cs relevant to the Planning Committee.
 - Cabinet – Report to the meeting on 14 January 2019 of all F&Cs, but seeking specific approval of those F&Cs set by Cabinet.
- 2.4 Members are reminded that in 2004/05 a Member and Officer Review group developed a framework of broad guidelines to be considered in formulating proposals for F&Cs.
- 2.5 A copy of the checklist produced at that time and since updated to maintain currency, has been circulated to all Service Directors and to all officers considering F&Cs so that a rigorous and consistent approach is taken. A copy is attached at Appendix 1.
- 2.6 As in previous years, in order to assist Members, the data on F&Cs has been tabulated into a standard format that has been used for Appendices 3 and 4.

Detail and Narrative

These give a brief summary of the type of service being provided.

Set by Government

This indicates whether a charge is statutory or not. If a charge is statutory then it is effectively set by Government and although formal Member approval is still sought, there is little or no scope to make changes.

2018/19 Charge Inc VAT

The charge has been provided inclusive of VAT for two reasons. First, it shows what the customer will actually pay and is therefore more meaningful.

Second, charges for some services, especially those such as car parking, which are not simply a direct recovery of costs, are set at a level, inclusive of VAT, based on the appropriate market level. The VAT is therefore a deduction from the amount of

charge retained by DDC and is not a key factor in determining the appropriate charge. Members are asked to approve this approach.

2019/20 Proposed Charge Inc VAT

This is the recommended charge for 2019/20 and will, subject to Members' approval, be included in the 2019/20 budget.

2019/20 Total Expected Income ex VAT

This gives a broad indication as to how much income DDC is expected to receive and has been included to provide Members with a sense of the relative importance of individual charges or group of similar charges. The more significant income streams (generating over £3k) have been highlighted in **bold** type.

In some cases, the level of use is very low, or infrequent, or the service has only recently been introduced and so no level of income has been included.

Comments (inc Reason for the Change in Charges)

The licensing fees are reviewed each year as part of a rolling programme. The reviews include a detailed time/cost breakdown of each licence type. A review was planned for 2019/20 of the gambling fees, however this has had to be deferred due to changes in the legislation for animal licensing.

On 1 October 2018, a new statutory instrument came into force, namely The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. The introduction of the legislation and the guidance has triggered a national need to revise fee structures. It is therefore requested that the fees in respect of animals are adopted with immediate effect.

The in-depth review of the animal charges, incorporating the new additional inspections mid licence term, has resulted in some proposed amendments as highlighted on the relevant spreadsheet (Appendix 4). It is anticipated that next year a detailed review will be undertaken of the Gambling related licences. This review cycle will then continue to ensure a thorough review is undertaken for each licence type every 3 years.

It should be noted that the Licensing Act fees and charges (Appendix 3) are all set centrally by government.

3. Identification of Options

- 3.1 The recommended figures for consideration by Members are included in the Appendices. Members may approve these proposed figures.
- 3.2 Members may propose and approve alternative figures with reasons recorded for their decisions.

4. Evaluation of Options

4.1 The recommended fees and charges take into account the actual cost of providing the service and seek to ensure full cost recovery. This is the recommended approach.

4.2 Members should also take into account the checklist of issues to consider (at Appendix 1) when reviewing the fees and charges included in the subsequent Appendices.

5. **Resource Implications**

See Appendices.

6. **Corporate Implications**

6.1 Comment from the Director of Finance, Housing and Community (linked to the MTFP): Finance have been involved in the production of this report and have no further comment to make (NR).

6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.

6.3 Comment from the Equalities Officer: This report does not specifically highlight any equality implications however in discharging their duties members are reminded to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>

7. **Appendices**

Appendix 1 – Fees and Charges checklist

Appendices 3 & 4 – Schedule of recommended F&Cs

Contact Officers: Rebecca Pordage, Licensing Team Leader and
Natasha Rudlin, Accountancy Assistant

Fees and Charges Checklist

Corporate and Service Objectives

Are links made between charges and our corporate and service objectives and are we able to use charges to help deliver these objectives?

Users of the Service

Is there sufficient understanding of our service users and their needs and wishes?

Have we considered different pricing to specific target groups and has the potential impact of charges or the changes to existing charges been assessed?

Ensure that you consider the potential diversity and equality issues and where necessary consider and document any issues and mitigation.

Comparison with other providers

Is there a complete picture of competition and providers of similar services – including other Local Authorities?

Consultation

Has the relevant Portfolio holder been consulted and do charges meet with their aspirations and requirements?

Is wider community consultation appropriate for any of your charges? Has it been undertaken?

Performance Management

Are the principles for charges clearly defined and are clear targets set and monitored. Do we have a clear picture of what is a success?

Financial Considerations

Is the charge at a level to fully recover all costs or if is subsidised - why?

Have we considered all services for which we can / should charge a fee?

Are there any fees that we charge, that have not been included in the schedule?

Are we being radical in our approach to charging and are our charges cost effective?

Corporate Income Policy

Please ensure you adhere to the main principals of the Corporate Income Policy when setting your fees and charges.

Legal Considerations and Other Guidance

Does the Council have the power to levy the charges. Is there any ministerial or other guidance that should be taken into account?

Customer Access Review

Consider whether the CAR for your service includes any issues for specific fees.

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income ex VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income ex VAT	Fee % Change	Reasons for Change in Charges and/or Income
Licensing - D. Randall - D. Croucher - Cllr Collor									
1	Personal Licences	Grant or Renewal	Y	£37	£3,700	£37	£3,700	0%	
2	Personal Licences	Change of Name or Address	Y	£10.50	£315.00	£10.50	£52.50	0%	Reduction in income based on previous year actual.
3	Personal Licences	Theft, Loss etc.	Y	£10.50	£52.50	£10.50	£52.50	0%	
4	Premises & Club Licences	Theft, Loss etc.	Y	£10.50	£52.50	£10.50	£52.50	0%	
5	Premises & Club Licences	Change of Name or Address	Y	£10.50	£52.50	£10.50	£52.50	0%	
6	Premises & Club Licences	Change of Club Rules	Y	£10.50	£0	£10.50	£0	0%	
7	Premises & Club Licences	Vary DPS	Y	£23	£1,886	£23	£1,886	0%	
8	Premises & Club Licences	Transfer Licence	Y	£23	£621	£23	£621	0%	
9	Premises & Club Licences	Interim Authority	Y	£23	£0	£23	£0	0%	
10	Premises & Club Licences	Notification Interest	Y	£21	£21	£21	£21	0%	
11	Premises & Club Licences	Provisional Statement	Y	£315	£0	£315	£0	0%	
12	Premises & Club Licences	Minor Variation	Y	£89	£267	£89	£267	0%	
13	Premises & Club Licences	New Application & Variation NDR Band A	Y	£100	£1,000	£100	£1,000	0%	
14	Premises & Club Licences	New Application & Variation NDR Band B	Y	£190	£2,090	£190	£2,090	0%	
15	Premises & Club Licences	New Application & Variation NDR Band C	Y	£315	£630	£315	£630	0%	
16	Premises & Club Licences	New Application & Variation NDR Band D	Y	£450	£0	£450	£0	0%	
17	Premises & Club Licences	New Application & Variation NDR Band E	Y	£635	£0	£635	£0	0%	
18	Premises & Club Licences	Annual Fee NDR Band A	Y	£70	£6,300	£70	£6,300	0%	
19	Premises & Club Licences	Annual Fee NDR Band B	Y	£180	£54,000	£180	£54,000	0%	
20	Premises & Club Licences	Annual Fee NDR Band C	Y	£295	£12,390	£295	£12,390	0%	

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income ex VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income ex VAT	Fee % Change	Reasons for Change in Charges and/or Income
21	Premises & Club Licences	Annual Fee NDR Band D	Y	£320	£3,520	£320	£3,520	0%	
22	Premises & Club Licences	Annual Fee NDR Band E	Y	£350	£2,800	£350	£2,800	0%	
23	Large Scale Events	New Application & Variation. Number in Attendance at any one time: 5,000 to 9,999	Y	£1,000	£0	£1,000	£0	0%	
24	Large Scale Events	New Application & Variation. Number in Attendance at any one time: 10,000 to 14,999	Y	£2,000	£0	£2,000	£0	0%	
25	Large Scale Events	New Application & Variation. Number in Attendance at any one time: 15,000 to 19,999	Y	£4,000	£0	£4,000	£0	0%	
26	Large Scale Events	New Application & Variation. Number in Attendance at any one time: 20,000 to 29,999	Y	£8,000	£0	£8,000	£0	0%	
27	Large Scale Events	New Application & Variation. Number in Attendance at any one time: 30,000 to 39,999	Y	£16,000	£0	£16,000	£0	0%	
28	Large Scale Events	New Application & Variation. Number in Attendance at any one time: 40,000 to 49,999	Y	£24,000	£0	£24,000	£0	0%	
29	Large Scale Events	New Application & Variation. Number in Attendance at any one time: 50,000 to 59,999	Y	£32,000	£0	£32,000	£0	0%	
30	Large Scale Events	New Application & Variation. Number in Attendance at any one time: 60,000 to 69,999	Y	£40,000	£0	£40,000	£0	0%	
31	Large Scale Events	New Application & Variation. Number in Attendance at any one time: 70,000 to 79,999	Y	£48,000	£0	£48,000	£0	0%	
32	Large Scale Events	New Application & Variation. Number in Attendance at any one time: 80,000 to 89,999	Y	£56,000	£0	£56,000	£0	0%	

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income ex VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income ex VAT	Fee % Change	Reasons for Change in Charges and/or Income
33	Large Scale Events	New Application & Variation. Number in Attendance at any one time: 90,000 and over	Y	£64,000	£0	£64,000	£0	0%	
34	Large Scale Events	Annual Fee 5,000 to 9,999	Y	£500	£0	£500	£0	0%	
35	Large Scale Events	Annual Fee 10,000 to 14,999	Y	£1,000	£0	£1,000	£0	0%	
36	Large Scale Events	Annual Fee 15,000 to 19,999	Y	£2,000	£0	£2,000	£0	0%	
37	Large Scale Events	Annual Fee 20,000 to 29,999	Y	£4,000	£0	£4,000	£0	0%	
38	Large Scale Events	Annual Fee 30,000 to 39,999	Y	£8,000	£0	£8,000	£0	0%	
39	Large Scale Events	Annual Fee 40,000 to 49,999	Y	£12,000	£0	£12,000	£0	0%	
40	Large Scale Events	Annual Fee 50,000 to 59,999	Y	£16,000	£0	£16,000	£0	0%	
41	Large Scale Events	Annual Fee 60,000 to 69,999	Y	£20,000	£0	£20,000	£0	0%	
42	Large Scale Events	Annual Fee 70,000 to 79,999	Y	£24,000	£0	£24,000	£0	0%	
43	Large Scale Events	Annual Fee 80,000 to 89,999	Y	£28,000	£0	£28,000	£0	0%	
44	Large Scale Events	Annual fee 90,000 and over	Y	£32,000	£0	£32,000	£0	0%	
45	Temporary Event Notices	New Notice	Y	£21	£5,250	£21	£6,006	0%	
46	Temporary Event Notices	Theft, Loss etc.	Y	£10.50	£0.00	£10.50	£0.00	0%	
47	Small Society Lotteries	Registration Fee	Y	£40	£480	£40	£480	0%	
48	Small Society Lotteries	Annual Fee	Y	£20	£1,400	£20	£1,400	0%	

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income inc VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income inc VAT	Fee % Change	Reasons for Change in Charges and/or Income
Licensing - D. Randall - D. Croucher - Cllr Collor									
49	Bingo Club	Licence Application	N	£3,500	£0	£3,500	£0	0%	
50	Bingo Club	Annual Fee	N	£950	£1,900	£950	£1,900	0%	
51	Bingo Club	Application to Vary	N	£1,750	£0	£1,750	£0	0%	
52	Bingo Club	Application to Transfer	N	£1,200	£0	£1,200	£0	0%	
53	Bingo Club	Application for Reinstatement	N	£1,200	£0	£1,200	£0	0%	
54	Bingo Club	Application for Provisional Statement	N	£3,500	£0	£3,500	£0	0%	
55	Bingo Club	Licence Application (Provisional Statement Holders)	N	£1,200	£0	£1,200	£0	0%	
56	Bingo Club	Copy of Licence	N	£25	£0	£25	£0	0%	
57	Bingo Club	Notification of Change	N	£50	£0	£50	£0	0%	
58	Betting Premise (excluding Tracks)	Licence Application	N	£3,000	£0	£3,000	£0	0%	
59	Betting Premise (excluding Tracks)	Annual Fee	N	£575	£6,325	£575	£6,900	0%	
60	Betting Premise (excluding Tracks)	Application to Vary	N	£1,250	£0	£1,250	£0	0%	
61	Betting Premise (excluding Tracks)	Application to Transfer	N	£1,200	£0	£1,200	£0	0%	
62	Betting Premise (excluding Tracks)	Application for Reinstatement	N	£1,200	£0	£1,200	£0	0%	
63	Betting Premise (excluding Tracks)	Application for Provisional Statement	N	£3,000	£0	£3,000	£0	0%	

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income inc VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income inc VAT	Fee % Change	Reasons for Change in Charges and/or Income
64	Betting Premise (excluding Tracks)	Licence Application (Provisional Statement Holders)	N	£1,200	£0	£1,200	£0	0%	
65	Betting Premise (excluding Tracks)	Copy of Licence	N	£25	£0	£25	£0	0%	
66	Betting Premise (excluding Tracks)	Notification of Change	N	£50	£0	£50	£0	0%	
67	Track	Licence Application	N	£2,500	£0	£2,500	£0	0%	
68	Track	Annual Fee	N	£950	£0	£950	£0	0%	
69	Track	Application to Vary	N	£1,250	£0	£1,250	£0	0%	
70	Track	Application to Transfer	N	£950	£0	£950	£0	0%	
71	Track	Application for Reinstatement	N	£950	£0	£950	£0	0%	
72	Track	Application for Provisional Statement	N	£2,500	£0	£2,500	£0	0%	
73	Track	Licence Application (Provisional Statement Holders)	N	£950	£0	£950	£0	0%	
74	Track	Copy of Licence	N	£25	£0	£25	£0	0%	
75	Track	Notification of Change	N	£50	£0	£50	£0	0%	
76	Family Entertainment Centre	Licence Application	N	£2,000	£0	£2,000	£0	0%	
77	Family Entertainment Centre	Annual Fee	N	£725	£1,450	£725	£2,175	0%	
78	Family Entertainment Centre	Application to Vary	N	£1,000	£0	£1,000	£0	0%	

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income inc VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income inc VAT	Fee % Change	Reasons for Change in Charges and/or Income
79	Family Entertainment Centre	Application to Transfer	N	£950	£0	£950	£0	0%	
80	Family Entertainment Centre	Application for Reinstatement	N	£950	£0	£950	£0	0%	
81	Family Entertainment Centre	Application for Provisional Statement	N	£2,000	£0	£2,000	£0	0%	
82	Family Entertainment Centre	Licence Application (Provisional Statement Holders)	N	£950	£0	£950	£0	0%	
83	Family Entertainment Centre	Copy of Licence	N	£25	£0	£25	£0	0%	
84	Family Entertainment Centre	Notification of Change	N	£50	£0	£50	£0	0%	
85	Adult Gaming Centre	Licence Application	N	£2,000	£0	£2,000	£0	0%	
86	Adult Gaming Centre	Annual Fee	N	£950	£4,750	£950	£4,750	0%	
87	Adult Gaming Centre	Application to Vary	N	£1,000	£0	£1,000	£0	0%	
88	Adult Gaming Centre	Application to Transfer	N	£1,200	£0	£1,200	£0	0%	
89	Adult Gaming Centre	Application for Reinstatement	N	£1,200	£0	£1,200	£0	0%	
90	Adult Gaming Centre	Application for Provisional Statement	N	£2,000	£0	£2,000	£0	0%	
91	Adult Gaming Centre	Licence Application (Provisional Statement Holders)	N	£1,200	£0	£1,200	£0	0%	
92	Adult Gaming Centre	Copy of Licence	N	£25	£0	£25	£0	0%	
93	Adult Gaming Centre	Notification of Change	N	£50	£0	£50	£0	0%	

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income inc VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income inc VAT	Fee % Change	Reasons for Change in Charges and/or Income
94	New Small Casino	Licence Application	N	£8,000	£0	£8,000	£0	0%	
95	New Small Casino	Annual Fee	N	£5,000	£0	£5,000	£0	0%	
96	New Small Casino	Application to Vary	N	£4,000	£0	£4,000	£0	0%	
97	New Small Casino	Application to Transfer	N	£1,800	£0	£1,800	£0	0%	
98	New Small Casino	Application for Reinstatement	N	£1,800	£0	£1,800	£0	0%	
99	New Small Casino	Application for Provisional Statement	N	£8,000	£0	£8,000	£0	0%	
100	New Small Casino	Licence Application (Provisional Statement Holders)	N	£3,000	£0	£3,000	£0	0%	
101	New Small Casino	Copy of Licence	N	£25	£0	£25	£0	0%	
102	New Small Casino	Notification of Change	N	£50	£0	£50	£0	0%	
103	New Large Casino	Licence Application	N	£10,000	£0	£10,000	£0	0%	
104	New Large Casino	Annual Fee	N	£10,000	£0	£10,000	£0	0%	
105	New Large Casino	Application to Vary	N	£5,000	£0	£5,000	£0	0%	
106	New Large Casino	Application to Transfer	N	£2,150	£0	£2,150	£0	0%	
107	New Large Casino	Application for Reinstatement	N	£2,150	£0	£2,150	£0	0%	
108	New Large Casino	Application for Provisional Statement	N	£10,000	£0	£10,000	£0	0%	
109	New Large Casino	Licence Application (Provisional Statement Holders)	N	£5,000	£0	£5,000	£0	0%	

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income inc VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income inc VAT	Fee % Change	Reasons for Change in Charges and/or Income
110	New Large Casino	Copy of Licence	N	£25	£0	£25	£0	0%	
111	New Large Casino	Notification of Change	N	£50	£0	£50	£0	0%	
112	Regional Casino	Licence Application	N	£15,000	£0	£15,000	£0	0%	
113	Regional Casino	Annual Fee	N	£15,000	£0	£15,000	£0	0%	
114	Regional Casino	Application to Vary	N	£7,500	£0	£7,500	£0	0%	
115	Regional Casino	Application to Transfer	N	£6,500	£0	£6,500	£0	0%	
116	Regional Casino	Application for Reinstatement	N	£6,500	£0	£6,500	£0	0%	
117	Regional Casino	Application for Provisional Statement	N	£15,000	£0	£15,000	£0	0%	
118	Regional Casino	Licence Application (Provisional Statement Holders)	N	£8,000	£0	£8,000	£0	0%	
119	Regional Casino	Copy of Licence	N	£25	£0	£25	£0	0%	
120	Regional Casino	Notification of Change	N	£50	£0	£50	£0	0%	
121	Temporary Use Notice	Application Fee	Y	£500	£0	£500	£0	0%	
122	Alcohol Licences Premises	Permit Application Fee (2 or less Machines)	Y	£50	£250	£50	£150	0%	
123	Alcohol Licences Premises	Permit Application Fee (3+ Machines)	Y	£150	£0	£150	£0	0%	
124	Alcohol Licences Premises	Permit Annual Fee (3+ Machines)	Y	£50	£150	£50	£550	0%	Based on current year actual
125	Family Entertainment Centre Unlicensed	Permit Application Fee	Y	£300	£0	£300	£0	0%	
126	Family Entertainment Centre Unlicensed	Permit Renewal Fee (Permits last for a period of 10 years)	Y	£300	£0	£300	£0	0%	

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income inc VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income inc VAT	Fee % Change	Reasons for Change in Charges and/or Income
127	Prize Gaming	Permit Application Fee	Y	£300	£0	£300	£0	0%	
128	Prize Gaming	Permit Renewal Fee	Y	£300	£0	£300	£0	0%	
129	Club Gaming	Permit Application Fee	Y	£200	£0	£200	£0	0%	
130	Club Gaming	Permit Annual Fee	Y	£50	£100	£50	£50	0%	
131	Club Gaming	Permit Renewal Fee (due every 10 years)	Y	£200	£0	£200	£0	0%	
132	Club Gaming Machine	Permit Application Fee	Y	£200	£0	£200	£0	0%	
133	Club Gaming Machine	Permit Annual Fee	Y	£50	£250	£50	£300	0%	
134	Club Gaming Machine	Permit Renewal Fee	Y	£200	£0	£200	£0	0%	
135	Club Fast-track for Gaming Permit or Gaming Machine Permit	Permit Application Fee	Y	£100	£0	£100	£0	0%	
136	Club Fast-track for Gaming Permit or Gaming Machine Permit	Permit Annual Fee	Y	£50	£0	£50	£0	0%	
137	Gaming Machine Permit	Annual Fee	Y	£100	£0	£100	£0	0%	
138	Provision of Gambling	Copy Licence	Y	£0	£0	£0	£0	0%	
139	Provision of Gambling	Notification of Change	Y	£0	£0	£0	£0	0%	

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income ex VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income ex VAT	Fee % Change	Reasons for Change in Charges and/or Income
Licensing - D. Randall - D. Croucher - Cllr Collor									
1	Acupuncture	Premise Registration	N	£205	£720	£205	£720	0%	
2	Acupuncture	Additional Practitioner	N	£90		£90		0%	
3	Acupuncture	Minor Variation	N	£50		£50		0%	
4	Cosmetic Piercing	Premise Registration	N	£205		£205		0%	
5	Cosmetic Piercing	Additional Practitioner	N	£90		£90		0%	
6	Cosmetic Piercing	Minor Variation	N	£50		£50		0%	
7	Ear Piercing	Premise Registration	N	£205		£205		0%	
8	Ear Piercing	Additional Practitioner	N	£90		£90		0%	
9	Ear Piercing	Minor Variation	N	£50		£50		0%	
10	Electrolysis	Premise Registration	N	£205		£205		0%	
11	Electrolysis	Additional Practitioner	N	£90		£90		0%	
12	Electrolysis	Minor Variation	N	£50		£50		0%	
13	Semi-permanent Skin-colouring	Premise Registration	N	£205		£205		0%	
14	Semi-permanent Skin-colouring	Additional Practitioner	N	£90		£90		0%	
15	Semi-permanent Skin-colouring	Minor Variation	N	£50		£50		0%	
16	Tattooing	Premise Registration	N	£205		£205		0%	
17	Tattooing	Additional Practitioner	N	£90		£90		0%	
18	Tattooing	Minor Variation	N	£50		£50		0%	

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income ex VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income ex VAT	Fee % Change	Reasons for Change in Charges and/or Income
19	Animal Licensing	Boarding Establishments (new application) Plus vet fees (initial visit). NOTE: £186 Non refundable to be submitted with application, a further £129 is due if application is approved to cover regulation.	N	£242	£3,456	£315	£7,830	30%	New legislative regime commencing 1st October 2018 under Animal Welfare (Licensing of activities involving animals) Regulations 2018. Every premise must now be inspected upon initial application/ renewal AND to receive an ad hoc inspection mid term (except hiring of horses). Fees have been calculated on a cost recovery business taking into account officer time (administrative and inspection related)
20	Animal Licensing	Boarding Establishments (renewal)	N	£192		£290		51%	
21	Animal Licensing	Home Boarding (new application) Plus vet fees (initial visit). NOTE: £186 Non refundable to be submitted with application, a further £129 is due if application is approved to cover regulation.	N	£181	£705	£315		74%	
22	Animal Licensing	Home Boarding (renewal)	N	£141		£290	106%		
23	Animal Licensing	Dog Breeding Establishments (New application) Plus vet fees (initial visit). NOTE: £186 Non refundable to be submitted with application, a further £129 is due if application is approved to cover regulation.	N	£251	£482	£315	£2,320	25%	
24	Animal Licensing	Dog Breeding Establishments (renewal)	N	£241		£290	20%		
25	Animal Licensing	Dangerous Wild Animals (new application) Plus Vet fees. NOTE: £182 Non refundable to be submitted with application, a further £68 is due if application is approved to cover regulation.	N	£250	£211	£250	£211	0%	
26	Animal Licensing	Dangerous Wild Animals (renewal) (every 2 years)	N	£211		£211		0%	
27	Animal Licensing	Performing Animals New legislation requires 3 yearly licensing. Plus Vet fees. NOTE: £302 Non refundable to be submitted with application, a further £180 is due if application is approved to cover regulation.	N	£235	£0	£482	£0	105%	

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income ex VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income ex VAT	Fee % Change	Reasons for Change in Charges and/or Income
28	Animal Licensing	Selling of Animals as Pets (previously Pet Shops) (new application) Re-titled - Selling of Animals as Pets. Plus vet fees (initial visit). Plus vet fees (initial visit). NOTE: £188 Non refundable to be submitted with application, a further £99 is due if application is approved to cover regulation	N	£221	£1,158	£287	£1,225	30%	New legislative regime commencing 1st October 2018 under Animal Welfare (Licensing of activities involving animals) Regulations 2018. Every premise must now be inspected upon initial application/ renewal AND to receive an ad hoc inspection mid term (except hiring of horses). Fees have been calculated on a cost recovery business taking into account officer time (administrative and inspection related)
29	Animal Licensing	Selling of Animals as Pets (previously Pet Shops) (renewal)	N	£193		£245		27%	
30	Animal Licensing	Hiring out of Horses (previously Horse Riding Establishments) (New application) Re-titled - Hiring out of Horses. Plus Vet fees. NOTE: £284 Non refundable to be submitted with application, a further £41 is due if application is approved to cover regulation.	N	£311	£1,694	£325	£1,410	5%	
31	Animal Licensing	Hiring out of Horses (previously Horse Riding Establishments) (renewal)	N	£242		£282		17%	
32	Animal Licensing	Zoos (new application) Plus Vet fees. NOTE: £755 Non refundable to be submitted with application, a further £133 is due if application is approved to cover regulation.	N	£888	£0	£888	£0	0%	
33	Animal Licensing	Zoos (renewal) (every 6 years)	N	£719		£719		0%	
34	Street Trading Consent	Grant £302 Non refundable to be submitted with application, a further £192 is due if application is approved to cover regulation.	N	£494	£0	£494	£0	0%	
35	Street Trading Consent	Annual renewal	N	£229	£1,374	£229	£1,374	0%	
36	Street Trading Consent	Occasional	N	£130	£0	£130	£0	0%	

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income ex VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income ex VAT	Fee % Change	Reasons for Change in Charges and/or Income
37	Street Trading Consent	Occasional Street Market Up to 25 stalls then £10 per stall thereafter	N	£200	£1,000	£200	£1,000	0%	
38	Street Trading Consent	Pavement Permit (New) - Tables & Chairs	N	£75	£150	£75	£150	0%	
39	Street Trading Consent	Pavement Permit (Renewal) - Tables & Chairs	N	£35	£980	£35	£770	0%	
40	Sexual Entertainment Venue	Grant NOTE: £2167 Non refundable to be submitted with application, a further £1083 is due if application is approved to cover regulation.	N	£3,250	£0	£3,250	£0	0%	

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income ex VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income ex VAT	Fee % Change	Reasons for Change in Charges and/or Income
41	Sexual Entertainment Venue	Renewal, Transfer or Variation NOTE: £1484 Non refundable to be submitted with application, a further £741 is due if application is approved to cover regulation.	N	£2,225	£0	£2,225	£0	0%	
42	Boat Licence	Grant	N	£158	£0	£158	£0	0%	
43	Boat Licence	Renewal or Transfer	N	£135	£405	£135	£405	0%	
44	Hypnotism Performance	Grant	N	£50	£0	£50	£0	0%	
45	Scrap Metal Dealer	Site Licence Grant	N	£172	£0	£172	£0	0%	
46	Scrap Metal Dealer	Site Licence Variation	N	£50	£0	£50	£0	0%	
47	Scrap Metal Dealer	Site Licence Renewal	N	£154	£0	£154	£1,078	0%	
48	Scrap Metal Dealer	Collectors Licence Grant	N	£171	£0	£171	£0	0%	
49	Scrap Metal Dealer	Collectors Licence Variation	N	£50	£0	£50	£0	0%	
50	Scrap Metal Dealer	Collectors Licence Renewal	N	£159	£255	£159	£0	0%	

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income ex VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income ex VAT	% Change	Reasons for Change in Charges and/or Income
Licensing - D. Randall - D. Croucher - Cllr Collor									
51	Hackney Carriage & Private Hire (If vehicle is wheelchair accessible there is a 10% reduction in fee)	Hackney Carriage Vehicle Annual Licence (Grant and Renewal)	N	£327	£22,080	£327	£22,563	0%	Based on 69 HC vehicles
52	Hackney Carriage & Private Hire (If vehicle is wheelchair accessible there is a 10% reduction in fee)	Private Hire Vehicle Annual Licence (Grant and Renewal) No part of this fee is refundable in the event that the application is not approved or the vehicle is delicensed for any reason during the licence period.	N	£259	£33,012	£259	£32,634	0%	
53	Hackney Carriage & Private Hire	Unmet Demand Survey Included within Grant / renewal Fee	N	£0	£0	£0	£0	0%	
54	Hackney Carriage & Private Hire	Licence Transfer Following Change of Vehicle	N	£54	£2,800	£54	£2,800	0%	
55	Hackney Carriage & Private Hire	Change of Vehicle ownership	N	£21	£42	£21	£42	0%	

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income ex VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income ex VAT	% Change	Reasons for Change in Charges and/or Income
Licensing - D. Randall - D. Croucher - Cllr Collor									
56	Hackney Carriage & Private Hire	Joint Hackney Carriage Private Hire Driver: 1 year (Grant) No part of this fee is refundable in the event that the application is not approved or the driver is delicensed for any reason during the Licence period.	N	£124		£124		0%	
57	Hackney Carriage & Private Hire	Joint Hackney Carriage Private Hire Driver: 1 year (Renewal) No part of this fee is refundable in the event that the application is not approved or the driver is delicensed for any reason during the Licence period.	N	£110		£110		0%	
58	Hackney Carriage & Private Hire	Joint Hackney Carriage Private Hire Driver: 3 year (Grant) The first year (£124) is non refundable in the event that the application is not approved or the driver is delicensed for any reason during the Licence period. Any further refunds will be dealt with on a case by case basis.	N	£293	£10,000	£293	£10,000	0%	

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income ex VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income ex VAT	% Change	Reasons for Change in Charges and/or Income
Licensing - D. Randall - D. Croucher - Cllr Collor									
59	Hackney Carriage & Private Hire	<p>Joint Hackney Carriage Private Hire Driver: 3 year (Renewal)</p> <p>The first year (£110) is non refundable in the event that the application is not approved or the driver is delicensed for any reason during the Licence period. Any further refunds will be dealt with on a case by case basis.</p>	N	£279		£279		0%	
60	Hackney Carriage & Private Hire	DBS Disclosure (formerly CRB)	N	£44	£4,820	£44	£4,400	0%	
61	Hackney Carriage & Private Hire	Knowledge Test	N	£0	£0	£0	£0	0%	
62	Hackney Carriage & Private Hire	Vehicle Plate	N	£17	£170	£17	£170	0%	
63	Hackney Carriage & Private Hire	Vehicle Plate holder	N	£15	£75	£15	£15	0%	

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income ex VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income ex VAT	% Change	Reasons for Change in Charges and/or Income
Licensing - D. Randall - D. Croucher - Cllr Collor									
64	Private Hire Operator	Operators Licence for PH Vehicles Only (not Hackney) (1 year Licence) 1 to 5 vehicles 1 year licence only available in exceptional circumstances. No part of this fee is refundable in any the event.	N	£90		£90		0%	
65	Private Hire Operator	Operators Licence for PH Vehicles Only (not Hackney) (1 year Licence) 6 to 10 vehicles 1 year licence only available in exceptional circumstances. No part of this fee is refundable in any the event.	N	£144		£144		0%	
66	Private Hire Operator	Operators Licence for PH Vehicles Only (not Hackney) (1 year Licence) Over 10 vehicles 1 year licence only available in exceptional circumstances. No part of this fee is refundable in any the event.	N	£197		£197		0%	
67	Private Hire Operator	Operators Licence for PH Vehicles Only (not Hackney) (Licence lasts 5 years) 1 to 5 vehicles Licence lasts 5 years. The first year (£90) is non refundable in any event. Refunds will be considered in subsequent years if the licenced is surrendered or revoked during the period of the licence.	N	£364	£7,385	£364	£810	0%	Reduced anticipated income as majority of licences now last 5 years. Currently only 9 are due in the period 2019-2020.

Fees and Charges 2019/20

				2018/19	2018/19	2019/20	2019/20		
	Detail	Narrative	Set by Govt? Y/N	Approved Charges inc VAT	Total Expected Income ex VAT	Proposed Charges inc VAT (where applicable)	Total Expected Income ex VAT	% Change	Reasons for Change in Charges and/or Income
Licensing - D. Randall - D. Croucher - Cllr Collor									
68	Private Hire Operator	Operators Licence for PH Vehicles Only (not Hackney) (Licence lasts 5 years) 6 to 10 vehicles Licence lasts 5 years. The first year (£144) is non refundable in any event. Refunds will be considered in subsequent years if the licenced is surrendered or revoked during the period of the licence.	N	£631		£631		0%	
69	Private Hire Operator	Operators Licence for PH Vehicles Only (not Hackney) (Licence lasts 5 years) 11 or more vehicles Licence lasts 5 years. The first year (£197) is non refundable in any event. Refunds will be considered in subsequent years if the licenced is surrendered or revoked during the period of the licence.	N	£898		£898		0%	
70	Private Hire Operator	Variation to Operators Licence (within band) for PH Vehicles	N	30		£30.00		0%	
71	Private Hire Operator	Variation to Operators Licence (outside of band) for PH Vehicles The additional charge for the new band will also be payable.	N	30	£0.00	£30.00	£0.00	0%	

DOVER DISTRICT COUNCIL

REGULATORY COMMITTEE – 13 NOVEMBER 2018

EXCLUSION OF THE PRESS AND PUBLIC

Recommendation

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the remainder of the business on the grounds that the items to be considered involve the likely disclosure of exempt information as defined in the paragraph of Part I of Schedule 12A of the Act set out below:

<u>Item Report</u>	<u>Paragraph Exempt</u>	<u>Reason</u>
Item 7 – Local Government (Miscellaneous Provisions) Act 1976 – Application for a Hackney Carriage and Private Hire Driver’s Licence	1	Information relating to any individual

DOVER DISTRICT COUNCIL

REGULATORY COMMITTEE PROCEDURE FOR HEARINGS LICENSING OF A DRIVER, VEHICLES AND OPERATORS

INTRODUCTIONS AND PRELIMINARIES		
1	Chairman	The Chairman invites all present to introduce themselves.
2	Chairman	The Chairman advises the applicant of the reason for the Hearing and the procedure.
3	Legal Adviser	The applicant is asked to confirm receipt of: <ul style="list-style-type: none"> • the agenda • Licensing Officer's report • Council's policy guidelines • procedure for hearing • extract from the Rehabilitation of Offenders Act 1974
HEARING		
3	Licensing Officer	The Licensing Officer: <ul style="list-style-type: none"> • presents the Licensing Officer's report • summarises any issues
4	Licensing Officer	The Licensing Officer may call any witnesses. Each witness in turn: <ul style="list-style-type: none"> • will give evidence • may be questioned by the applicant or applicant's representatives • may be questioned by the Committee • may, if necessary, be re-questioned by the Licensing Officer
5	Applicant or applicant's representative	The applicant is asked to present his/her case and any particular issues (including whether the applicant accepts the facts presented or wishes to correct them).
6	Applicant or applicant's representative	The applicant or the applicant's representative may call any witnesses (including the applicant themselves). Each witness in turn: <ul style="list-style-type: none"> • will give evidence • may be questioned by the Licensing Officer • may be questioned by the Committee • may, if necessary, be re-questioned by the applicant/applicant's representative.
7	Members of the Committee	The Committee may ask further questions of any of the parties or any witnesses for the purpose of obtaining further relevant information or clarification.
8	Licensing Officer	The Licensing Officer may give their final submission.
9	Applicant or applicant's representative	The applicant/applicant's representative may give their final submission.

DETERMINATION		
10	Committee members/Legal Adviser	The Committee will withdraw to consider its determination. The Legal Adviser may be requested by the Chairman to accompany the Committee.
10	Committee members	If the Committee requires any further information from any party or any further evidence, all parties will be recalled and the meeting reconvened. Any Member of the Committee who has not been present during the whole of the proceedings must not take part in the decision making.
11	Legal Adviser	Any legal advice given to the Committee in private will be summarised to the Applicant.
12	Chairman	The decision of the Committee is given to all parties. In the event of a decision to refuse, suspend or revoke an application, the applicant is told that he/she has the right of appeal through the Magistrates Court and then to the Crown Court.

NOTES

1. The opportunities given to the parties within this procedure to ask questions should be used only for that purpose - to ask questions. The person asking the question will not be allowed to use this right as an opportunity to make statements.

2. Members of the Committee are, as a general rule, expected to ask questions of the various parties in accordance with this procedure. However circumstances may arise where it is desirable for a Member to seek immediate clarification or a point made by a witness or by a party during the course of giving evidence, answering questions being put to him by another party or making a submission. This should be permitted by the Chairman provided that the question is relevant and is conducive to the proper conduct of the hearing. Where additional questions are permitted after the Applicant's case has been summed up, the Applicant or his/her representative will always be given the final right of reply.

3. Under no circumstances must the parties or their witnesses offer members of the Committee information in the absence of the other party. Similarly Members must not attempt to gain information from any party at the hearing in the absence of the other. These are essential requirements of the proper application of the rules of natural justice.

4. The Chairman may vary this procedure as circumstances require but having full regard to adhering to the rules of natural justice.

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item No 7

Document is Restricted

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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