

# Licensing Committee

## Agenda

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<b>Date:</b>	<b>Wednesday 8th June 2011</b>
<b>Time:</b>	<b>10.00 am</b>
<b>Venue:</b>	<b>Council Chamber - Town Hall, Macclesfield, SK10 1DX</b>

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda.

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a total period of 10 minutes is allocated for members of the public to address the Committee on any matter relevant to the work of the Committee.

Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers.

Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

4. **Minutes of Previous Meeting** (Pages 1 - 6)

To approve the minutes of the meeting held on 7 March 2011.

5. **Minutes of Licensing Sub-Committees** (Pages 7 - 32)

To receive the minutes of the following meetings:

**Licensing Act Sub-Committee**

14 March 2011

17 March 2011

7 April 2011

**General Licensing Sub-Committee**

21 February 2011

3 March 2011

28 March 2011

11 April 2011

28 April 2011

6. **Proposed Variation to Hackney Carriage 'Table of Fares'** (Pages 33 - 50)

To consider a report on the responses received in relation to proposals to vary the 'table of fares' applicable in each of the three hackney carriage zones.

7. **Licence Fees - Hackney Carriage and Private Hire Vehicles, Drivers and Operators** (Pages 51 - 58)

To consider a report on the responses received to proposals to vary the licence fees payable in connection with licences for hackney carriage and private hire drivers, vehicles and operators

**THERE ARE NO PART 2 ITEMS**

**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Licensing Committee**  
held on Monday, 7th March, 2011 at Committee Suite 1, 2 & 3, Westfields,  
Middlewich Road, Sandbach CW11 1HZ

**PRESENT**

Councillor P Whiteley (Chairman)  
Councillor B H Dykes (Vice-Chairman)

Councillors C Andrew, Rhoda Bailey, W T Beard, H Davenport, W S Davies,  
L Gilbert, J Goddard, M Parsons, A Ranfield, C Tomlinson and J Wray

**OFFICERS IN ATTENDANCE**

Mrs K Khan, Solicitor  
Mr D Hawkes, Team Leader Investigations  
Mrs J Zientek, Democratic Services Officer

**Apologies**

Councillors D Bebbington and M Hardy

**28 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**29 PUBLIC SPEAKING TIME/OPEN SESSION**

In accordance with Procedure Rules 11 and 35, four members of the public addressed the meeting.

Mr A Thompson addressed the Committee in relation to the testing of stretched limousines.

Dr L Brown addressed the Committee in relation to Item 6: Sexual Entertainment Venues – Schedule 3 Local Government (Miscellaneous Provisions) Act 1982 (as amended).

Mr P Roberts and Mr D Wilcock addressed the Committee in relation to Item 7: Review of Hackney Carriage Service.

Note: With the agreement of the Chairman, Dr Brown, Mr Roberts and Mr Wilcock spoke following the Chairman's introduction of the relevant items of business.

**30 MINUTES OF PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting held on 10 January 2011 be approved as a correct record and signed by the Chairman.

**31 MINUTES OF LICENSING SUB-COMMITTEES**

RESOLVED – That the minutes of the Licensing Act Sub-Committee meeting held on 10 January 2011 and the General Licensing Sub-Committee meeting held on 2 February 2011 be received.

**32 SEXUAL ENTERTAINMENT VENUES - SCHEDULE 3 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 (AS AMENDED)**

The Committee considered a report regarding the responses received following a further period of consultation on the draft policy on the licensing of sexual entertainment venues, which had been amended by the Committee at its meeting on 10 January 2011.

As requested by the Committee at its meeting on 10 January 2011, the report also detailed the time and costs involved in the processing of applications for sexual entertainment licences.

RESOLVED

(a) That the draft policy on the licensing of sexual entertainment venues be approved, subject to the following amendments:

- (1) that the words 'application for a licence' in the last sentence of condition 16(a) be replaced with 'first application for a licence and any current version with any subsequent application for grant, renewal, transfer or variation of a licence.'
- (2) that condition 21 be amended to read: 'Performers not currently performing shall not be in any public part of the Premises in a state of undress.'
- (3) that condition 34 be amended to read as follows:

'The Licence Holder shall at all times keep and maintain at the Premises a written record of the names, *home* addresses, dates of birth *and National Insurance number* of all persons employed within the licensed premises whether upon a full time or part time basis, and shall upon request by an authorised officer of the Council make such records available for inspection to him.'

- (4) that in paragraph 17 of the committee procedure 'of' be amended to 'or'.

- (5) that the committee procedure be amended to clarify that representatives of an objector may include an MP, local Councillor, legal representative or a friend, and to add to paragraph 1 the requirement for the Chairman to consider any request made by a party for another person to appear at the hearing.
- (b) That the fee levels in relation to sexual entertainment venue applications be as follows:
  - new applications : £2,280
  - renewal applications : £1,140
  - transfer applications : £500
  - variation applications. £2,280

### **33 REVIEW OF HACKNEY CARRIAGE SERVICE**

The Committee considered a report detailing the results of a consultation exercise which had been undertaken in relation to the hackney carriage service within the Borough.

The consultation document had requested views on the number and location of taxi ranks throughout the Borough, and future policy in relation to the numbers of hackney carriages, the tables of hackney carriage fares and the hackney carriage vehicle conditions within each of the three zones.

#### **RESOLVED**

- (a) That it be recommended to Cabinet or the Cabinet Member for Safer & Stronger Communities that an unmet demand survey be commissioned in all three of the hackney carriage zones.
- (b) That fares in each of the three hackney carriage zones within the Borough be increased by 10%, and that the Borough Solicitor, or an officer acting on her behalf, be authorised to publish notice of the proposals in each of the three zones, making provision for any objections to be submitted within the statutory consultation period of fourteen days; and
- (c) That, if no objections are received within the statutory consultation period, or if any objections that are received are withdrawn, the table of fares will come into operation in each of the three zones on the date of the expiration of the consultation period; and
- (d) That it be noted that if objections are received and not withdrawn, these will be reported to a future meeting of the Licensing Committee for consideration.

- (e) That officers be requested to produce a draft set of hackney carriage vehicle conditions for each of the three zones, based on the existing private hire vehicle specification, to include a requirement that all new hackney carriages be wheelchair accessible and provision for the increased testing of vehicles rather than an age limit for vehicles. The draft conditions, together with information on the testing of trailers and tinted windows, to be considered at a future meeting of the Committee; and
- (f) That officers be requested to draft vehicle test guidelines which reflect the requirements of the draft conditions, for consideration at a future meeting of the Committee.
- (g) That the Cabinet Member for Safer & Stronger Communities be recommended to authorise the Borough Solicitor, or officer acting on her behalf, to provide notice in accordance with the requirements of section 63 of the 1976 Act, in relation to the proposed variation of hackney carriage stands set out within paragraph 10.5 of the report; and
- (h) That officers be authorised to seek the consent of the Highway Authority in relation to the proposed variation to hackney carriage stands set out within paragraph 10.5 of the report; and
- (i) That it be noted that, subject to the consent of the Highway Authority being received, if no objections or representations are received within the statutory consultation period, the variation to the hackney carriage stands will come into effect on the day after the last day of the consultation period; and
- (j) That it be noted that if objections or representations are received within the statutory consultation period, these will be reported to a future meeting for consideration.
- (k) That officers be authorised to engage in discussions with the Highway Authority about the location and number of taxi ranks in each of the three hackney carriage zones.

#### **34 LICENCE FEES - HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES, DRIVERS AND OPERATORS**

The Committee considered a report regarding the fees charged by the Council for licences relating to hackney carriage and private hire vehicles, drivers and operators, which had been set at a meeting of the Licensing Committee on 20 July 2009.

RESOLVED

- (a) That, subject to statutory consultation, the fees for licences relating to private hire vehicles and operators across the Borough, and fees applicable to hackney carriage proprietors (vehicle) and joint drivers licences in each of the three hackney carriage zones, be increased by 3.7%, as set out in column 3 of Appendix A of the report.
- (b) That the Borough Solicitor, or officer acting on her behalf, be authorised to publish notice of the proposed variation in accordance with statutory requirements.
- (c) That it be noted that if no objections are received in response to publication of the notice (or if any objections received are withdrawn), the variation to the fees will take effect on the expiration of the period specified in the notice or, if later, the date that the last objection is withdrawn.
- (d) That it be noted that if objections are received in response to the publication of the notice, that these will be reported to a subsequent meeting of the Licensing Committee for consideration.

The meeting commenced at 2.00 pm and concluded at 5.05 pm

Councillor P Whiteley (Chairman)

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**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Licensing Act Sub-Committee**  
held on Monday, 14th March, 2011 at Delamere 1 Floor 2, Delamere House,  
Delamere Street, Crewe, CW1 2J2

**PRESENT**

Councillor P Whiteley (Chairman)

Councillors D Bebbington and J Wray

**OFFICERS IN ATTENDANCE**

Mrs K Khan, Solicitor  
Mrs J Cornes, Licensing Officer  
Mr P Simester, Licensing Officer  
Mrs J Zientek, Democratic Services Officer

**36 APPOINTMENT OF CHAIRMAN**

RESOLVED – That Councillor P Whiteley be appointed Chairman.

**37 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**38 VARIATION OF PREMISES LICENCE - BAR 33, 33 WHEELLOCK STREET, MIDDLEWICH CW10 9AG**

The Sub-Committee considered a report regarding an application from Mr Man Wai Lee to vary the Premises Licence for Bar 33, 33 Wheelock Street, Middlewich CW10 9AG under section 34 of the Licensing Act 2003.

The Solicitor clarified the options open to the Sub-Committee in the absence of the applicant, who had not formally notified the Licensing Authority that he would not be attending the meeting. The Sub-Committee resolved to hold the hearing and determine the application in the applicant's absence.

The following attended the hearing and made representations with respect to the application:

a representative of the Chief Officer of Police  
two representatives of the Environmental Health Service

After a full hearing of the application and in accordance with the rules of procedure, the Chairman of the Sub-Committee reported that, after taking account of:

- The Secretary of State's Guidance under section 182 of the Licensing Act 2003
- Cheshire East Borough Council's Statement of Licensing Policy
- The four licensing objectives (namely the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm)
- All the evidence, including the oral representations made at the meeting and the written representations of interested parties

the following course of action had been agreed:

RESOLVED – That the application be refused on the basis of the prevention of crime and disorder and the prevention of public nuisance.

The Sub-Committee noted that the Applicant would be reminded of the right to appeal this decision to the Magistrates' Court within 21 days.

Following consideration of this application, the meeting was adjourned from 10.50am to 12 noon.

**39 VARIATION OF PREMISES LICENCE - THE VICTORIA, 91-93 VICTORIA STREET, CREWE, CW1 2JN**

The Sub-Committee considered a report regarding an application from Admiral Taverns (780) Limited to vary the Premises Licence for The Victoria, 91-93 Victoria Street, Crewe, CW1 2JN under section 34 of the Licensing Act 2003.

The following attended the hearing and made representations with respect to the application:

a representative of the Chief Officer of Police  
two representatives of the Environmental Health Service  
two local residents  
the landlord and landlady of a neighbouring property  
the Company Solicitor, Admiral Taverns (780) Limited  
the Area Manager, Admiral Taverns (780) Limited  
the tenant of The Victoria, 91-93 Victoria Street, Crewe

After a full hearing of the application and in accordance with the rules of procedure, the Chairman of the Sub-Committee reported that, after taking account of:

- The Secretary of State's Guidance under section 182 of the Licensing Act 2003
- Cheshire East Borough Council's Statement of Licensing Policy
- The four licensing objectives (namely the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm)

- All the evidence, including the oral representations made at the meeting and the written representations of interested parties

the following course of action had been agreed:

RESOLVED

(a) That the hours be varied, as follows:

(1) Opening hours

Monday to Wednesday:	09:00 to 00:30
Thursday	09:00 to 01:30
Friday & Saturday	09:00 to 02:00
Sunday	09:00 to 00:30

(2) Sale of alcohol

Monday to Wednesday:	09:00 to 00:00
Thursday	09:00 to 01:00
Friday & Saturday	09:00 to 01:30
Sunday	09:00 to 00:00

(3) Provision of regulated entertainment

Includes: Films, Indoor sporting events, Recorded music, Performances of dance, Anything of a similar description. Indoors only.

Monday to Wednesday:	09:00 to 00:00
Thursday	09:00 to 01:00
Friday & Saturday	09:00 to 02:00
Sunday	09:00 to 00:00

(4) Provision of live music

Indoors only.

Monday to Wednesday:	09:00 to 00:00
Thursday	09:00 to 01:00
Friday & Saturday	09:00 to 01:30
Sunday	09:00 to 00:00

(5) Provision of entertainment facilities

Facilities for Making music, Dancing and Entertainment of a similar description. Indoors only.

Monday to Wednesday:	09:00 to 00:00
Thursday	09:00 to 01:00

Friday & Saturday	09:00 to 02:00
Sunday	09:00 to 00:00

(6) Provision of late night refreshment

Monday to Wednesday:	23:00 to 00:00
Thursday	23:00 to 01:00
Friday & Saturday	23:00 to 02:00
Sunday	23:00 to 00:00

(b) That the following conditions be imposed on the grant of the variation application:

- (1) A minimum of one door supervisor will be on duty at the premises from 21.00, and they shall remain at the premises until they close to the public, on every Friday and Saturday and New Year's Eve.
- (2) There shall be no entry or re-entry allowed into the premises after 00.30 unless as a result of observing the ban on smoking in public places.
- (3) A CCTV system is to be maintained at the premises to the satisfaction of the Police Licensing Officer and it must record at all times the premises are open to the public. Unedited images must be securely retained for at least 28 days and copies made freely available upon request to a constable or employees of the Police Authority, Local Authority or Security Industry Authority.
- (4) Recorded music after 01.30 on Fridays and Saturdays shall be background music only.
- (5) There shall be no entry or exit from the front door to the premises after midnight (except for emergency) and signage will be displayed on site to make this requirement clear to patrons;
- (6) The Designated Premises Supervisor, or a member of staff nominated by him, shall carry out noise monitoring by listening to the level of noise from the premises audible on the opposite side of Victoria Street to the premises;
- (7) Condition 7 within Annex 2 of the Premises Licence is amended to read "Outside drinking area to be closed for the sale/consumption of alcohol at 23.00."

The applicant and the responsible authorities/interested parties who made representations were reminded of the right to appeal this decision to the Magistrates' Court within 21 days.

The meeting commenced at 10.00 am and concluded at 2.25 pm

Councillor P Whiteley (Chairman)

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Licensing Act Sub-Committee**  
held on Thursday, 17th March, 2011 at The Silk Room - Town Hall,  
Macclesfield SK10 1DX

### **PRESENT**

Councillor P Whiteley (Chairman)

Councillors B H Dykes and C Andrew

### **OFFICERS PRESENT**

Mrs J Cornes (Licensing Officer), Mr J Hopper (Licensing Officer) and Mrs K Khan (Licensing Solicitor)

#### **1 APPOINTMENT OF CHAIRMAN**

RESOLVED – That Councillor P Whiteley be appointed Chairman.

#### **2 DECLARATIONS OF INTEREST**

In respect of minute no. 42, Mo's Store, 28 Plumley Road, Handforth, Cheshire, Councillor P P Whiteley declared that whilst he knew some of the members of the Spath Lane Residents Association he did not consider this declaration to be either a personal or prejudicial interest.

#### **3 APPLICATION FOR A PREMISES LICENCE - MO'S STORE, 28 PLUMLEY ROAD, HANDFORTH, CHESHIRE**

The Sub Committee considered a report regarding an application by Mr Yasar Hussain for the grant of a Premises Licence for in respect of Mo's Store, 28 Plumley Road, Handforth, Cheshire under Section 17 of the Licensing Act 2003.

The applicant, the applicant's representative, the current owner together with a number of objectors attended the hearing and made representations with respect to the application.

After a full hearing of the application and in accordance with the rules of procedure, the Chairman reported that, having taken account of:

- The Secretary of State's Guidance under Section 182 of the Licensing Act 2003
- Cheshire East Borough Council's Statement of Licensing Policy
- The four licensing objectives (namely the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm)

- All the evidence, including the representations made at the meeting, the written representations of the objectors and the agreement reached with the Police

the following course of action had been agreed:

RESOLVED

That the application to grant a Premises Licence for Mo's Store, 28 Plumley Road, Handforth, Cheshire be granted as follows:

**Sale and supply of alcohol**

Monday to Sunday 08.00 to 21.00

The sale of alcohol will be for consumption off the premises.

There was an amendment to the Licence applied for as follows:-

**(i) the amendment of the terminal hour for the sale of alcohol to 21.00; and**

**(ii) the addition of the following condition:**

**A CCTV system shall be installed at the Premises to the satisfaction of the Chief Officer of Police and recording shall be kept for a minimum of 28 days and made available on request to an officer of the Police.**

The Sub Committee wished to highlight the fact that should problems relating to the licensing objectives be linked to the operation of licensable activities at this premises then Responsible Authorities or Interested Parties could call for a review of the licence at any time.

Both parties were informed of the right to appeal the decision to the Magistrates Court within 21 days of the date of the meeting.

**4 VARIATION OF PREMISES LICENCE - BLUE BELL INN, SMALLWOOD, SANDBACH CW11 2XA**

The Sub-Committee considered a report regarding an application from Mr Karl D'Annunzio-Bruns to vary the Premises Licence for Blue Bell Inn, Spen Green, Smallwood, Sandbach, Cheshire CW11 2XA under section 34 of the Licensing Act 2003.

The applicant and two objectors attended the hearing and made representations with respect to the application.

After a full hearing of the application and in accordance with the rules of procedure, the Chairman reported that, having taken account of:

- The Secretary of State's Guidance under Section 182 of the Licensing Act 2003

- Cheshire East Borough Council's Statement of Licensing Policy
- The four licensing objectives (namely the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm)
- All the evidence, including the representations made at the meeting and the written representations of the objectors

the following course of action had been agreed:

**RESOLVED**

That the variation to the Premises Licence for Blue Bell Inn, Spen Green, Smallwood, Sandbach, Cheshire CW11 2XA be approved, as follows:

Extension to Property Planning Application No. 10/3927C to allow larger dining kitchen and associated amenities to Blue Bell Inn, Smallwood.

The objectors were informed of the right to appeal the decision to the Magistrates Court within 21 days of the date of the meeting.

**5 EXCLUSION OF THE PUBLIC AND PRESS**

The Exclusion resolution was not required as the following application had been withdrawn prior to the meeting.

**6 APPLICATION FOR A PERSONAL LICENCE**

This application was withdrawn prior to the meeting.

The meeting commenced at 9.30 am and concluded at 12.50 pm

Councillor P Whiteley (Chairman)

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## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Licensing Act Sub-Committee**  
held on Thursday, 7th April, 2011 at Council Chamber - Town Hall,  
Macclesfield, SK10 1DX

### **PRESENT**

Councillor P Whiteley (Chairman)

Councillors L Gilbert and J Goddard

### **OFFICERS PRESENT**

Mrs N Cadman (Licensing Enforcement Officer) and Mrs K Khan (Licensing Solicitor)

### **7 APPOINTMENT OF CHAIRMAN**

RESOLVED – That Councillor P Whiteley be appointed Chairman.

### **8 DECLARATIONS OF INTEREST**

None.

### **9 APPLICATION FOR A PREMISES LICENCE - GAWSWORTH COMMUNITY SHOP, 2 LONGBUTTS LANE, GAWSWORTH, MACCLESFIELD SK11 9QU**

The Sub Committee considered a report regarding an application by Gawsworth Community Shop Ltd for the grant of a Premises Licence in respect of Gawsworth Community Shop Ltd, 2 Longbutts Lane, Gawsworth, Macclesfield, Cheshire under Section 17 of the Licensing Act 2003.

The Designated Premises Supervisor, the Director of Gawsworth Community Shop Ltd and two objectors attended the hearing and made representations with respect to the application.

After a full hearing of the application and in accordance with the rules of procedure, the Chairman reported that, having taken account of:

- The Secretary of State's Guidance under Section 182 of the Licensing Act 2003
- Cheshire East Borough Council's Statement of Licensing Policy
- The four licensing objectives (namely the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm)

- All the evidence, including the representations made at the meeting and the written representations of the objectors and the Police

the following course of action had been agreed:

RESOLVED

The Sub-Committee granted the application for the Premises Licence as applied for subject to the following condition:

Sales of alcohol for consumption on the premises shall only take place on twelve days per calendar year; any such sales shall cease by 21.00.

This condition had been imposed in order to avoid harm to the objective of the prevention of public nuisance.

The Sub-Committee wished to highlight the fact that should problems relating to the licensing objectives be linked to the operation of licensable activities at this premises then Responsible Authorities or Interested Parties could call for a review of the licence at any time.

Parties who made relevant representations and the applicant were reminded of the right to appeal the decision to the Magistrates Court within 21 days.

The meeting commenced at 9.30 am and concluded at 10.20 am

Councillor P Whiteley (Chairman)

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **General Licensing Sub-Committee**  
held on Monday, 21st February, 2011 at West Committee Room - Municipal  
Buildings, Earle Street, Crewe, CW1 2BJ

### **PRESENT**

Councillor P Whiteley (Chairman)

Councillors W T Beard, W S Davies, M Parsons and C Tomlinson

Mrs J Cornes (Licensing Officer), Mrs K Khan (Licensing Solicitor) and  
Mr P Simester (Licensing Officer)

### **36 APPOINTMENT OF CHAIRMAN**

RESOLVED

It was moved and seconded that Councillor P Whiteley be appointed as  
Chairman for the meeting.

### **37 APOLOGIES FOR ABSENCE**

None.

### **38 DECLARATIONS OF INTEREST**

None.

### **39 EXCLUSION OF THE PUBLIC AND PRESS**

To consider passing a resolution under Section 100(A)(4) of the Local  
Government Act 1972 to exclude the public and press from the meeting for  
the following item(s) of business on the grounds that they involve the likely  
disclosure of exempt information in accordance with paragraphs 1 and 2,  
pursuant to part 1 of Schedule 12 (A) of the Act.

RESOLVED

That the Exclusion Resolution be moved as printed.

### **40 10-11/13-APPLICATION FOR A JOINT DRIVER LICENCE**

The Sub-Committee considered a report regarding an application for a  
Joint Hackney Carriage/Private Hire Driver Licence.

The Sub-Committee's attention was drawn to the Council's Statement of Policy about Relevant Convictions and Members were invited to consider if the applicant was a "fit and proper" person to be granted a licence.

The applicant was in attendance throughout the hearing and spoke in support of his application.

At this point in the proceedings, the applicant and the Licensing Officer withdrew from the meeting whilst the Sub-Committee reached its decision.

Following full consideration of the application, taking into account all the evidence, including written and oral representations, the Sub-Committee determined the application.

The applicant and the Licensing Officer re-joined the meeting to be informed of the Sub-Committee's decision.

RESOLVED –

That the application for a Joint Hackney Carriage/Private Hire Driver Licence be granted subject to the successful completion of the Council's theory test.

**41 10-11/14-APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES**

The Sub-Committee considered a report regarding an application for a Licence to Drive Hackney Carriages and Private Hire Vehicles.

The Sub-Committee's attention was drawn to the Council's Statement of Policy about Relevant Convictions and Members were invited to consider if the applicant was a "fit and proper" person to be granted a licence.

The applicant and his representative were in attendance throughout the hearing and both spoke in support of the application.

At this point in the proceedings, the applicant, his representative and the Licensing Officer withdrew from the meeting whilst the Sub-Committee reached its decision.

Following full consideration of the application, taking into account all the evidence, including written and oral representations, the Sub-Committee determined the application.

The applicant, his representative and the Licensing Officer re-joined the meeting to be informed of the Sub-Committee's decision.

RESOLVED –

That the application for a Licence to drive Hackney Carriages and Private Hire Vehicles be granted subject to the successful completion of the Council's theory test.

The meeting commenced at 10.00 am and concluded at 11.25 am

Councillor P Whiteley (Chairman)

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## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **General Licensing Sub-Committee**  
held on Thursday, 3rd March, 2011 at West Committee Room - Municipal  
Buildings, Earle Street, Crewe, CW1 2BJ

### **PRESENT**

Councillor P Whiteley (Chairman)

Councillors W T Beard, W S Davies, B H Dykes and A Ranfield

### **OFFICERS IN ATTENDANCE**

Mrs K Khan, Solicitor  
Mr J Hopper, Licensing Officer  
Mrs V Robson, Licensing Officer  
Mrs J Zientek, Democratic Services Officer

### **42 APPOINTMENT OF CHAIRMAN**

RESOLVED – That Councillor P Whiteley be appointed Chairman.

### **43 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **44 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **45 EXCLUSION OF THE PUBLIC AND PRESS**

RESOLVED - That the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A) 4 of the Local Government Act 1972 on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 as appropriate of Part 1 of Schedule 12A of the Local Government Act 1972 and public interest would not be served in publishing the information.

### **46 10-11/15-APPLICATION FOR EXEMPTION FROM THE REQUIREMENT TO DISPLAY LICENCE PLATES ON A PRIVATE HIRE VEHICLE AND THE REMOVAL OF PRIVATE HIRE VEHICLE CONDITIONS**

The Sub-Committee considered a report regarding an application for a private hire vehicle licence, a request to waive condition 2.7 of the Private Hire Vehicle Conditions in relation to tinted windows, and a request to exempt the vehicle from the requirements to display signage and display licence plates to the front and rear of the vehicle, as required by conditions

7 and 8 of Cheshire East Council's Private Hire Vehicle Licensing Conditions.

The Sub-Committee was informed that the application fell within the Council's policy for determination by the Sub-Committee. Accordingly the hearing had been convened to enable the Sub-Committee to determine whether the application should be granted.

The applicant attended the hearing and made representations in respect of his application.

After a full hearing of the application, and in accordance with the rules of procedure, the Chairman of the Sub-Committee reported that, after taking account of all the evidence, including the applicant's oral representations, the following course of action had been agreed.

**RESOLVED**

- (a) That a private hire vehicle licence be granted, subject to the vehicle passing an inspection at the Council's approved test centre.
- (b) That condition 2.7 of Cheshire East Council's Private Hire Vehicle Licensing Conditions in relation to tinted windows be waived.
- (c) That special condition 10 of Cheshire East Council's Private Hire Vehicle Licensing Conditions be attached to the licence, thereby exempting the vehicle from the requirement to display signage (condition 7) and from the requirement to display licence plates to the front and rear of the vehicle (condition 8).

**47 10-11/16-APPLICATION FOR A JOINT DRIVER LICENCE**

The Sub-Committee considered a report regarding an application for a Hackney Carriage/Private Hire Driver's Licence.

The Sub-Committee was informed that the application fell within the Council's policy for determination by the Sub-Committee. Accordingly the hearing had been convened to enable the Sub-Committee to determine whether the application for a Hackney Carriage/Private Hire Driver's Licence should be granted.

The applicant attended the hearing and made representations in respect of his application.

After a full hearing of the application, and in accordance with the rules of procedure, the Chairman of the Sub-Committee reported that, after taking account of all the evidence, including the applicant's oral representations, the following course of action had been agreed.



RESOLVED – That the applicant is not a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence, and that the application for a licence be refused.

The applicant was reminded of the right to appeal this decision to the Magistrates Court within 21 days.

48 **10-11/17-CONSIDERATION OF FITNESS TO HOLD A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE**

The Sub-Committee considered a report regarding the holder of a Hackney Carriage/Private Hire Driver's Licence who had not declared a relevant conviction on applying for the renewal of his licence.

The Sub-Committee was informed that the application fell within the Council's policy for determination by the Sub-Committee. Accordingly the hearing had been convened to enable the Sub-Committee to determine whether the licence holder remained a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence.

The licence holder attended the hearing and made representations in respect of his application.

After a full hearing of the application, and in accordance with the rules of procedure, the Chairman of the Sub-Committee reported that, after taking account of all the evidence, including the licence holder's oral representations, the following course of action had been agreed.

RESOLVED – That the applicant is not a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence, and that the licence be revoked. The revocation to take effect either at the expiry of the appeal period, or, if an appeal is made and refused, at such time as the appeal is determined.

The licence holder was reminded of the right to appeal this decision to the Magistrates Court within 21 days.

The meeting commenced at 9.30 am and concluded at 11.55 am

Councillor P Whiteley (Chairman)

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## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **General Licensing Sub-Committee**  
held on Monday, 28th March, 2011 at The Tatton Room - Town Hall,  
Macclesfield SK10 1DX

### **PRESENT**

Councillor P Whiteley (Chairman)

Councillors Rhoda Bailey, W T Beard, J Goddard and C Tomlinson

### **OFFICERS PRESENT**

Mrs N Cadman (Licensing Officer), Mrs S Dutton (Solicitor) and Mr J Hopper (Licensing Officer)

### **49 APPOINTMENT OF CHAIRMAN**

RESOLVED – That Councillor P Whiteley be appointed Chairman.

### **50 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **51 DECLARATIONS OF INTEREST**

None.

### **52 EXCLUSION OF THE PUBLIC AND PRESS**

RESOLVED - That the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A) 4 of the Local Government Act 1972 on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 as appropriate of Part 1 of Schedule 12A of the Local Government Act 1972 and public interest would not be served in publishing the information.

### **53 10-11/18 - APPLICATION FOR EXEMPTION FROM THE REQUIREMENT TO DISPLAY LICENCE PLATES ON A PRIVATE HIRE VEHICLE AND REMOVAL OF PRIVATE HIRE CONDITIONS**

The Sub-Committee considered a report regarding a request to grant a Private Hire Vehicle Licence in relation to a Volkswagen Caravelle People Carrier; (ii) to exempt the vehicle from the requirement to display signage as required by Condition 7 of the Cheshire East Borough Council Private Hire Vehicle Licensing Conditions; (iii) to exempt the vehicle from the requirement under Condition 8 to display licence plates to the front and rear of the vehicle; and (iv) to approve the waiver of Condition 2.7 as it

relates to tinted windows.

The applicant attended the meeting and made representations in respect of the application.

After a full hearing of the application, and in accordance with the rules of procedure, the Chairman of the Sub-Committee reported that, after taking account of all the evidence, including the applicants oral and written representations, the following course of action had been agreed.

RESOLVED –

The Committee determined to approve the grant of a private hire vehicle licence to the Volkswagen Caravelle subject to the removal of the standard condition 2.7 (tinted windows) and subject to otherwise passing the vehicle inspection from the Council's approved test centre.

The Committee had also been asked to consider the application of special condition 10 of the Private Hire Vehicle Conditions to this vehicle. The Committee took into account the business case provided by the applicant and the fact that he has been successfully operating 'exempt vehicles' under Special Condition 10 of the Council's Private Hire Vehicle Conditions since 2003.

The Committee determined to attach special condition 10 to the licence thereby exempting the vehicle from the requirement to display signage (condition 7) and from the requirement to display licence plates to the front and rear of the vehicle (condition 8).

In accordance with special condition 10, the notice of grant should be carried in the vehicle at all times and the identification badge supplied by the Council should be displayed in the windscreen of the vehicle.

**54 10-11/19 - CONSIDERATION OF FITNESS TO HOLD A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE**

The Sub-Committee considered a report regarding the holder of a Hackney Carriage/Private Hire Driver's Licence who had been accused of overcharging a customer and incivility.

The Sub-Committee was informed that the application fell within the Council's policy for determination by the Sub-Committee. Accordingly the hearing had been convened to enable the Sub-Committee to determine whether the licence holder remained a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence.

The Licence Holder and complainant attended the meeting and made representations in respect of the licence.

After a full hearing of the application, and in accordance with the rules of procedure, the Chairman of the Sub-Committee reported that, after taking account of all the evidence, including the licence holder and complainants oral and written representations, the following course of action had been agreed.

RESOLVED – That the applicant was a fit and proper person to continue to hold a Hackney Carriage/Private Hire Driver's Licence.

The Sub Committee in reaching this decision wished to emphasise that the role of taxi driver was one which involved a position of responsibility for the safety of the public. Therefore it was of great importance that taxi drivers followed the rules, both of the criminal law and also the conditions attached to the licence. The Committee would take a serious view of any breach of the conditions or any future convictions.

**55 10-11/20 - APPLICATION FOR A JOINT HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE**

The Sub-Committee considered a report regarding an application for a Hackney Carriage/Private Hire Driver's Licence.

The Sub-Committee was informed that the application fell within the Council's policy for determination by the Sub-Committee. Accordingly the hearing had been convened to enable the Sub-Committee to determine whether the application for a Hackney Carriage/Private Hire Driver's Licence should be granted.

The applicant attended the hearing and made representations in respect of his application.

After a full hearing of the application, and in accordance with the rules of procedure, the Chairman of the Sub-Committee reported that, after taking account of all the evidence, including the applicant's oral representations, the following course of action had been agreed.

RESOLVED –

That the application for a licence to drive Hackney Carriages and Private Hire Vehicles be granted subject to the following conditions:-

1. That the licence is reviewed 6 months from grant of the licence at which time the applicant must provide references from any person who employed him during that time.
2. That there is a further review 12 months from the grant of the licence when the applicant must again produce references from any person who employed him during that time.

3. At the 12 month review the applicant must produce a CRB check (undergone at his own expense)
4. That the applicant inform the Council immediately of any complaints or pending prosecutions against him.

The licence was also subject to the requirement that the applicant successfully completed the Council's Hackney Carriage/Private Hire theory test. The applicant was reminded of the right to appeal to the Magistrates Court within 21 days.

The meeting commenced at 10.00 am and concluded at 12.25 pm

Councillor P Whiteley (Chairman)

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **General Licensing Sub-Committee**  
held on Monday, 11th April, 2011 at Delamere 2, Floor 6, Delamere House,  
Delamere Street, Crewe CW1 2JZ

### **PRESENT**

Councillor P Whiteley (Chairman)

Councillors D Bebbington, W S Davies, B H Dykes and L Gilbert

### **OFFICERS IN ATTENDANCE**

Ms S Dutton, Solicitor

Mrs V Robson, Licensing Officer

Mrs J Zientek, Democratic Services Officer

### **56 APPOINTMENT OF CHAIRMAN**

RESOLVED – That Councillor P Whiteley be appointed Chairman.

### **57 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **58 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **59 EXCLUSION OF THE PUBLIC AND PRESS**

RESOLVED - That the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A) 4 of the Local Government Act 1972 on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 7 as appropriate of Part 1 of Schedule 12A of the Local Government Act 1972 and public interest would not be served in publishing the information.

### **60 10-11/21 - CONSIDERATION OF FITNESS TO HOLD A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE**

The Sub-Committee considered a report regarding the holder of a Hackney Carriage/Private Hire Driver's Licence who had been arrested and interviewed by Cheshire Police in relation to alleged offences. On 1 April 2010, the Strategic Director (Places) had suspended the holder's Hackney Carriage/Private Hire Driver's Licence until such time as the charges had been determined by the Courts. The original charges had now been determined by the Courts, and the original period of suspension had expired.

The Sub-Committee was informed that the matter fell within the Council's policy for determination by the Sub-Committee. Accordingly the hearing had been convened to enable the Sub-Committee to determine whether the licence holder remained a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence.

The licence holder and a representative of the licence holder attended the hearing and made representations.

After a full hearing and in accordance with the rules of procedure, the Chairman of the Sub-Committee reported that, after taking account of all the evidence, including the licence holder's oral representations, the following course of action had been agreed.

RESOLVED

- (a) That consideration of the matter be deferred in order for further evidence to be obtained from the police.
- (b) That, due to the seriousness of the allegations and in the interests of public safety, the suspension of the holder's Hackney Carriage/Private Hire Driver's Licence be re-imposed with immediate effect.

The meeting commenced at 2.00 pm and concluded at 3.20 pm

Councillor P Whiteley (Chairman)



## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **General Licensing Sub-Committee**  
held on Thursday, 28th April, 2011 at West Committee Room - Municipal  
Buildings, Earle Street, Crewe, CW1 2BJ

### **PRESENT**

Councillor P Whiteley (Chairman)

Councillors D Bebbington, W S Davies, B H Dykes and L Gilbert

### **OFFICERS IN ATTENDANCE**

Mrs K Khan, Solicitor

Mr J Hopper, Licensing Officer

Mrs J Zientek, Democratic Services Officer

### **61 APPOINTMENT OF CHAIRMAN**

RESOLVED – That Councillor P Whiteley be appointed Chairman.

### **62 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **63 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **64 EXCLUSION OF THE PUBLIC AND PRESS**

RESOLVED - That the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A) 4 of the Local Government Act 1972 on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 7 as appropriate of Part 1 of Schedule 12A of the Local Government Act 1972 and public interest would not be served in publishing the information.

### **65 10-11/21 - CONSIDERATION OF FITNESS TO HOLD A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE**

The Sub-Committee considered a report regarding the holder of a Hackney Carriage/Private Hire Driver's Licence who had been arrested and interviewed by Cheshire Police in relation to alleged offences. Consideration of the future of the holder's licence had been deferred at a meeting on 11 April 2011 to enable further evidence to be obtained from the police.

The licence holder was not in attendance at the hearing and had not formally notified the Licensing Authority that he would not be present. The Sub-Committee resolved to hold the hearing and determine the matter in the licence holder's absence.

A representative of Cheshire Constabulary attended the hearing and made representations in respect of the licence holder.

After a full hearing, and in accordance with the rules of procedure, the Chairman of the Sub-Committee reported that, after taking account of all the evidence, including the oral evidence from the representative of Cheshire Constabulary and documentary evidence in the report, the following course of action had been agreed.

RESOLVED

- (a) That the licence holder is not a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence, and that the licence be revoked.
- (b) That in the interests of public safety the hackney carriage/private hire driver's licence be revoked with immediate effect.

The Sub-committee noted that the licence holder would be reminded of the right to appeal this decision to the Magistrates Court within 21 days.

The meeting commenced at 3.00 pm and concluded at 3.55 pm

Councillor P Whiteley (Chairman)

## CHESHIRE EAST COUNCIL

### LICENSING COMMITTEE

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**Date of meeting:** 8 June 2011

**Report of:** Head of Safer & Stronger Communities

**Title:** Proposed Variation to Hackney Carriage 'Table of Fares'

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#### **1.0 Report Summary**

- 1.1 The purpose of the report is to provide the Licensing Committee with information relating to the responses received in relation to proposals to vary the 'table of fares' applicable in each of the three hackney carriage zones.

#### **2.0 Recommendations**

- 2.1 The Licensing Committee is requested to consider the objections received in relation to the proposed variation of the 'tables of fares'; and
- 2.2 Having considered the objections, to determine:
- 1 whether the variations to the tables of fares should come into force either with or without modifications; and
  - 2 if variations are approved, to set a date from which these shall take effect (any such date may not be later than 14 June 2011).

#### **3.0 Reasons for Recommendations**

- 3.1 The fare tables which are currently in operation within the Borough came into force within the areas of the predecessor district councils during the course of 2008. On 7 March 2011 the Licensing Committee resolved to authorise the Borough Solicitor to publish a notice containing proposals to vary the fare tables in each of the three hackney carriage zones. Objections to the proposals have been received within the consultation period and therefore the matter has been referred to the Licensing Committee for consideration.

#### **4.0 Wards Affected**

- 4.1 All

#### **5.0 Local Ward Members**

- 5.1 All

**6.0 Policy Implications including - Climate change  
- Health**

6.1 None

**7.0 Financial Implications 2011/12 and beyond (Authorised by the Borough Treasurer)**

7.1 There would be no direct financial implications associated with a decision either to make no changes to the existing table of fares or to approve the amendments either with or without modifications. However, if the Committee resolved to make changes to the tables of fares which went beyond 'modifications' there would be a need to re-advertise. Costs of further notices, if they related to each of the three zones, would be in the region of £2,500. Any such costs would be met from existing provision within the Licensing Section's budget.

**8.0 Legal Implications (Authorised by the Borough Solicitor)**

8.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 provides that the following is required when varying a table of fares:

- (i) publication of a notice setting out the variation to the table of fares (specifying the period within and manner in which objections can be made) in at least one local newspaper circulating in the district; and
- (ii) deposit of the notice for the period of fourteen days at the offices of the Council (for public inspection).

8.2 If no objection to the variation is made within the relevant fourteen day period (or if all such objections are withdrawn) the variation comes into operation on the date of the expiration of the period specified in the notice (or the date of withdrawal of the last objection (if any)). If objection is made and not withdrawn, a further date (not later than 2 months after the first specified date) shall be set on which the table of fares shall come into force with or without modifications as decided after consideration of the objections.

**9.0 Risk Management**

9.1 Full consideration of any objections received in response to the publication of the notice would mitigate the risk of challenge to any decision taken.

**10.0 Background and Options**

10.1 As Members will recall, at its meeting on 7 March 2011 the Licensing Committee resolved to authorise the Borough Solicitor to publish a notice of proposed variations to the fare tables in each of the three hackney carriage zones. The notices, copies of which are attached as Appendices A, B and C was published in local newspapers circulating within each of the three zones during the week commencing 28 March 2011.

10.2 The table below illustrates in a simplified form, the existing and proposed fares for tariff 1:

		<b>ZONE 1 Congleton</b>	<b>ZONE 2 Crewe &amp; Nantwich</b>	<b>ZONE 3 Macclesfield</b>
<b>Existing</b>	<b>Flag drop</b>	£2.60 (up to first 1,760 yards)	£2.20 (first 200 yards)	£2.60 (first 1,466.69 yards)
	<b>First mile</b>	£2.60	£3.80	£3.00
	<b>Two miles</b>	£4.40	£5.60	£4.80
<b>Proposed</b>	<b>Flag drop</b>	£2.90 (up to first 1,760 yards)	£2.40 (first 176 yards)	£2.70 (first 1,320 yards)
	<b>First mile</b>	£2.90	£4.20	£3.30
	<b>Two miles</b>	£4.90	£6.20	£5.30

- 10.3 Objections to the proposals have been received within the consultation period and the matter has therefore been referred back to the Committee for determination. Copies of the objections are attached at Appendix D.
- 10.4 Members are reminded that of the contents of paragraph 52 of the Department of Transport Best Practice Guidance, namely that fare scales should be designed with a view to practicality and that it is seen as good practice to “review the fare scales at regular intervals, including any graduation of the fare scale by time of day or day of the week.” The paragraph continues “The Department also suggests that in reviewing fares authorities should pay particular regards to the needs of the travelling public, with reference both to what it is reasonable to expect people to pay but also so the need to give taxi drivers sufficient incentive to provide a service when it is needed. There may well be a case for higher fares at times of higher demand.” Members will also note the content of paragraphs 53 and 54 of the Guidance in relation to downward negotiation of fares between passengers and drivers.
- 10.5 The Licensing Committee is requested to consider the objections and to determine whether the variations to the tables of fares should come into force either with or without modifications; and if variations are approved, to set a date from which these shall take effect. The Committee is reminded that, as the licensing of hackney carriages within the Borough remains on a zoned basis, the table of fares must be determined in relation to each of the individual zones.
- 10.6 Attached for the Committee’s reference are the AA Fuel Price Reports for April 2008, September 2008 and April 2011 (Appendix E) and AA figures for Motoring Costs (for both petrol and diesel vehicles) for 2008 and 2011 (Appendix F).
- 10.7 The options open to the Committee are:
- (a) not to vary the existing tables of fares;
  - (b) to approve variations to the tables of fares on the basis set out within the notices attached at Appendix A, B & C (i.e. without modification);

(c) to approve modifications to the proposed variation of the tables of fares.

10.8 Whilst the legislation does allow modifications to be made in response to objections, if the Committee resolves to make changes to the tariffs which are so substantial that they could no longer be said to be modifications but are rather new proposals in their own right, then it is suggested that there would be a need to re-advertise in accordance with the statutory requirements set out within paragraph 8.1.

10.9 It should also be noted that in any final tariff set by the Committee distances shall be expressed both in yards and meters.

#### **11.0 Access to Information**

Appendix A – Notice of proposed variation (zone 1 – Congleton zone)

Appendix B – Notice of proposed variation (zone 2 – Crewe & Nantwich zone)

Appendix C – Notice of proposed variation (zone 3 – Macclesfield zone)

Appendix D - Objections in relation to the proposed variations

Appendix E – AA Fuel Price Reports (April 2008, September 2008 and April 2011)

Appendix F – AA Motoring Costs (2008 and 2011)

The background papers relating to this report can be inspected by contacting the report writer:

Name: Kate Khan

Designation: Solicitor, Legal Services (Regulatory)

Tel No: (01270) 68847

Email: [kate.khan@cheshireeast.gov.uk](mailto:kate.khan@cheshireeast.gov.uk)

## APPENDIX A

CHESHIRE EAST BOROUGH COUNCIL

**NOTICE** is hereby given that, pursuant to section 65 of the Local Government (Miscellaneous Provisions) Act 1976, Cheshire East Borough Council ('the Council') proposes to vary the table of fares in respect of the hire of hackney carriages within hackney carriage zone 1 (Congleton zone). The proposed variations are as follows:

	<u>EXISTING FARE</u>	<u>VARIED FARE</u>
<u>1. Mileage</u>		
If the distance does not exceed 1,760 yards or part thereof	£2.60	£2.90
For the second mile and further miles	£1.80 (metered in units of 176 yards or part thereof)	£2.00 (metered in units of 176 yards or part thereof)
<u>2. Waiting time</u>	<b><u>£24.00 per hour</u></b>	<b><u>£26.40 per hour</u></b>
<u>3. Soilage Charge</u>	<b><u>£40</u></b>	<b><u>£44</u></b>

The extra charges are as follows:

(a)	(i)	For hiring begun between 11.30 pm and 7.00 am	Time and one half
	(ii)	Sundays and Bank Holidays	Time and one half
(b)	Christmas Eve	- 7.00 am to 6.00 pm	Ordinary time
		6.00 pm to 12 midnight	Time and one half
	Christmas Day	- 0.00 am to 7 a.m. on Boxing Day	Double time
	New Year's Eve	- 7.00 am to 6.00 pm	Ordinary time
		6.00 pm to 12 midnight	Time and one half
	New Year's Day	- 0.00 am (1 <sup>st</sup> January)	
		to 7.00 am (2 <sup>nd</sup> January)	Double time

Any person wishing to object to the variation of the table of fares must do so in writing by no later than 14<sup>th</sup> April 2011. Objections must be sent to the Licensing Section, Westfields, Middlewich Road, Sandbach, Cheshire CW11 1HZ or by e-mail to [licensing1@cheshireeast.gov.uk](mailto:licensing1@cheshireeast.gov.uk).

A copy of this notice will be deposited at Reception, Westfields, Middlewich Road, Sandbach, Cheshire CW11 1HZ during the objection period and will be open to public inspection (without payment) during normal office hours.

If no objections to the proposed variation are made by 14<sup>th</sup> April 2011, or if all such objections are withdrawn, the variation shall come into operation on the date of expiration of the consultation period (i.e. 15<sup>th</sup> April 2011) or the date of withdrawal of the objection, or if more than one, of the last objection, whichever date is the later. In the event that objections are made and not withdrawn, these will be referred to a meeting of the Council's Licensing Committee for consideration

**Dated: 30<sup>th</sup> March 2011**

**Caroline Elwood, Interim Borough Solicitor**

**APPENDIX B**CHESHIRE EAST BOROUGH COUNCIL

**NOTICE** is hereby given that, pursuant to section 65 of the Local Government (Miscellaneous Provisions) Act 1976, Cheshire East Borough Council ('the Council') proposes to vary the table of fares in respect of the hire of hackney carriages within hackney carriage zone 2 (Crewe & Nantwich zone). The proposed variations are as follows:

	<b>EXISTING FARE</b>	<b>VARIED FARE</b>
<b>TARIFF 1</b> <b>DAY RATE (7am to 9 pm)</b>		
	£2.20 (first 200 yards)	£2.40 (first 176 yards)
	£0.20 (subsequent 195 yards)	£0.20 (subsequent 176 yards)
Waiting time – each minute (or part of)	£0.30	£0.33
<b>TARIFF 2</b> <b>NIGHT RATE (9pm to 7 am); ALL SUNDAYS</b>		
	£2.20 (first 176 yards)	£2.40 (first 160 yards)
	£0.20 (subsequent 176 yards)	£0.20 (subsequent 160 yards)
Waiting time – each minute (or part of)	£0.30	£0.33
<b>TARIFF 3</b> <b>ALL BANK HOLIDAYS (midnight to midnight)</b> <b>CHRISTMAS &amp; NEW YEAR (from 6pm on 24<sup>th</sup></b> <b>December to 8am 27<sup>th</sup> December and from 6pm</b> <b>31<sup>st</sup> December to 8am 2<sup>nd</sup> January</b>		
	£3.20 (first 146 yards)	£3.50 (first 135.38 yards)
	£0.20 (subsequent 146 yards)	£0.20 (subsequent 135.38 yards)
Waiting time – each minute (or part of)	£0.30	£0.33
<b>EXTRA CHARGES</b>		
<b>Per person over one</b>	£0.30	£0.33
<b>Soilage charge</b>	£40.00	£44.00

Any person wishing to object to the variation of the table of fares must do so in writing by no later than 14<sup>th</sup> April 2011. Objections must be sent to the Licensing Section, Westfields, Middlewich Road, Sandbach, Cheshire CW11 1HZ or by e-mail to [licensing1@cheshireeast.gov.uk](mailto:licensing1@cheshireeast.gov.uk).

A copy of this notice will be deposited at Reception, Municipal Buildings, Earle Street, Crewe, Cheshire during the objection period and will be open to public inspection (without payment) during normal office hours.

If no objections to the proposed variation are made by 14<sup>th</sup> April 2011, or if all such objections are withdrawn, the variation shall come into operation on the date of expiration of the consultation period (i.e. 15<sup>th</sup> April 2011) or the date of withdrawal of the objection, or if more than one, of the last objection, whichever date is the later. In the event that objections are made and not withdrawn, these will be referred to a meeting of the Council's Licensing Committee for consideration

**Dated: 30<sup>th</sup> March 2011**  
**Caroline Elwood, Interim Borough Solicitor**



**APPENDIX C**CHESHIRE EAST BOROUGH COUNCIL

**NOTICE** is hereby given that, pursuant to section 65 of the Local Government (Miscellaneous Provisions) Act 1976, Cheshire East Borough Council ('the Council') proposes to vary the table of fares in respect of the hire of hackney carriages within hackney carriage zone 3 (Macclesfield zone). The proposed variations are as follows:

	<b>EXISTING FARE</b>	<b>VARIED FARE</b>
<b>TARIFF 1</b> <b>Monday to Saturday (7.30am to 11.30pm)</b>		
First mile (1760 yards)	£3.00	£3.30
Subsequent miles	£1.80	£2.00
Initial or minimum fare	£2.60 (first 1466.69 yards)	£2.70 (first 1,320 yards)
Subsequent yards	£0.10 (subsequent 97.77 yards)	£0.10 (subsequent 88 yards)
Waiting time	£0.10 (up to every 27.3 seconds of waiting time)	£0.10 (up to every 24.8 seconds of waiting time)

	<b>EXISTING</b>	<b>VARIED</b>
<b>EXTRA CHARGES (at the discretion of the driver)</b>		
For each person in excess of one	20p	22p
Luggage – for the use of luggage space	10p per item not to exceed 40p	11p per item not to exceed 44p
Extra charges will not exceed Except vehicles licensed to carry up to 8 passengers and are carrying in excess of 5 then the extra charges will not exceed	£1.00  £1.80	£1.10  £1.98
Soilage charge	£45.00	£49.50

It is proposed that the percentage increases to the following tariffs would remain unchanged:

**TARIFF 2**

**Monday to Sunday (11.30pm – 7.30am)**

**Tariff 1 + 50%**

**TARIFF 3**

**Sundays + Bank Holidays except Christmas, Boxing Day and New Year's Day (7.30am – 11.30pm)**

**Tariff 1+33.3%**

**Tariff 4**

**Christmas Day and Boxing Day (7.00pm 24 December to 7.00am 27 December)**

**New Year's Day (7.00pm 31 December to 7.00am 2 January)**

**Tariff 1+100%**

Any person wishing to object to the variation of the table of fares must do so in writing by no later than 14<sup>th</sup> April 2011. Objections must be sent to the Licensing Section, Westfields, Middlewich Road, Sandbach, Cheshire CW11 1HZ or by e-mail to [licensing1@cheshireeast.gov.uk](mailto:licensing1@cheshireeast.gov.uk).

A copy of this notice will be deposited at the Customer Centre, Town Hall, Market Place, Macclesfield during the objection period and will be open to public inspection (without payment) during normal office hours.

If no objections to the proposed variation are made by 14<sup>th</sup> April 2011, or if all such objections are withdrawn, the variation shall come into operation on the date of expiration of the consultation period (i.e. 15<sup>th</sup> April 2011) or the date of withdrawal of the objection, or if more than one, of the last objection, whichever date is the later. In the event that objections are made and not withdrawn, these will be referred to a meeting of the Council's Licensing Committee for consideration

**Dated: 30<sup>th</sup> March 2011**

**Caroline Elwood, Interim Borough Solicitor**

APPENDIX D

OBJECTION 1

In response to your advert in the Wilmslow Express dated 31 March 2011 regarding the above proposed increase.

I am objecting to the above on the grounds that this increase is unjustified in the current economic climate and will only bring the likes of Lynx and Metro Taxis from Stockport into the area more than they are at the moment killing the Local Trade.

OBJECTION 2

We are objecting to the proposed increase in fares for Cheshire east. 10% across the three zones does not help the trade and it does not help the council to reach the goal of harmonization across Cheshire east. Why should we, a multi plate holding company in Macclesfield, Pay the same license fees as a plate holder in Crewe and Nantwich, but not be able to charge the same as them. Giving all the zones a 10% increase, just makes the gap between the us grow larger . After spending a great deal of time representing the trade in Cheshire east, at meetings between the trade and the council. We are astonished that the council still find it so hard to agree a way forward to de-zoning. The first step would be to set a fare, which we believed we had done, and in the presence of the chairman (observing). We have no problem with the fees increase, but have a view that if the council had implemented the price structure for Cheshire East, that was set in 2009, there may not have been a need for a rise this time. **WE WOULD REMIND THE COMMITTEE THAT WE, THE TRADE, HAVE HAD NO FARE RISE SINCE 2008** even though fuel has gone up 35% or more, insurance has gone up 20% and VAT has risen to 20%. **The council increased its fees to the trade, after a fight, by over 30% in Macclesfield and Congleton,** but dropped them by 18% in Crewe, also never implemented the 6 month plate charge for cars over 7 years old in Crewe ? Which as we said before would have increased the council revenue.

OBJECTION 3

All taxi drivers who have signed below all agree 100% they do not want the 10% increase to fares

[Signed by 42 licensed drivers]

It is agreed by all that a standard tariff would be the prelude to de-zoning and pave the way for rationalising of all other conditions byelaws and regulations.

The following proposal agreed after lengthy discussion is presented via the Council's officers to the Licensing Committee for their consideration.

The proposal reflects current costs to running a taxi which are escalating. Customer expectation of a fare, the different ways the old Borough calculated the fare and the Council's duty to its electorate to agree a fair and equitable rate for all Hackney Drivers, Proprietors and their customers so ensuring the high standard of service.

**Tariff 1: 07.00 – 23.30 (Monday to Saturday rate)**

Flag fall for 200 yards	£2.30
Consecutive 195 yards	£0.21
Consecutive mile	£ 1.90

**Tariff 2: 23.30 – 07.00 (Sunday to Saturday night rate)**

Tariff 1 plus 33.3%

**Tariff 3: 07.00 – 23.30 (Sunday and Bank Holiday Day rate)**

Tariff 1 plus 33.3%

**Tariff 4: 19.00 Christmas Eve – 07.00 on 27 December and 19.00 New Years Eve to 07.00 on 2 January**

Tariff 1 plus 100%

Waiting time (per hour)	£18.00
Soilage charge	£50.00

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### FUEL PRICE REPORT APRIL 2008

UK average petrol and diesel prices continue to hit record highs, propelled not only by soaring oil prices but the impact on supply of European refinery maintenance problems. With oil prices touching \$115 a barrel, a £5 petrol gallon looks increasingly to be on the cards.

Nationally, **unleaded** prices have risen by 1.3ppl to 108.1ppl in the past month. **Diesel** prices have risen by 3.1ppl to 117.4ppl. The price difference between unleaded and diesel has risen from 7.5ppl to 9.3ppl.

**London** recorded the highest price for **unleaded** at 108.7ppl followed by **Northern Ireland, East Anglia** and the **South East** at 108.5ppl. **Yorkshire and Humberside** recorded the lowest price for unleaded at 107.2ppl. **Wales** recorded the highest **diesel** price at 118.3ppl. The **North West** and **Yorkshire and Humberside** still have the cheapest **diesel** at 116.7ppl.

Supermarket prices for **unleaded** also rose over the month by 1.4ppl to 106.8ppl. The gap between supermarket prices and the UK average for **unleaded** has decreased to 1.3ppl.

Overseas prices have risen. The UK has the eleventh highest **unleaded** price in Europe and the second highest **diesel** price.

Garages and Supermarkets	Unleaded 95 Octane		Diesel		Super Unleaded		LPG
	litres	(gallons)	litres	(gallons)	litres	(gallons)	
Northern Ireland	108.5	493.3	117.8	535.53	115.9	526.9	n/a
Scotland	107.8	490.1	117.9	535.98	114.1	518.7	54.7
Wales	108.2	491.9	118.3	537.80	114.2	519.2	52.3
North	107.6	489.2	117.2	532.80	115	522.8	54.8
North West	107.3	487.8	116.7	530.53	115.1	523.3	54
Yorkshire & Humberside	107.2	487.3	116.7	530.53	114.2	519.2	54.4
West Midlands	108.1	491.4	117.5	534.17	115.2	523.7	56.4
East Midlands	107.9	490.5	117.1	532.35	114.8	521.9	56.9
East Anglia	108.5	493.3	117.8	535.53	115.2	523.7	57
South East	108.5	493.3	117.5	534.17	115.1	523.3	57.7
South West	108.2	491.9	117.8	535.53	114.6	521.0	56
London	108.7	494.2	117.3	533.26	115.5	525.1	58.8
<b>UK AVERAGE</b>	<b>108.1</b>	<b>491.4</b>	<b>117.4</b>	<b>533.71</b>	<b>115.0</b>	<b>522.8</b>	<b>56.5</b>
Per cent taken as Tax	61.5		57.78		58.7		

Supermarkets	Unleaded 95 Octane		Diesel		Super-unleaded		LPG
	litres	(gallons)	litres	(gallons)	litres	(gallons)	
<b>SUPERMARKET AVERAGE</b>	<b>106.8</b>	<b>485.5</b>	<b>115.5</b>	<b>525.1</b>	<b>111.7</b>	<b>507.8</b>	<b>53.9</b>
Per cent taken as Tax	62.0		58.49		60.0		

The AA Public Affairs Fuel Price Report uses data sourced from Catalist Ltd & Arval ([www.catalist.com](http://www.catalist.com))  
They are an average of mid-month prices from the respective regions.

### FUEL PRICE REPORT SEPTEMBER 2008

Falling oil prices, that have now crashed through the \$100-a-barrel mark, have yet to be reflected in UK pump prices. Over the month, petrol prices rose briefly before dropping back to barely below where they started. In some parts of the country there has been virtually no change in price.

Nationally, **unleaded** prices have fallen by 0.3ppl to 112.9ppl in the past month. **Diesel** prices have fallen by 1.3ppl to 124.3ppl. The price difference between unleaded and diesel has fallen from 12.4ppl to 11.4ppl

**London** again recorded the highest price for **unleaded** at 113.8ppl followed by **Northern Ireland** and the **South East** at 113.4ppl. **Yorkshire and Humberside** and the **North West** recorded the lowest price for unleaded at 111.9ppl. **Northern Ireland** recorded the highest **diesel** price at 125.4ppl. **Yorkshire and Humberside** has the cheapest diesel at 123.2ppl.

Supermarket prices for **unleaded** also fell over the month by 0.6ppl to 111.3ppl. The gap between supermarket prices and the UK average for **unleaded** has fallen to 1.6ppl.

Overseas prices have also fallen. The UK has the eleventh highest **unleaded** price in Europe and the second highest **diesel** price.

Garages and Supermarkets	Unleaded 95 Octane (pence)		Diesel (pence)		Super Unleaded (pence)		LPG (pence)
	litres	(gallons)	litres	(gallons)	litres	(gallons)	
Northern Ireland	113.4	515.5	125.4	570.08	121.8	553.7	53.9
Scotland	112.3	510.5	124.3	565.08	118.2	537.3	57.3
Wales	113.3	515.1	124.8	567.35	118.7	539.6	53.2
North	112.3	510.5	123.8	562.81	120	545.5	54.3
North West	111.9	508.7	123.3	560.53	119.7	544.2	56.4
Yorkshire & Humberside	111.9	508.7	123.2	560.08	119.3	542.3	54.4
West Midlands	112.8	512.8	124.1	564.17	119.6	543.7	58.9
East Midlands	112.7	512.3	123.8	562.81	120	545.5	59
East Anglia	113.3	515.1	124.5	565.99	119.5	543.3	58.2
South East	113.4	515.5	124.8	567.35	119.8	544.6	60.3
South West	113.2	514.6	124.4	565.53	119.3	542.3	57.6
London	113.8	517.3	124.9	567.81	120.4	547.3	61.2
<b>UK AVERAGE</b>	<b>112.9</b>	<b>513.3</b>	<b>124.3</b>	<b>565.08</b>	<b>119.7</b>	<b>544.2</b>	<b>58.4</b>
Per cent taken as Tax	59.5		55.40		57.0		

Supermarkets	Unleaded 95 Octane		Diesel		Super unleaded		LPG
	litres	(gallons)	litres	(gallons)	litres	(gallons)	
<b>SUPERMARKET AVERAGE</b>	<b>111.3</b>	<b>506.0</b>	<b>122.8</b>	<b>558.3</b>	<b>116.2</b>	<b>528.3</b>	<b>54.3</b>
Per cent taken as Tax	<b>60.1</b>		<b>55.9</b>		<b>58.2</b>		

The AA Public Affairs Fuel Price Report uses data sourced from Experian Catalyst ([www.catalist.com](http://www.catalist.com))  
 They are an average of mid-month prices from the respective regions.

# Fuel Price Report

April 2011



For the  
road ahead

## FUEL PRICE REPORT APRIL 2011

Despite a 1p cut in fuel duty in the Budget, UK average fuel prices have climbed to new record highs. Compared to last Easter, petrol is nearly 15p a litre more expensive and diesel 20p higher. Oil is \$122 a barrel.

**Unleaded** prices have risen by 2.9ppl from 132.9ppl to 135.8ppl. **Diesel** prices have also risen, by 3.0ppl, from 139.0ppl to 142.0ppl. The price difference between unleaded and diesel has risen to 6.2ppl.

**Northern Ireland** and the **South East** recorded the highest price for **unleaded** at 136.3ppl. **Yorkshire and Humberside** recorded the lowest price for **unleaded** at 135.1ppl. **Scotland** recorded the highest **diesel** price at 142.8ppl. **Yorkshire and Humberside** have the cheapest **diesel** at 141.5ppl.

Supermarket prices for **unleaded** also rose over the month by 3.3ppl to 133.3ppl. The gap between supermarket prices and the UK average for **unleaded** has fallen to 2.5ppl.

The UK has the twelfth highest **unleaded** price in Europe and the third highest **diesel** price.

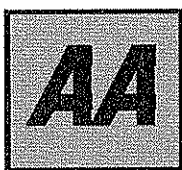
Garages and Supermarkets	Unleaded 95 Octane (pence)		Diesel (pence)		Super Unleaded (pence)		LPG (pence)
	litres	(gallons)	litres	(gallons)	litres	(gallons)	
Northern Ireland	136.3	619.6	142.7	648.73	143.1	650.5	73.9
Scotland	135.8	617.4	142.8	649.18	141.5	643.3	75.9
Wales	136.1	618.7	142.5	647.82	141.5	643.3	75.2
North	135.4	615.5	142.1	646.00	144.4	656.5	73.6
North West	135.3	615.1	141.7	644.18	141.6	643.7	76.3
Yorkshire & Humberside	135.1	614.2	141.5	643.27	142.7	648.7	71.4
West Midlands	135.8	617.4	141.9	645.09	143.2	651.0	77.0
East Midlands	135.4	615.5	141.6	643.73	142.2	646.5	77.7
East Anglia	136.1	618.7	142.0	645.54	143.0	650.1	77.2
South East	136.3	619.6	142.0	645.54	142.9	649.6	78.3
South West	136.2	619.2	142.2	646.45	143.7	653.3	71.9
London	135.9	617.8	141.6	643.73	143.2	651.0	77.8
<b>UK AVERAGE</b>	<b>135.8</b>	<b>617.4</b>	<b>142.0</b>	<b>645.54</b>	<b>142.7</b>	<b>648.7</b>	<b>76.5</b>
Per cent taken as Tax		59.3		57.48		57.3	

Supermarkets	Unleaded 95 Octane		Diesel		Super unleaded		LPG
	litres	(gallons)	litres	(gallons)	litres	(gallons)	
<b>SUPERMARKET AVERAGE</b>	<b>133.3</b>	<b>606.0</b>	<b>139.5</b>	<b>634.2</b>	<b>137.7</b>	<b>626.0</b>	<b>72.4</b>
Per cent taken as Tax		60.1		58.21		58.8	

The AA Public Affairs Fuel Price Report uses data sourced from Experian Catalyst ([www.catalist.com](http://www.catalist.com))  
They are an average of mid-month prices from the respective regions.

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## MOTURING COSTS 2008

### Petrol Cars

See  
note:

Standing charges per year, £		Purchase price of the car when new:				
		Up to £10,000	£10,000 to £13,000	£13,000 to £20,000	£20,000 to £30,000	Over £30,000
A	VED ( Road Tax)	120	145	170	210	400
B	Insurance	420	472	606	810	961
C	Cost of capital	401	578	806	1245	1835
D	Depreciation	1097	1636	2486	3247	7099
E	Breakdown cover	44	44	44	44	44
Standing charges only: £		2082	2875	4112	5556	10339

### Standing charges as pence per mile

at 5,000 miles per year	41.20	56.85	81.25	109.82	203.94
at 10,000	20.82	28.75	41.12	55.56	103.39
at 15,000	14.17	19.60	28.08	37.91	70.82
at 20,000	10.96	15.19	21.80	29.40	55.24
at 25,000	8.85	12.29	17.64	23.78	44.76
at 30,000	7.42	10.29	14.78	19.93	37.54

### Running costs, pence per mile

F	Petrol *	11.01	11.76	13.83	16.43	19.77
G	Tyres	0.52	0.68	1.03	1.68	1.96
H	Service labour costs	3.20	2.94	2.79	2.91	3.22
I	Replacement parts	1.67	1.75	1.88	3.03	3.35
J	Parking and tolls	1.80	1.80	1.80	1.80	1.80
Running costs only: p.		18.20	18.93	21.33	25.85	30.10

\* NB: Petrol at 108.1 pence per litre

For each penny more or less,

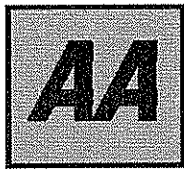
add or take away:

0.10	0.11	0.13	0.15	0.18
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### Total of standing and running costs as pence per mile

at 5,000 miles per year	59.40	75.77	102.58	135.67	234.04
at 10,000	39.02	47.68	62.45	81.41	133.49
at 15,000	32.37	38.53	49.41	63.76	100.92
at 20,000	29.16	34.12	43.13	55.25	85.34
at 25,000	27.05	31.21	38.97	49.63	74.86
at 30,000	25.61	29.22	36.11	45.78	67.64

Please see the associated notes for more detail. These figures are typical but do not represent all types of vehicle and conditions of use. Once compiled, some of the variables may change at any time.



## MOTURING COSTS 2008

### Diesel Cars

See  
note:

**Standing charges per year, £**

		Purchase price of the car when new:				
		Up to £10,000	£10,000 to £13,000	£13,000 to £20,000	£20,000 to £30,000	Over £30,000
A	VED (Road Tax)	35	120	170	210	400
B	Insurance	420	472	606	810	961
C	Cost of capital	468	582	829	1170	2061
D	Depreciation	1202	1858	2410	3156	5461
E	Breakdown cover	44	44	44	44	44
<b>Standing charges only: £</b>		<b>2169</b>	<b>3076</b>	<b>4059</b>	<b>5390</b>	<b>8927</b>

### Standing charges as pence per mile

at 5,000 miles per year	42.90	60.78	80.22	106.54	176.36
at 10,000	21.69	30.76	40.59	53.90	89.27
at 15,000	14.78	21.00	27.70	36.77	60.97
at 20,000	11.45	16.31	21.50	28.53	47.37
at 25,000	9.25	13.20	17.39	23.07	38.33
at 30,000	7.75	11.06	14.57	19.33	32.12

### Running costs, pence per mile

F	Diesel Fuel *	8.42	9.00	11.61	12.61	16.93
G	Tyres	0.52	0.68	1.03	1.68	1.96
H	Service labour costs	2.75	2.71	2.79	2.79	4.33
I	Replacement parts	1.98	1.83	2.06	2.32	2.39
J	Parking and tolls	1.80	1.80	1.80	1.80	1.80
<b>Running costs only: p.</b>		<b>15.47</b>	<b>16.02</b>	<b>19.29</b>	<b>21.20</b>	<b>27.41</b>

\* NB Fuel at: 117.4 pence per litre

For each penny more or less,

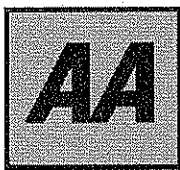
add or take away:

0.07	0.08	0.10	0.11	0.14
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### Total of standing and running costs as pence per mile

at 5,000 miles per year	58.36	76.80	99.51	127.74	203.77
at 10,000	37.16	46.78	59.88	75.10	116.68
at 15,000	30.25	37.03	46.99	57.98	88.38
at 20,000	26.91	32.33	40.79	49.73	74.78
at 25,000	24.72	29.22	36.68	44.28	65.74
at 30,000	23.22	27.08	33.86	40.54	59.54

Please see the associated notes for more detail. These figures are typical but do not represent all types of vehicle and conditions of use. Once compiled, some of the variables may change at any time.



## Motoring Costs 2011

### Petrol Cars

See note:	Standing charges per year, £	Purchase price of the car when new:				Over £32,000
		Up to £12 000	£12 000 to £16 000	£16 000 to £20 000	£20 000 to £32 000	
A	VED ( Road Tax)	130	165	245	245	460
B	Insurance	725	805	965	1281	2019
C	Cost of capital	236	300	380	578	1177
D	Depreciation	1217	1873	2467	3084	6439
E	Breakdown cover	50	50	50	50	50
	<b>Standing charges only: £</b>	<b>2358</b>	<b>3193</b>	<b>4107</b>	<b>5238</b>	<b>10145</b>

#### Standing charges as pence per mile

at 5,000 miles per year	46.67	63.11	81.15	103.53	200.32
at 10,000	23.58	31.93	41.07	52.38	101.45
at 15,000	16.04	21.79	28.04	35.74	69.35
at 20,000	12.40	16.90	21.77	27.73	53.94
at 25,000	10.02	13.67	17.61	22.43	43.67
at 30,000	8.39	11.45	14.76	18.80	36.61

#### Running costs, pence per mile

F	Petrol *	12.90	14.52	16.76	17.41	23.55
G	Tyres	1.07	1.14	1.65	2.00	3.21
H	Service labour costs	4.14	3.77	3.85	3.81	6.71
I	Replacement parts	2.04	2.03	2.08	2.54	3.05
J	Parking and tolls	1.80	1.80	1.80	1.80	1.80
	<b>Running costs only: p.</b>	<b>21.95</b>	<b>23.26</b>	<b>26.14</b>	<b>27.56</b>	<b>38.32</b>

\* NB: Petrol at 133.3 pence per litre

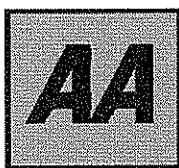
For each penny more or less,

add or take away: 0.10 0.11 0.13 0.14 0.17

#### Total of standing and running costs as pence per mile

at 5,000 miles per year	68.62	86.37	107.29	131.09	238.64
at 10,000	45.53	55.19	67.21	79.94	139.77
at 15,000	37.99	45.05	54.18	63.30	107.67
at 20,000	34.35	40.16	47.91	55.29	92.26
at 25,000	31.96	36.93	43.75	49.99	81.99
at 30,000	30.33	34.72	40.90	46.36	74.92

Please see the associated notes for more detail. These figures are typical but do not represent all types of vehicle and conditions of use. Once compiled, some of the variables may change at any time.



## Motoring Costs 2011

### Diesel Cars

See note:	Standing charges per year, £	Purchase price of the car when new:				
		Up to £12 000	£12 000 to £17 000	£17 000 to £20 000	£20 000 to £32 000	Over £32 000
A	VED (Road Tax)	95	115	165	210	445
B	Insurance	733	859	943	1216	2090
C	Cost of capital	226	352	389	629	1109
D	Depreciation	1160	2095	2382	3279	5519
E	Breakdown cover	50	50	50	50	50
<b>Standing charges only: £</b>		<b>2264</b>	<b>3471</b>	<b>3929</b>	<b>5384</b>	<b>9213</b>

#### Standing charges as pence per mile

at 5,000 miles per year	44.82	68.58	77.63	106.37	182.05
at 10,000	22.64	34.71	39.29	53.84	92.13
at 15,000	15.40	23.70	26.83	36.77	62.89
at 20,000	11.90	18.40	20.84	28.56	48.82
at 25,000	9.61	14.89	16.86	23.11	39.50
at 30,000	8.05	12.48	14.13	19.37	33.10

#### Running costs, pence per mile

F	Diesel Fuel *	9.53	10.74	12.59	14.27	18.65
G	Tyres	1.07	1.20	1.34	1.70	2.73
H	Service labour costs	3.81	3.45	3.58	4.12	4.82
I	Replacement parts	2.20	2.18	2.21	2.54	3.05
J	Parking and tolls	1.80	1.80	1.80	1.80	1.80
<b>Running costs only: p.</b>		<b>18.41</b>	<b>19.37</b>	<b>21.52</b>	<b>24.43</b>	<b>31.05</b>

\* NB Fuel at: 130.7 pence per litre

For each penny more or less,

add or take away: 0.07 0.08 0.10 0.11 0.14

#### Total of standing and running costs as pence per mile

at 5,000 miles per year	63.23	87.95	99.15	130.80	213.10
at 10,000	41.05	54.08	60.81	78.27	123.18
at 15,000	33.82	43.07	48.35	61.20	93.94
at 20,000	30.31	37.77	42.36	52.99	79.87
at 25,000	28.03	34.26	38.38	47.54	70.55
at 30,000	26.46	31.84	35.65	43.80	64.15

Please see the associated notes for more detail. These figures are typical but do not represent all types of vehicle and conditions of use. Once compiled, some of the variables may change at any time.

## CHESHIRE EAST COUNCIL

### LICENSING COMMITTEE

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**Date of meeting:** 8 June 2011  
**Report of:** Head of Safer & Stronger Communities  
**Title:** Licence Fees - Hackney Carriage and Private Hire Vehicles, Drivers and Operators

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#### **1.0 Report Summary**

- 1.1 The purpose of the report is to provide the Licensing Committee with information relating to the responses received to proposals to vary the licence fees payable in connection with licences for hackney carriage and private hire drivers, vehicles and operators.

#### **2.0 Recommendations**

- 2.1 The Licensing Committee is requested to consider the objections received in relation to the proposed variation of licence fees; and
- 2.2 Having considered the objections, to determine:
- 1 whether the variation of (i) the fees for licences relating to private hire vehicles and operators across the Borough; and (ii) the fees applicable to hackney carriage proprietors (vehicle) and joint drivers licences in each of the three hackney carriage zones, shall come into force, with or without modifications; and
  - 2 if a variation is approved, to set a date from which the variation shall take effect (any such date may not be later than 29 June 2011).

#### **3.0 Reasons for Recommendations**

- 3.1 The fees currently charged by the Council for licences relating to hackney carriage and private hire vehicles, drivers and operators were set by the Licensing Committee on 20 July 2009. On 7 March 2011 the Licensing Committee resolved to authorise the Borough Solicitor to publish a notice containing proposals to vary the level of fees charged by the Council. Objections to the proposals have been received within the consultation period and therefore the matter has been referred to the Licensing Committee for consideration.

#### **4.0 Wards Affected**

- 4.1 All

**5.0 Local Ward Members**

5.1 All

**6.0 Policy Implications including - Climate change  
- Health**

6.1 None

**7.0 Financial Implications 2011/12 and beyond (Authorised by the Borough Treasurer)**

7.1 The increase to fees suggested within the original proposals reflects the CPI (Consumer Price Index) figure for December 2010, i.e. 3.7%

7.2 In 2010/11 expenditure on the administration of hackney carriage and private hire licensing was some £345k; income was £336k. A change in fees will be required to help ensure cost recovery for the Service, in accordance with budget planning expectations reflecting changes in staffing and supplies costs which are estimated to bring total expenditure in excess of £350k.

**8.0 Legal Implications (Authorised by the Borough Solicitor)**

8.1 The statutory authority for the Council to make a charge in relation to the issue of hackney carriage and private hire licences emanates from sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976 ('the 1976 Act').

8.2 Section 53(2) of the 1976 Act provides that the Council may "demand and recover for the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle, as the case may be, such a fee as they consider reasonable with a view to recovering the costs of issue and administration.."

8.3 Section 70(1) of the 1976 Act states:

"Subject to the provisions of subsection (2) of this section, a district council may charge such fees for the grant of vehicle and operators' licences as resolved by them from time to time and as may be sufficient in the aggregate to cover in whole or in part –

- (a) the reasonable cost of carrying out by or on behalf of the district council of inspections of hackney carriages and private hire vehicles for the purpose of determining whether any such licence should be granted or renewed;
- (b) the reasonable cost of providing hackney carriage stands; and
- (c) any reasonable administrative or other costs in connection with the foregoing and the control and supervision of hackney carriages and private hire vehicles."

- 8.4 Section 70(3) of the 1976 Act prescribes that fees in relation private hire and hackney carriage vehicle licences and private hire operator's licences must be subject to statutory publication in a local newspaper with provision made for representations to be made within twenty-eight days of publication of the notice. If no objection is made within the period specified within the notice, or if all such objections are withdrawn, the variation to the fees will come into operation on the date of the expiration of the notice, or the date of the withdrawal of the last objection, whichever is the later. Where objections are received the Council must consider these representations and set a further date, not later than two months after the first date, on which the variation will come into force with or without modifications.
- 8.5 By virtue of regulation 2(6) of the Local Authorities (Functions and Responsibilities)(England) Regulations 2000, the function of setting the fees in relation to hackney carriage and private hire vehicles, drivers and operators is a non-executive function. The Council's Constitution delegates the setting of these fees to the Licensing Committee.

## **9.0 Risk Management**

- 9.1 Full consideration of any objections received in response to the publication of the notice would mitigate the risk of challenge to any decision taken.

## **10.0 Background and Options**

- 10.1 As Members will recall, at its meeting on 7 March 2011 the Licensing Committee resolved to authorise the Borough Solicitor to publish a notice of proposed variations to the licences fees charged in relation to licences for hackney carriage and private hire vehicles, drivers and operators. The notice, a copy of which is attached as Appendix A, was published in local newspapers circulating within the Borough during the week commencing 28 March 2011.
- 10.2 Objections to the proposed variations have been received within the consultation period and the matter has therefore been referred back to the Committee for determination. Copies of the objections are attached at Appendix B.
- 10.3 Since the notice was published, in line with advice from the Criminal Records Bureau, the Council has amended its requirements in relation to CRB checks in relation to applicants for hackney carriage/private hire drivers licences. Rather than requiring all such applicants to undertake an Enhanced level CRB check (at a cost of £44), applicants will be required to undertake a Standard level CRB check (at a cost of £26). It should be noted that drivers who undertake 'regulated activity' (as defined within the Safeguarding Vulnerable Groups Act 2006) relating either to children or vulnerable adults will still be required to undertake an Enhanced level check.

- 10.4 The Licensing Committee is requested to determine whether any variation should be made, and if so the amount of the variation, in relation to the fees charged by Cheshire East Borough Council in relation to the issue of hackney carriage and private hire vehicles, drivers and operator. The Committee is reminded that, as the licensing of hackney carriages within the Borough remains on a zoned basis, the fees in relation to hackney carriages must be determined in relation to each of the individual zones.
- 10.5 The options open to the Committee are:
- (a) not to vary the existing licence fees;
  - (b) to approve the variation of (i) the fees for licences relating to private hire vehicles and operators across the Borough; and (ii) the fees applicable to hackney carriage proprietors (vehicle) and joint drivers licences in each of the three hackney carriage zones on the basis set out within the notice attached at Appendix A (i.e. without modification);
  - (c) to approve a modification to the proposed variation of (i) the fees for licences relating to private hire vehicles and operators across the Borough; and (ii) the fees applicable to hackney carriage proprietors (vehicle) and joint drivers licences in each of the three hackney carriage zones.

#### **11.0 Access to Information**

Appendix A – Notice of proposed variation

Appendix B - Objections in relation to the proposed variation

The background papers relating to this report can be inspected by contacting the report writer:

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Designation: Solicitor, Legal Services (Regulatory)

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Email: [kate.khan@cheshireeast.gov.uk](mailto:kate.khan@cheshireeast.gov.uk)



**APPENDIX A****CHESHIRE EAST BOROUGH COUNCIL**

**NOTICE** is hereby given, in accordance with section 70 of the Local Government (Miscellaneous Provisions) Act 1976 ('the 1976 Act'), that Cheshire East Borough Council ('the Council') proposes to vary the licence fees currently charged in relation to private hire vehicles and operators throughout the Borough of Cheshire East ('the Borough') as follows:

	Existing Fee	Varied Fee
Private Hire Vehicle Licence (Annual)	£290	£301
6 month test (private hire vehicle) (over 7 years old)	£75	£78
Private Hire Operators Licence (5 years)	£335	£347

**NOTICE** is also hereby given, in accordance with section 70 of the 1976 Act, that the Council proposes to vary the licence fees currently charged in relation to hackney carriage proprietor (vehicle) licences and joint private hire/hackney carriage drivers licences in each of the three hackney carriages zones within the Borough, namely zone 1 (Congleton zone), zone 2 (Crewe & Nantwich zone) and zone 3 (Macclesfield zone) as follows:

	Existing Fee	Varied Fee
Hackney Carriage Proprietor (Vehicle) Licence (Annual)	£290	£301
6 month test (hackney carriage vehicle) (over 7 years old)	£75	£78
Joint Hackney Carriage/Private Hire Drivers Licence – New application (3 years)	£174 (excluding CRB fee)	£180 (excluding CRB fee)
Joint Hackney Carriage/Private Hire Drivers Licence – Renewal (3 years)	£114 (excluding CRB fee)	£118 (excluding CRB fee)

**N.B. The Council has been notified by the Criminal Records Bureau that, with effect from 6<sup>th</sup> April 2011, the fee for an Enhanced Criminal Records Bureau disclosure will increase by £8, i.e. from £36 to £44. This would mean that the varied fee, including the CRB fee, would be £224 for a new application for a joint hackney carriage/private hire drivers licence and £162 in relation to a renewal application.**

Any person wishing to object to the variation of the fees must do so in writing by no later than 28<sup>th</sup> April 2011. Objections must be sent to the Licensing Section, Westfields, Middlewich Road, Sandbach, Cheshire CW11 1HZ or by e-mail to [licensing1@cheshireeast.gov.uk](mailto:licensing1@cheshireeast.gov.uk).

A copy of this notice will be deposited at the following locations during the consultation period and will be open for public inspection (without payment) during normal office hours: (i) Customer Centre, Town Hall, Market Place, Macclesfield; (ii) Reception, Westfields, Middlewich Road, Sandbach; and (iii) Reception, Municipal Buildings, Earle Street, Crewe.

If no objection to the proposed variation is made by 28<sup>th</sup> April 2011, or if all such objections are withdrawn, the variation shall come into operation on the date of expiration of the consultation period (i.e. 29<sup>th</sup> April 2011) or the date of withdrawal of the objection, or if more than one, of the last objection, whichever date is the later. In the event that objections are made and not withdrawn, these will be referred to a meeting of the Council's Licensing Committee for consideration

**Dated: 30<sup>th</sup> March 2011**  
**Caroline Elwood, Interim Borough Solicitor**

**APPENDIX B**

OBJECTION 1

Operator Licence Fare Increase

In response to your advertisement in the Wilmslow Express dated 31 March 2011 regarding the above.

I object to the proposed increase as I feel these increases are totally unjustified on the grounds that Staff members are losing their jobs so costs should be going down not up. Also as we are not seeing any enforcement when complaints are made and no enforcement officers on the ranks.

Until this begins to occur then these increases can not be justified

OBJECTION 2

I formally give notice that I wish to object to the increase in fees.

As a Small Business operator I ask how you can justify the increase, what do we actually get for our money?.

Are you trying to help Small Business's or put them out of business, with the price of fuel going up daily and insurance on the rise we have to keep our fares at a reasonable price, therefore how do we absorb another hike in your charges.

Another point I object to is the way you charge for a vehicle which is 7 years or older, if the test is valid only for 6 months then we should only pay for 6 months (I.e.  $\pounds 290 + \pounds 75 = \pounds 365/2 = \pounds 182.50$ ), this allows us as a business to plan only 6 months ahead with an older vehicle, after all if we tax the vehicle for 12 months we can apply for a refund of full months left if we decide to dispose of it.

I fully understand the need to save money when running a business, since taking charge here at Rainbow Cars nearly 2 years ago I have implemented many changes and feel that the Borough could also make some changes which would save time and wasted money, all it takes is to listen to the operator on matters over licensing and how they are issued, sometimes the answer is right under you nose but you are blind to the fact. A great idea is to have a working party of Licensing Officers and Business Owners who communicate ideas of what we can do to help each other, this I feel is the way forward.

OBJECTION 3

Please note my objection to the proposed increase. When the existing fees were set in 2009, at a very significant increase, the council accountant advised that the fees, eventually agreed, were based on the three separate councils' costs Pre-LGR. He further admitted that as LGR progressed, he would expect to see the benefits of LGR in a reduced Cost base. We have seen significant savings, staff taking "early retirement", closures of depots etc., unfortunately not always whilst

service levels to the trade. (Staff moved from Macclesfield to Sandbach and NO provision made for licence plates to be picked up in Macclesfield).

In addition, under the terms of the legislation the council are NOT permitted to use these licence fees as a "cash cow". Fees can NOT be treated as general revenue and no evidence has been produced as to how licence fees collected have been expended. Systematically, increasing fees in line with CPI /RPI or whatever is not allowed by legislation.

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