

Licensing Committee

Agenda

Date: Monday, 5th November, 2012
Time: 2.00 pm
Venue: Council Chamber, Municipal Buildings, Earle Street, Crewe
CW1 2BJ

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**

To receive apologies for absence.

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary 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.

Please contact Julie Zientek on 01270 686466
E-Mail: julie.zientek@cheshireeast.gov.uk with any apologies or requests for further information or to give notice of a question to be asked by a member of the public

4. **Minutes of Previous Meeting** (Pages 1 - 2)

To approve the minutes of the meeting held on 16 July 2012.

5. **Minutes of Licensing Sub-Committees** (Pages 3 - 24)

To receive the minutes of the following meetings:

Licensing Act Sub-Committee

11 July 2012
21 August 2012

General Licensing Sub-Committee

17 August 2012
17 September 2012
26 September 2012

6. **Revised Statement of Gambling Principles** (Pages 25 - 50)

To consider the draft Statement of Principles (Gambling Act 2005) following the period of statutory consultation.

7. **Hackney Carriage Table of Fares - Update** (Pages 51 - 72)

To consider proposed options with respect to the variation of the current table of fares in each Hackney Carriage Zone and to make a recommendation to the Cabinet Member for Communities and Regulatory Services.

8. **A Revised Convictions Policy For Hackney Carriage/Private Hire Drivers**
(Pages 73 - 84)

To consider a draft revised convictions policy for joint hackney carriage / private hire drivers.

9. **Amendments to the Licensing Committee Scheme of Delegation** (Pages 85 - 96)

To consider proposed amendments to the Licensing Committee Scheme of Delegation.

THERE ARE NO PART 2 ITEMS

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Committee**
held on Monday, 16th July, 2012 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor P Whiteley (Chairman)
Councillor W S Davies (Vice-Chairman)

Councillors C Andrew, Rhoda Bailey, D Bebbington, H Davenport, I Faseyi,
M Hardy, D Mahon, M Parsons, M Sherratt and L Smetham

OFFICERS IN ATTENDANCE

Miss F Crane (Solicitor) and Mr D Hawkes (Team Leader, Investigations)

8 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors L Gilbert and G Wait.

9 DECLARATIONS OF INTEREST

There were no declarations of interest.

10 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present.

11 MINUTES OF PREVIOUS MEETING

RESOLVED-That the minutes of the meeting held on 29 May 2012 be approved as a correct record and signed by the Chairman.

12 MINUTES OF LICENSING SUB-COMMITTEES

RESOLVED-That the minutes of the Licensing Act Sub Committee meetings held on 28 May 2012, 30 May 2012 and 21 June 2012 be received.

That the minutes of the General Licensing Sub Committee meeting held on 29 June 2012 be received.

(During consideration of the following item, Councillor H Davenport arrived to the meeting).

13 REVIEW OF STATEMENT OF LICENSING PRINCIPLES (GAMBLING ACT 2005)

Consideration was given to a report on the Review of Statement of Licensing Principles (Gambling Act 2005).

RESOLVED

That the Strategic Director Places and Organisational Capacity in consultation with the Cabinet Member for Communities and Regulatory Services be recommended to approve the draft statement of principles at Appendix 1 to the report for the purpose of the statutory consultation exercise required by the Gambling Act 2005 subject to the inclusion of the Adult Safeguarding Board and Local Service Delivery Committees for Crewe and Macclesfield in the list of Consultees.

The meeting commenced at 2.00 pm and concluded at 2.15 pm

Councillor P Whiteley (Chairman)

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Wednesday, 11th July, 2012 at The Tatton Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

Councillors Rhoda Bailey, M Parsons and P Whiteley

OFFICERS IN ATTENDANCE

Mrs N Cadman (Licensing Enforcement Officer) and Ms F Crane (Licensing Solicitor) Mrs J North (Senior Democratic Services Officer)

Apologies

None.

11 APPOINTMENT OF CHAIRMAN**RESOLVED**

That Cllr P Whiteley be appointed as Chairman for the meeting.

12 DECLARATIONS OF INTEREST

None.

13 APPLICATION FOR A PREMISES LICENCE: ALDELI, TOWER BUILDINGS, WILMSLOW ROAD, ALDERLEY EDGE, CHESHIRE, SK9 7QB.

The Sub-Committee considered a report regarding an application for a Premises Licence for Aldeli, Tower Buildings, Wilmslow Road, Alderley Edge, Cheshire.

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

The Applicants
Local Residents

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 for a Premises Licence be granted as applied for, subject to the following conditions : -

1. That sound levels be monitored at the boundary of the nearest neighbouring property from 9pm each evening that music is being played such that it cannot be heard above the general street noise beyond that boundary.
2. That the outside seating not be used after 9pm.
3. The Premises Supervisor (not the performer(s)) shall at all times have control of the amplification of live music.
4. Bottles not to be disposed of outside between 9pm and 9am.

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 may call for a review of the licence at any time.

Parties who made relevant representations had the right to appeal this decision to the Magistrates Court within 21 days, as had the Applicant.

14 APPLICATION FOR A PREMISES LICENCE: DISLEY SERVICE STATION, 159 BUXTON ROAD, DISLEY, SK12 2HG

The Sub-Committee considered a report regarding an application for a Premises Licence for Disley Service Station, 159 Buxton Road, Disley.

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

Representatives of the applicant
Local residents
Representatives from Disley Parish Council

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 for a Premises Licence be granted, subject to the imposition of the following Agreed Conditions : -

1. If the business is to operate beyond 2300 hours and before 0700 all service between these times shall be through a night service hatch
2. The shop doors will be closed to customers between 2300 and 0700 hours daily.

The 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 may call for a review of the licence at any time.

Parties who made relevant representations had the right to appeal this decision to the Magistrates Court within 21 days, as did the Applicant.

The meeting commenced at 10.00 am and concluded at 2.00 pm

Councillor P Whiteley

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Act Sub-Committee**
held on Tuesday, 21st August, 2012 at The Tatton Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

Councillor P Whiteley (Chairman)

Councillors Rhoda Bailey and D Mahon

OFFICERS IN ATTENDANCE

Fiona Crane, Lawyer
Kim Evans, Licensing Team Leader
Nikki Cadman, Licensing Officer
Julie Zientek, Democratic Services Officer

15 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

16 DECLARATIONS OF INTEREST

There were no declarations of interest.

17 APPLICATION FOR A PREMISES LICENCE: THE BLACK SWAN, TRAP STREET, LOWER WITHINGTON, MACCLESFIELD, SK11 9EQ

The Sub-Committee considered a report regarding an application by The Sprout Pub Company Ltd for a Premises Licence for The Black Swan, Trap Street, Lower Withington.

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

- a representative of the applicant
- a solicitor representing the applicant
- a local resident
- two representatives of the Environmental Health Service

The applicant's solicitor reported that all objections except two had been withdrawn following amendments to the proposed operating schedule, copies of which were circulated at the meeting.

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 application for a Premises Licence be granted, subject to the revised operating schedule which had been circulated at the meeting, as follows:

Activity	Timings
Plays (Indoors)	09:00 – 00:00
Plays (Outdoors)	09:00 – 18:00
Films (Indoors)	09:00 – 00:00
Indoor Sporting Events	09:00 – 00:00
Live Music (Indoors)	09:00 – 00:00
Recorded Music (Indoors)	09:00 – 00:00
Performances of Dance (Indoors)	09:00 – 00:00
Anything of a Similar Description to Live Music, Recorded Music or Performances of Dance (Indoors)	09:00 – 00:00
Provision of Entertainment Facilities for Making Music (Indoors)	09:00 – 00:00
Provision of Entertainment Facilities for Dancing (Indoors)	09:00 – 00:00
Entertainment of a Similar Description to Provision of Entertainment Facilities for Making Music or Dancing (Indoors)	09:00 – 00:00
The Sale of Alcohol	09:00 – 00:00
Late Night Refreshment	09:00 – 00:00
Permitted Opening Times	09:00 – 00:30

Conditions

General – all four licensing objectives

All staff will be trained in relation to the licensing objectives so as to prevent crime and disorder and public nuisance and to promote the prevention of children from harm and public safety. Said training will be documented and will be made available to an authorised officer upon request.

The prevention of crime and disorder

CCTV will be installed at the premises. Said CCTV system shall comply with the following criteria:

- The system shall display on any recording the correct time and date of the recording
- The system shall be recording during all hours the premises is open to the public
- Recordings shall be held for a minimum of 30 days after the recording is made and will be made available to the Police for inspection upon request.
- As a minimum, the CCTV will capture a head and shoulders image of any person who enters the premises.

A staff member who is conversant with the operation of the CCTV system will be on the premises at all times that licensable activities are taking place. This staff member will be able to show data or footage with the minimum of delay when requested.

The prevention of public nuisance

Clear, legible and conspicuous notices requesting patrons to avoid causing noise, nuisance or disturbance to local residents shall be displayed at public exits.

There shall be no live music or recorded music permitted outdoors.

Regulated entertainment noise from the premises shall not be audible from the boundary of noise sensitive properties.

Whenever regulated entertainment takes place, regular assessments of the noise emanating from the premises will be conducted, with remedial action being taken whenever the level of noise is considered likely to cause a disturbance to any local residents. A written assessment will be made of said assessments in a log book kept for that purpose and shall include the time and date of the checks, the name of the person making the checks and the results, including any remedial action.

There shall be notices at all public exits from the premises, in a place that they can be seen and easily read, reminding customers to leave quietly and with respect to local residents.

Doors and windows shall remain closed whenever amplified live music is hosted by the premises, except in the event of an emergency or for the purposes of access and egress.

There shall be no disposal of bottles outside the premises between the hours of 21:00 and 09:00.

Prior to the last member of staff leaving the premises, they shall check that no customers remain in the car park and secure the car park by use of the erectable bollards.

The protection of children from harm

A written 'Challenge 21' Policy shall be in place. This policy shall be actively promoted and will state that any person who attempts to purchase alcohol who appears to be under 21 years of age shall be asked to provide identification to prove that they are 18 years of age or over. The following forms of identification will be acceptable:

- a) Passport;
- b) Photo Driving Licence;
- c) PASS accredited holographic Proof of Age Card; or
- d) Any other form of identification which may be agreed with the local police licensing unit.

All staff will be suitably trained in relation to the challenge 21 policy. The training will be documented and will be made available to an authorised officer upon request.

There shall be no persons under the age of 18 permitted to remain on the premises after 22:00, unless attending a pre-arranged private function.

(b) That the following further conditions be included in addition to the conditions volunteered within the operating schedule which had been circulated at the meeting:

- There shall be no external speakers at the premises.
- Outdoor Plays shall not be amplified
- A written "Challenge 25" Policy shall be in place. This policy shall be actively promoted and will state that any person who attempts to purchase alcohol who appears to be under 25 years of age shall be asked to provide identification to prove that they are 18 years of age or over.

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

18 NOTICE OF TEMPORARY EVENT: V BAR, 26 WEST STREET, CONGLETON CW12 1JR

The Sub-Committee considered a report regarding a temporary event notice served under the provisions of the Licensing Act 2003 together with an objection notice served in relation to the temporary event notice under section 104 of the Licensing Act 2003.

The following attended the hearing and made representations with respect to the temporary event notice:

- the Licence holder
- a representative of the Licence holder
- two representatives of the Environmental Health Service

After a full hearing 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 objection notice

the following course of action had been agreed:

RESOLVED - That a counter notice be given to the Notice of Temporary Event under section 105 of the Licensing Act 2003, on the grounds that the licensing objective of the prevention of public nuisance would not be met.

The meeting commenced at 10.00 am and concluded at 1.55 pm

Councillor P Whiteley (Chairman)

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Licensing Sub-Committee**
held on Friday, 17th August, 2012 at The Capesthorpe Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

Councillor P Whiteley (Chairman)

Councillors C Andrew, Rhoda Bailey, W S Davies and A Harewood

OFFICERS IN ATTENDANCE

Fiona Crane, Lawyer

Kim Evans, Licensing Team Leader

Jim Hopper, Licensing Officer

Julie Zientek, Democratic Services Officer

10 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

11 APOLOGIES FOR ABSENCE

There were no apologies for absence.

12 DECLARATIONS OF INTEREST

There were no declarations of interest.

13 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 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972 and public interest would not be served in publishing the information.

14 12-13/06 CONSIDERATION OF FITNESS TO HOLD A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE

The Sub-Committee considered a report regarding a complaint which had been made against the holder of a Joint Hackney Carriage/Private Hire Driver's Licence.

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 Joint Hackney Carriage/Private Hire Driver Licence.

The licence holder and three representatives of the licence holder attended the hearing.

After hearing representations from the licensing officer, the licence holder's barrister requested an adjournment, as one of the witnesses was not in attendance.

RESOLVED – That consideration of this matter be deferred to a future meeting of the General Licensing Sub-Committee, to allow one of the witnesses, who was not in attendance due to illness, to attend the meeting.

15 12-13/07 CONSIDERATION OF FITNESS TO HOLD A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE

The Sub-Committee considered a report regarding a complaint which had been made against the holder of a Joint Hackney Carriage/Private Hire Driver's Licence.

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 Joint Hackney Carriage/Private Hire Driver Licence.

The licence holder, two representatives of the licence holder and two witnesses attended the hearing and made representations.

Prior to hearing the evidence, one of the licence holder's representatives submitted that there was no case to answer. Following an adjournment, the Chairman reported that the Sub-Committee had decided that there were questions to answer, and that the hearing should proceed.

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, the following course of action had been agreed.

RESOLVED – That the Licence Holder remains a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence and that no formal action be taken in relation to the future of their licence.

16 12-13/08 CONSIDERATION OF FITNESS TO HOLD A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE

The Sub-Committee considered a report regarding a complaint which had been made against the holder of a Joint Hackney Carriage/Private Hire Driver's Licence.

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 Joint Hackney Carriage/Private Hire Driver Licence.

The licence holder and two witnesses 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, the following course of action had been agreed.

RESOLVED – That the Licence Holder remains a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence and that no formal action be taken in relation to the future of their licence.

17 12-13/09 APPLICATION FOR A JOINT HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE

Note: Councillor C Andrew left the meeting prior to consideration of this matter.

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 and two representatives of the applicant attended the hearing 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, 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 at this time, 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.

The meeting commenced at 9.30 am and concluded at 3.52 pm

Councillor P Whiteley (Chairman)

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Licensing Sub-Committee**
held on Monday, 17th September, 2012 at The Tatton Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

Councillor P Whiteley (Chairman)

Councillors W S Davies, M Hardy, D Mahon and M Parsons

OFFICERS IN ATTENDANCE

Sarah Baxter (Democratic Services Officer)

Fiona Crane (Solicitor)

Kim Evans (Licensing Team Leader)

Jim Hopper (Licensing Officer)

18 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

19 APOLOGIES FOR ABSENCE

There were no apologies for absence.

20 DECLARATIONS OF INTEREST

There were no declarations of interest.

21 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 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972 and public interest would not be served in publishing the information.

22 12-13/10 CONSIDERATION OF FITNESS TO HOLD A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE

The Sub-Committee considered a report regarding the holder of a Joint Hackney Carriage/Private Hire Driver's Licence.

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 Joint Hackney Carriage/Private Hire Driver Licence.

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, the following course of action had been agreed.

RESOLVED

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

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

(The following item was dealt with after Minute no.24)

23 12-13/11 CONSIDERATION OF FITNESS TO HOLD A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE

The Sub-Committee considered a report regarding the holder of a Joint Hackney Carriage/Private Hire Driver's Licence.

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 Joint Hackney Carriage/Private Hire Driver Licence.

(The meeting was adjourned for five minutes in order for the Committee and Officers to discuss a potential adjournment).

RESOLVED

After hearing representations from the Licensing Officer and the Licence Holder's Barrister it was felt necessary to adjourn the meeting in order to allow the opportunity for the Licence Holder to attend a reconvened meeting of the Sub Committee to be held at a future date.

(The following item was considered after Minute No.22)

24 12-13/12 CONSIDERATION OF FITNESS TO HOLD A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE

The Sub-Committee considered a report regarding the holder of a Joint Hackney Carriage/Private Hire Driver's Licence.

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 Joint Hackney Carriage/Private Hire Driver Licence.

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, the following course of action had been agreed.

RESOLVED

That the applicant was 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.

The meeting commenced at 10.00 am and concluded at 12.15 pm

Councillor P Whiteley (Chairman)

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **General Licensing Sub-Committee**
held on Wednesday, 26th September, 2012 at The Tatton Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

Councillor P Whiteley (Chairman)

Councillors H Davenport, L Gilbert, M Hardy and M Parsons

OFFICERS IN ATTENDANCE

Fiona Crane, Lawyer
Kim Evans, Licensing Team Leader
Jim Hopper, Licensing Officer
Julie Zientek, Democratic Services Officer

25 APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor P Whiteley be appointed Chairman.

26 APOLOGIES FOR ABSENCE

There were no apologies for absence.

27 DECLARATIONS OF INTEREST

There were no declarations of interest.

28 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 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972 and public interest would not be served in publishing the information.

29 12-13/13 CONSIDERATION OF FITNESS TO HOLD A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE

The Sub-Committee considered a report regarding a complaint which had been made against the holder of a Joint Hackney Carriage/Private Hire Driver's Licence.

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 Joint Hackney Carriage/Private Hire Driver Licence.

The licence holder, three representatives of the licence holder and a witness 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, the following course of action had been agreed.

RESOLVED – That the Licence Holder remains a fit and proper person to hold a Joint Hackney Carriage/Private Hire Driver Licence and that no formal action be taken in relation to the future of their licence.

30 12-13/14 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 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, the following course of action had been agreed.

RESOLVED – That the applicant is a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence, and that the application for a three year licence be granted subject to the successful completion of the Council's hackney carriage/private hire theory test.

31 12-13/15 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 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, the following course of action had been agreed.

RESOLVED

- (a) That the applicant is a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence, and that the application for a licence be granted subject to the successful completion of the Council's hackney carriage/private hire theory test;
- (b) That the licence be granted for a probationary period of twelve months to enable the applicant to demonstrate that they continue to be a fit and proper person to hold a licence.

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

32 12-13/16 CONSIDERATION OF FITNESS TO HOLD A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE

The Sub-Committee considered a report regarding the holder of a Joint Hackney Carriage/Private Hire Driver's Licence.

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 Joint Hackney Carriage/Private Hire Driver Licence.

The licence holder was not in attendance at the hearing.

Following the Licensing Officer's introduction of the case, and in accordance with the rules of procedure, the Chairman of the Sub-Committee reported that, after taking account of all the evidence, the following course of action had been agreed.

RESOLVED – That consideration of this matter be deferred to a future meeting of the General Licensing Sub-Committee, to allow the licence holder to attend the meeting.

The meeting commenced at 9.30 am and concluded at 2.00 pm

Councillor P Whiteley (Chairman)

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CHESHIRE EAST COUNCIL

Licensing Committee

Date of Meeting: 5th November 2012
Report of: Miss K Evans, Licensing Team Leader
Subject/Title: Revised Statement of Gambling Principles

1.0 Report Summary

- 1.1 The Gambling Act 2005 requires local authorities to prepare and publish a statement of the principles that they propose to apply when exercising their functions under the Act during the three year period to which the statement applies.
- 1.2 The Council is required to review its existing statement of principles and publish the revised version by no later than 31st January 2013. In preparing a revised statement the Council must undertake a consultation exercise with stakeholders.
- 1.3 The purpose of this report is to provide an opportunity for the Licensing Committee to pass comment on the content of the Statement of Principles in accordance with the Council's Budget and Policy Framework Procedure Rules, following the statutory consultation period.

2.0 Recommendation

- 2.1 That the Committee resolves to support the content of the Statement of Principles as set out in appendix A.

3.0 Reasons for Recommendations

- 3.1 The Statement of Principles under the Gambling Act 2005 forms part of the Council's Policy Framework. Therefore, in accordance with the Budget and Policy Framework Procedure Rules, the Licensing Committee should consider the content of the Statement.
- 3.2 In addition to this any comments or views express by the Licensing Committee should be considered by the Cabinet prior to a final proposal being made to the Council.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

5.1 All

6.0 Policy Implications

6.1 The decision within 2.0 seeks approval for a draft policy following consultation having taken place with relevant stakeholders.

7.0 Financial Implications (Authorised by the Director of Finance and Business Services)

7.1 No financial implications have been identified.

8.0 Legal Implications (Authorised by the Borough Solicitor)

8.1 By virtue of section 349 of the Gambling Act 2005 ('the 2005 Act') the Licensing Authority is required to prepare and publish a statement of the principles that it proposes to apply in exercising its functions under the 2005 Act during the three year period to which the policy applies. Whilst statements must usually be revised and published in respect of every period of three years, by virtue of the Local Government (Structural Changes) (Transitional Arrangements) (No 2) Regulations 2008 the statement of principles approved in 2009 was satisfied the requirements of the Gambling Act 2005 as regards the three year period commencing on 31st January 2010. For this reason the Council's statement must be reviewed and republished by no later than 31st January 2013.

8.2 The Statement of Principles forms part of the Council's Policy Framework. As such, the final decision to approve a statement of principles or a revision of the statement rests with full Council. In addition, in developing a revised statement of principles, the Authority must comply with its Budget and Policy Framework Procedure Rules (as set out within the Constitution).

8.3 Sub-section 349(3) of the 2005 Act prescribes that in preparing a revision of a statement a licensing authority is required to consult:

- (a) the chief officer of police for the authority's area;
- (b) one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area; and
- (c) one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the 2005 Act.

8.4 The drafting of the Statement of Principles must take into account the requirements of The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 ('the 2006 Regulations'). In addition, the Gambling Commission's Guidance to Licensing Authorities ('the Guidance') prescribes that in determining its policy, the Licensing Authority must have regard to the Guidance and give appropriate weight to the views of those it has consulted.

- 8.5 Regulation 7 of the 2006 Regulations prescribes that before a revised statement comes into effect the authority must advertise the publication of the statement by way of a notice published on the authority's website and in one or more of the following places: (i) a local newspaper circulating in the area covered by the statement; (ii) a local newsletter, circular or similar document circulating in the area covered by the statement; (iii) a public notice board in or near the principal office of the authority; (iv) a public notice board on the premises of public libraries in the area covered by the statement.
- 8.6 Consideration has been given to the application of the 'public sector equality duty' (as per section 149 Equality Act 2010) to the decision requested within paragraph 2.0 above. It is suggested that the decision requested would have a neutral impact in terms of its impact on those individuals with 'protected characteristics.'

9.0 Risk Management

- 9.1 It is suggested that (a) compliance with the provisions of section 349 of the 2005 Act and the 2006 Regulations; (b) having regard to the provisions of the Guidance; (c) compliance with the Budget & Police Framework Procedure Rules; and (d) giving appropriate weight and consideration to any consultation responses received will mitigate the risk of a successful challenge of the final Statement of Principles.

10.0 Background and Options

- 10.1 As set out above, the Gambling Act 2005 requires licensing authorities to prepare and publish a statement of principles that it proposes to apply in exercising its functions under the Act. The current statement of principles was approved in 2009 and was based on the policies then in force in the areas of the three predecessor district Councils and took into account the requirements of the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 in terms of its form and content.
- 10.2 The draft statement, a copy of which is attached as Appendix 1, incorporates some minor amendments, but in essence remains substantially the same as the original statement. The Licensing Section has not received any comments about the drafting of the current statement from stakeholders in the period since it came into force, i.e. 1st April 2009. Similarly, the Council has not been challenged on the current Statement.
- 10.3 Following a review of the revised Statement of Gambling Principles on the 16th July 2012 the Statement was presented to the Licensing Committee where it was resolved to support the content. Following a subsequent decision of the Cabinet Member for Safer & Stronger Communities the Council has been consulting upon the revised Statement in accordance with the statutory requirements set out in the Legal Implications section of this report. The full list of consultees is set out within the Statement.

- 10.4 The period of the consultation ran from 1st August 2012 to 19th October 2012. No comments on the content have been received. In total three responses have been received confirming that the organisations they represent have no comments to make.

11.0 Access to Information

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

Appendix A - Draft Revised Statement of Gambling Principles

Name: Miss K Evans

Designation: Licensing Team Leader

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STATEMENT OF PRINCIPLES

GAMBLING ACT 2005

1 Introduction

- 1.1 This Statement of Principles ('the Statement') is published by Cheshire East Council ('the Council') as the Licensing Authority in accordance with section 349 of the Gambling Act 2005 ('the Act').
- 1.2 The Council has produced this Statement of Principles in accordance with the provisions of the Act and having regard to the provision of the Guidance issued by the Gambling Commission under Section 25 of the Act.
- 1.3 This Statement of Principles will come into effect on the date of publication by the Council and will be reviewed from time to time as necessary. This statement will be published at least every three years from the date of publication. Statutory consultation shall take place whenever amendments are proposed to the Statement of Principles, before it is republished.
- 1.4 This Statement of Principles deals with the approach the Council, as Licensing Authority, will take in relation to the following matters@:
 - (a) Licensing objectives;
 - (b) Licensable functions;
 - (c) General principles;
 - (d) Responsible Authorities;
 - (e) Interested Parties;
 - (f) Consideration of applications;
 - (g) Reviews;
 - (h) Gambling Premises Licences;
 - (i) Provisional Statements;
 - (j) Casino resolution;
 - (k) Permits;
 - (l) Temporary Use Notices;
 - (m) Occasional Use Notices;
 - (n) Information Exchange;
 - (o) Enforcement;
 - (p) Declaration (of matters to which the Licensing Authority has had regard);
 - (q) Scheme of delegation; and
 - (r) Sources of information

- 1.5 The persons and organisations consulted in relation to this revised Statement of Principles are listed below:

Responsible Authorities

The Gambling Commission;
 Cheshire Constabulary;
 Cheshire Fire & Rescue Service;
 Local Planning Authority;
 Environmental Health Department;
 Local Safeguarding Children Board;
 HM Revenue and Customs.

Persons representing the interests of persons carrying on gambling businesses in the authority's area

British Holiday and Home Parks Association
 Business in Sport & Leisure
 Casino Operators Association of the UK
 Racecourse Association Lts
 BACTA
 British Casino Association
 Association of British Bookmakers
 The Bingo Association
 British Beer and Pub Association
 PubWatch Groups within the Borough
 Chambers of Commerce & Enterprise

Persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005

Parish and Town Councils within the Borough
 East Cheshire NHS Primary Care Trust
 GamCare
 Samaritans
 Gamblers Anonymous
 Citizens Advice Bureau
 Local Service Delivery Committee for Crewe
 Local Service Delivery Committee for Macclesfield
 Adult Safeguarding Board

2 Cheshire East

- 2.1 Cheshire East has a population of 370,100 and covers an area of 116,638 hectares. Cheshire East's administrative area contains the industrial town of Crewe, the old mill towns of Macclesfield, Bollington and Congleton, the market towns of Alsager, Nantwich, Knutsford and Sandbach, the salt town of Middlewich, the town of Wilmslow as well as the smaller settlements of Holmes Chapel and Poynton.

A plan showing the geographical area within which the Council exercises functions as Licensing Authority is shown below.



3 Licensing Objectives

3.1 The Gambling Act 2005 requires the Council as Licensing Authority to carry out its various licensing functions with a view to promoting the three licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

3.2 The licensing authority shall aim to permit the use of the premises for gambling as set out in section 153 of the Act, that is so far as the Authority think it:

- (a) in accordance with any relevant code of practice under section 24 of the Act;
- (b) in accordance with any relevant guidance issued by the Gambling Commission under section 25 of the Act;
- (c) reasonably consistent with the licensing objectives (subject to (a) and (b) above); and
- (d) in accordance with this statement of principles (subject to (a) and (c) above).

4 Licensable functions

The licensing functions within the Act include the following:

- the grant of premises licences and the issue of provisional statements in respect of premises where gambling activities are to take place;

- to receive notifications from premises licensed for the sale of alcohol (under the Licensing Act 2003) for the use of either one or two Category C or D gaming machines;
- to grant licensed premises gaming machine permits for premises licensed to sell/supply alcohol for consumption on the premises where there are more than two gaming machines;
- to grant club gaming permits and club gaming machine permits for members' clubs;
- to grant club machine permits for commercial clubs;
- to grant permits for unlicensed family entertainment centres for the use of certain lower stake gaming machines;
- to grant permits for prize gaming;
- to receive and endorse notices for the temporary use of premises for gambling;
- to consider occasional use notices for betting at tracks;
- to register small societies' lotteries;
- to provide information and statistics to the Gambling Commission; and
- to maintain registers of licences and permits issued.

5 General Principles

- 5.1 The Licensing Authority recognises the need to avoid, so far as possible, duplication of existing legislation and other regulatory regimes that place obligations on employers and operators such as the Health and Safety at Work Act 1974, the Disability Discrimination Act 1995 and the fire safety regime.
- 5.2 The Licensing Authority recognises that it may only consider matters within the scope of the Guidance issued by the Gambling Commission, the Act and the Codes of Practice. It is also recognised that there may be issues raised, such as the likelihood of the applicant obtaining planning permission, which are not relevant for the purposes of the Act.
- 5.3 The Licensing Authority makes a commitment to regulating gambling in the public interest.
- 5.4 Nothing in this Statement of Principles will undermine the rights of any person to make an application under the Act and have the application considered on its individual merits; or undermine the right of any person to make representations on any application or seek a review of a licence or permit where provision has been made for them to do so within the Act.
- 5.5 In determining its Statement of Principles, the licensing authority will have regard to the Guidance issued by the Gambling Commission, and will give appropriate weight to the views of those it has consulted. In determining what weight to give particular representations, the factors to be taken into account will include:
- who is making the representations (what is their expertise or interest);
 - what their motivation may be for their views;
 - how many other people have expressed the same or similar views;
 - how far the representations relate to matters that the licensing authority should be including in its statement of principles.

- 5.6 The Licensing Authority recognises that unmet demand is not a criterion for it when considering an application for a premises licence under the Act. Each application will be considered on its merits without regard to demand.
- 5.7 The Licensing Authority recognises that the location and proximity of premises to be used for gambling to other premises such as, for example, schools and other premises used by vulnerable persons, may be a relevant consideration with respect to the objective of protecting children and other vulnerable persons from being harmed or exploited by gambling. The type of gambling which is to be offered will also be relevant.

Each application will be considered on its merits and the Licensing Authority will take into account any proposals by the applicant or licence holder which show how the licensing objectives may be satisfied.

6 Responsible Authorities

- 6.1 A 'Responsible Authority' may make representations about an application for a premises licence or may request a review of a premises licence.
- 6.2 For the purposes of sections 157 and 349 of the Gambling Act 2005, the following are responsible authorities in relation to premises in the area of Cheshire East:
- (i) The licensing authority in whose area the premises are wholly or mainly situated (Cheshire East Council)
 - (ii) The Gambling Commission
 - (iii) Cheshire Constabulary as the police authority
 - (iv) Cheshire Fire & Rescue Service as the fire and rescue authority
 - (v) The Local Planning Authority (Cheshire East Council)
 - (vi) Environmental Health Service (Cheshire East Council)
 - (vii) Local Safeguarding Children Board
 - (viii) Her Majesty's Revenue and Customs
 - (ix) Any other person prescribed, for the purposes of Section 157 of the Act, by regulations made by the Secretary of State.
- 6.3 In exercising this licensing authority's powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm, the following principles have been applied:
- the need for the body to be responsible for an area covering the whole of the licensing authority's area
 - the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc
- 6.4 In accordance with the Gambling Commission's Guidance for local authorities this authority designates the Local Safeguarding Children Board for this purpose.
- 6.5 The contact details of all the responsible authorities under the Gambling Act 2005 are available via the Council's website at: www.cheshireeast.gov.uk or on request from the Licensing Section.

7 Interested Parties

7.1 In addition to Responsible Authorities, 'Interested parties' can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in Section 158 of the Gambling Act 2005 as follows:

"For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person-

(a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,

(b) has business interests that might be affected by the authorised activities, or

(c) represents persons who satisfy paragraph (a) or (b)"

7.1.1 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Act to determine whether a person is an interested party. The principles are as set out below.

7.1.2 Each case will be decided upon its merits.

7.1.3 This authority will not apply a rigid rule to its decision making, however it will consider the following as per the Gambling Commission's Guidance to local authorities:

- the size of the premises
- the nature of the premises
- the distance of the premises from the location of the person making the representation
- the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment); and
- the nature of the complainant. This is not the personal characteristics of the complainant but the interests of the complainant which may be relevant to the distance from the premises. For example, it could be reasonable for an authority to conclude that "sufficiently close to be likely to be affected" could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) residential hostel for vulnerable adults.
- the 'catchment' area of the premises (i.e. how far people travel to visit); and
- whether the person making the representation has business interests in that catchment area, that might be affected.

7.1.4 Representations made on the grounds that an applicant would be in competition with an existing business or that there is allegedly no demand for additional gambling premises will not be considered to be relevant.

7.1.5 The Gambling Commission has also recommended that the licensing authority states that interested parties include trade associations and trade unions, and residents' and tenants' associations. This authority will not, however, generally view these bodies as interested parties unless they have a member who can be classed as one under the terms of the Gambling Act 2005 i.e. lives sufficiently close to the premises to be likely to be affected by the authorised activities.

8 Consideration of applications

- 8.1 The licensing authority is mindful of the Commission's Guidance which provides that the authority should set out in its statement what factors it may take into account when considering applications for premises licences, permits and other permissions and matters that it will consider relevant when determining whether to review a licence.
- 8.2 The licensing authority has determined to set out a number of factors, linked to the licensing objectives, which it may consider when considering applications. It should be noted that each case will be decided on its merits, so if an applicant can show how they might overcome licensing objective concerns, then that will be taken into account.
- 8.3 Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- 8.3.1 In considering licence applications, the Licensing Authority will particularly take into account the following:-
- The location of the premises – for example if an application for a licence or permit is received in relation to premises that are in an area noted for particular problems with organised crime.
 - The design and layout of the premises;
 - The training given to staff in crime prevention measures appropriate to those premises;
 - Physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
 - Where premises are subject to age restrictions, the procedures in place to conduct age verification checks;
 - The likelihood of any violence, public order or policing problem if the licence is granted.
- 8.3.2 This licensing authority notes the Commission's Guidance in relation to the meaning of disorder in the context of gambling premises, namely activity that is more serious and disruptive than mere nuisance, and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it.
- 8.3.3 Applicants are encouraged to discuss the crime prevention procedures in their premises with the Licensing Officers of Cheshire Constabulary before making a formal application.
- 8.4 Ensuring that gambling is conducted in a fair and open way

8.4.1 This licensing authority has noted that the Commission's Guidance states: *"Generally the Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be a matter for either the management of the gambling business, and therefore subject to the operating licence, or will be in relation to the suitability and actions of an individual and therefore subject to the personal licence."*

8.4.2 This licensing authority also notes, however, that the Gambling Commission also states *"in relating to the licensing tracks the licensing authorities' role will be different from other premises in that track operators will not necessarily have an operating licence. In those circumstances the premises licence may need to contain conditions to ensure that the environment in which betting takes place is suitable."* It is recognised that because the track operator does not need to have an operating licence (although he may have one), the licensing authority may have to consider placing requirements on the premises licence holder about his responsibilities in relation to the proper conduct of betting.

8.5 Protection of children and other vulnerable persons

8.5.1 It is noted that, with limited exceptions, the intention of the Gambling Act is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult-only environments.

8.5.2 This licensing authority has noted that the Gambling Commission Guidance to local authorities states that "The objective talks of protecting children from being "harmed or exploited by gambling", but in practice that often means preventing them from taking part in gambling and for there to be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children

8.5.3 The Licensing Authority will judge the merits of each separate application before deciding whether to impose conditions to protect children on particular categories of premises. This may include consideration of issues such as:-

- Supervision of entrances;
- Segregation of gambling areas from areas frequented by children;
- Supervision of gaming machines in non-adult gambling specific premises.

8.5.4 The Licensing Authority recognises the Commission's Guidance which states that Licensing authorities should ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

8.5.5 It is noted that in relation to casinos, the Act provides for a code of practice on access to casino premises by children and young persons. In accordance with section 176 of the Act, adherence to the code will be a condition of a casino premises licence.

8.5.6 The Council does not seek to prohibit particular groups of adults from gambling in the same way that it seeks to prohibit children, but it will assume for regulatory purposes, that “vulnerable persons” include:

- People who gamble more than they want to;
- People who gamble beyond their means;
- People who may not be able to make an informed or balanced decision about gambling due to a mental impairment, alcohol or drugs.

8.6 Conditions

8.6.1 The Act provides licensing authorities with:

- The ability to exclude from the premises licence any default conditions that have been imposed under section 168; and
- The power to impose conditions on the premises licence

8.6.2 The Licensing Authority recognises its duty to act in accordance with the principles within section 153 of the Act and will not attach conditions which limit the use of premises for gambling except where to do so is necessary as a result of the requirement to act:

- In accordance with the Commission’s Guidance, the Commission’s Codes of Practice, or this statement of licensing principles; or
- In a way that is reasonably consistent with the licensing objectives.

The Licensing Authority will not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions.

8.6.3 Any condition imposed by the licensing authority will be proportionate to the circumstances which it seeks to address. In particular, the licensing authority will ensure that premises licence conditions are:

- Relevant to the need to make the proposed building suitable as a gambling facility;
- Directly related to the premises and the type of licence applied for;
- Fairly and reasonably related to the scale and type of premises; and
- Reasonable in all other respects.

8.6.4 Decisions on individual conditions will be taken on a case-by-case basis, although this will be against the background of general policy set out in the Commission’s Guidance and this statement of principles.

8.6.5 There are conditions which the Licensing Authority cannot attach to premises licences which are:

- any condition which makes it impossible to comply with an operating licence condition;

- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs); and
- conditions in relation to stakes, fees, winning or prizes.

8.6.5 Where a condition is attached to a premises licence requiring door supervisors, the Licensing Authority will normally require those door supervisors to be Security Industry Authority (SIA) registered. Door supervisors at casinos or bingo premises are exempt from being registered by the SIA but the Licensing Authority considers that it is best practice for door supervisors working at casinos or bingo premises to have SIA training or similar.

9 Reviews

9.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities (including the Licensing Authority itself). The Licensing Authority will carry out the review unless it determines that a review should not be carried out based on whether the request for the review is relevant to the matters listed below, and with consideration as to whether the request is frivolous, vexatious, will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with the authority's statement of principles

10. Gambling Premises Licences

10.1 Adult Gaming Centres

10.1.1 The Licensing Authority will expect applicants to demonstrate that there will be sufficient measures in place to meet the licensing objectives, for example, to ensure that those under eighteen years of age do not have access to the premises.

10.1.2 Appropriate licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours

- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

10.2 (Licensed) Family Entertainment Centres

10.2.1 The Licensing Authority will expect applicants to demonstrate that there will be sufficient measures in place to meet the licensing objectives, for example, to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

10.2.2 Appropriate licence conditions may cover issues such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare, Gamblers Anonymous, the Gordon House Association, National Debtline and local Citizens Advice Bureaux.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

10.3 Bingo Premises

10.3.1 It is important that, if children are allowed to enter premises licensed for bingo, they do not participate in gambling, other than on category D machines.

10.3.2 Where category C or above machines are available in premises to which children are admitted the Licensing Authority will expect applicants to consider measures to ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

10.3.3 Further Guidance will be issued by the Gambling Commission about the particular issues which should be taken into account in relation to the suitability and layout of bingo premises. The Licensing Authority will take account of that Guidance when it is made available.

10.4 Betting Premises

10.4.1 The Licensing Authority will take into account

- the size of the premises;
- the number of counter positions available for person-to-person transactions; and
- the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people
- when considering the number, nature and circumstances of betting machines an operator wants to offer.

10.4.2 The Licensing Authority will consider making door supervision a requirement in circumstances where there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate.

10.4.3 The Licensing Authority is mindful of the conditions which may be attached to betting premises licences, which may include those relating to the restriction of the number of betting machines, their nature and the circumstances in which they are made available. The Authority will consider limiting the number of machines in circumstances where there is clear evidence that such machines have been or are likely to be used in breach of the licensing objectives. In these circumstances the Authority may take into account the ability of staff to monitor the use of such machines from the counter.

10.4.4 The Licensing Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact, who should be a senior individual, and whom the authority will contact first should any compliance queries or issues arise.

10.5 Tracks

10.5.1 Tracks may be subject to one or more than one premises licence, provided that each licence relates to a specified area of the track.

10.5.2 The Licensing Authority will expect applicants to demonstrate that there will be sufficient measures in place to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas and do not have access to adult only gaming facilities.

10.5.3 It should be noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

10.5.4 Appropriate licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry

- Notices / signage
- Specific opening hours
- Self-baring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

10.5.6 Where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, if these machines are above category D, the applicant must demonstrate that they will be located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track.

10.5.7 The Licensing Authority will consider restricting the number and location of betting machines in respect of applications for track premises licences.

10.5.8 When considering the number, nature and circumstances of betting machines an operator wants to offer, the Licensing Authority will take into account

- the size of the premises;
- the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people

10.5.9 The Licensing Authority will normally attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.

10.6 Travelling Fairs

10.6.1 A travelling fair is defined as a fair consisting wholly or principally for the provision of amusements and is provided by persons who travel from place to place and is held at a place which has been used for the provision of fairs on no more than 27 days per calendar year.

10.6.2 Category D gaming machines or equal chance gaming may be provided without a permit provided that facilities for gambling amount to no more than ancillary amusement at the fair.

11 **Provisional Statements**

11.1 An applicant cannot obtain a full premises licence until the premises are ready to be used for gambling. An applicant may apply for a provisional statement in respect of premises expected to be constructed, altered or acquired.

11.2 Where a provisional statement is granted and an application subsequently made for a premises licence, the Licensing Authority will disregard any representations made which address matters that could have been addressed when the provisional

statement was considered unless there has been a change of circumstances.

- 11.3 A premises licence will be granted in the same terms as the provisional statement unless:
- representations are received which address matters that could not have been addressed when the provisional statement was considered;
 - there has been a change of circumstances; or
- the premises have been constructed or altered otherwise than in accordance with the plans and information included with the application for the provisional statement

12 Casino resolution

- 12.1 The Council may make a resolution to not grant premises licences for casinos. In doing so, it may take into account any principle or matter.
- 12.2 The Council has not passed a resolution not to grant premises licences for casinos.

13 Permits

13.1 (Alcohol) Licensed Premises Gaming Machine Permits

- 13.1.1 Premises licensed to sell alcohol are automatically entitled to have 2 gaming machines of categories C or D provided that:

- the requisite notice has been served on the Licensing Authority;
- the appropriate fee has been paid; and
- any code of practice relating to the location and operation of gaming machines is complied with.

- 13.1.2 The Licensing Authority can remove the automatic authorisation if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

- 13.1.3 If a licensed premises wishes to have more than 2 machines, then a permit is required.

- 13.1.4 The Licensing Authority must take account of the licensing objectives and any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005 when considering an application for a permit. The Licensing Authority may also consider such matters as it thinks are relevant. Such matters will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from being harmed or exploited by gambling.

13.1.5 The Licensing Authority will expect the applicant to demonstrate that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Such measures may include notices and signage, adult machines being in sight of the bar or in sight of staff who will monitor that the machines are not being used by those under 18. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare, Gamblers Anonymous, the Gordon House Association, National Debtline and local Citizens Advice Bureaux.

13.2 Unlicensed Family Entertainment Centre gaming machine permits

13.2.1 This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include CRB checks for staff, training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises.

13.3 Prize Gaming Permits

13.3.1 Prize gaming is a form of gaming where the size of the prize is determined by the operator and is not based on the number of persons playing or the total value of the stakes raised.

13.3.2 Premises which have a Premises Licence can provide prize gaming without the need for a separate Prize Gaming Permit issued by the Local Authority. Premises licensed as a casino* or a betting shop, or for bingo or for an adult gaming centre or as an FEC do not need a Prize Gaming Permit in order to offer prize gaming. In addition, an unlicensed FEC may provide prize gaming without a permit provided that a gaming machine permit has been issued and the gaming is equal chance gaming, and, finally a travelling fair may provide prize gaming provided that it is equal chance gaming.

* except for prize bingo which would require a permit/bingo operating licence

13.3.3 In exercising its functions in respect of prize gaming permits, the Licensing Authority need not, but may, have regard to the licensing objectives and must have regard to any guidance issued by the Gambling Commission.

13.3.4 There are conditions in the Act which a permit holder must comply with which are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day;
- the game must be played and completed on the day the chances are allocated and the result of the game must be made public in the premises on the day that it is played;

- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

13.3.5 Applicants should set out the types of gaming intended to be offered and should demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations; and
- that the gaming offered is within the law.

The Licensing Authority will consider these matters when determining the suitability of an applicant for a permit.

13.4 Club Gaming and Club Gaming Machine Permits

13.4.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming machines permit.

13.4.2 The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance in accordance with regulations made under the Act.

13.4.3 A Club Gaming Machine Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

13.4.4 Members Clubs must:

- have at least 25 members;
- be established and conducted wholly or mainly for purposes other than gaming, unless the gaming is permitted by separate regulations. (It is anticipated that this will include bridge and whist clubs.);
- be permanent in nature;
- not be established to make commercial profit;
- be controlled by its members equally.

Examples include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.

13.4.5 The Licensing Authority may only refuse an application on the grounds that:

- the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- the applicant's premises are used wholly or mainly by children and/or young persons;
- an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- a permit held by the applicant has been cancelled in the previous ten years; or
- an objection has been lodged by the Commission or the police.

- 13.4.6 There is also a ‘fast-track’ procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10).
- 13.4.7 Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced.
- 13.4.8 The only grounds upon which an application under the fast-track process may be refused are:
- that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
 - that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
 - that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

14 Temporary Use Notices

- 14.1 A temporary use notice may only be given by the holder of an operator’s licence. A set of premises may not be the subject of temporary use notices for more than 21 days within a 12 month period.
- 14.2 A set of premises will be considered to be the subject of a temporary use notice if any part of the premises is the subject of a notice. Consequently, operators cannot extend the limits on temporary use notices in respect of large premises by giving separate notices for different parts of the premises.
- 14.3 The Licensing Authority will object to temporary use notices where it appears that they are being used to permit regular gambling in a set of premises.
- 14.4 In determining whether a place falls within the definition of “a set of premises” the Licensing Authority will take into consideration ownership/occupation and control of the premises. For example, a large exhibition centre will normally be regarded as one set of premises and will not be allowed separate temporary use notices for each of its exhibition halls. Individual units in a shopping centre may be regarded as different sets of premises if they are occupied and controlled by different people.

15 Occasional Use Notices

- 15.1 Where betting takes place on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence.
- 15.2 A track includes a horse racing course, a dog track or any other premises on any part of which a race or other sporting event takes place or is intended to take place. This could include, for example, agricultural land upon which a point-to-point meeting takes place. The track need not be a permanent fixture. Those giving

occasional use notices will be expected to demonstrate that the premises fall within the definition of a track.

16 Information exchange

- 16.1 Licensing authorities are required to include in their statement the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
- 16.2 In fulfilling its functions and obligations under the Gambling Act 2005 the Licensing Authority will exchange relevant information with other regulatory bodies and will establish protocols in this respect. In exchanging such information, the Licensing Authority will conform to the requirements of data protection and freedom of information legislation in accordance with the Council's existing policies. In addition, the Licensing Authority will act in accordance with guidance from the Commission and adopt the principles of better regulation.
- 16.3 Details of those persons making representations will be made available to applicants to allow for negotiation unless the individual notifies the Licensing Authority to the contrary within seven days of a request for confirmation of this. In the event of a hearing being held, the representation will form part of a public document. Anyone making representations will be informed that their details will be disclosed unless they advise to the contrary.
- 16.4 Data subjects may make requests for information held by the Licensing Authority about themselves to the Data Protection Officer, Cheshire East Council.

17 Enforcement

- 17.1 The Act requires licensing authorities to state the principles that they will apply when exercising their functions under Part 15 of the Act (inspection of premises) and the powers under section 346 (power to institute criminal proceedings in respect of offences specified).
- 17.2 The Council is a signatory to the Regulator Compliance Code and will follow the principles set out in it. The Code is based around the principles of consistency, transparency and proportionality. These principles are reflected within Cheshire East Borough Council's Enforcement Policy (available on request).
- 17.3 The Licensing Authority will be guided by the Gambling Commission's Guidance for local authorities and in accordance with both this Guidance and the Better Regulation principles will base its approach on the following:
- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
 - Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
 - Consistent: rules and standards must be joined up and implemented fairly;

- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects

17.4 The Code (available upon request) proposes that a graduated response is taken where offences against legislation are found or where licence conditions have been contravened. An isolated administrative offence, such as failing to maintain certain records, may be dealt with by way of a written warning. More serious offences may result in a referral to a Sub-Committee for a review, the issue of a Formal Caution or a referral for prosecution.

17.5 The Licensing Authority will adopt a risk-based programme of inspections; this will include targeting high-risk premises which require greater attention, whilst operating a lighter touch in respect of low-risk premises, so that resources are more efficiently concentrated on problem premises.

17.6 As per the Gambling Commission's Guidance for local authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

18 Declaration

In producing this statement of principles the authority has had regard to the licensing objectives of the Gambling Act 2005, and the guidance issued by the Gambling Commission. In producing the final statement the licensing authority will also have regard to any responses from those consulted on the statement.

19 Scheme of delegation

19.1 The Committee has delegated certain decisions and functions and has established a Sub-Committee to deal with them.

19.2 Many of the decisions and functions will be purely administrative in nature and the grant of non-contentious applications, including for example those licences and permits where no representations have been made, will be delegated to Licensing Authority Officers. The table shown at Appendix A sets out the agreed delegation of decisions and functions to the Licensing Committee, Sub-Committee and Officers. This form of delegation is without prejudice to Officers referring an application to a Sub-Committee or Full Committee if considered appropriate in the circumstances of any particular case.

20 Sources of information

Further information about the Gambling Act 2005, this Statement of Principles or the application process can be obtained from:-

Licensing Section
Cheshire East Council – Westfields, Middlewich Road, Sandbach CW11 1HZ

www.cheshireeast.gov.uk

licensing@cheshireeast.gov.uk

Information is also available from:-

Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP

Tel: 0121 230 6666
e-mail info@gamblingcommission.gov.uk
Website: www.gamblingcommission.gov.uk

APPENDIX A

TABLE OF DELEGATION OF LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	FULL COUNCIL	SUB-COMMITTEE	OFFICERS
Three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting - when appropriate		X (Full Committee)	
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence		X	
Application for club gaming /club machine permits		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice and occasional use notices			X
Decision to give a counter notice to a temporary use notice		X	

APPENDIX B**GLOSSARY OF TERMS**

Licensing Objectives: Council:	As defined in section 1.3 below Cheshire East Council
Borough:	The area of Cheshire administered by Cheshire East Borough Council
Applications:	Applications for licences and permits as defined in section 4 above
Notifications:	Means notification of temporary and occasional use notices
Act:	The Gambling Act 2005
Regulations:	Regulations made under the Gambling Act 2005
Premises:	Any place, including a vehicle, vessel or moveable structure
Code of Practice:	Means any relevant code of practice under section 24 of the Gambling Act 2005
Mandatory Condition:	Means a specified condition provided by regulations to be attached to a licence
Default Condition:	Means a specified condition provided by regulations to be attached to a licence, unless excluded by Cheshire East Council
Responsible Authority:	For the purposes of this Act, the following are responsible authorities in relation to premises: <ol style="list-style-type: none"> 1. The Licensing Authority in whose area the premises are wholly or mainly situated (“Cheshire East Council”); 2. The Gambling Commission; 3. Cheshire Constabulary; 4. Cheshire Fire & Rescue Service; 5. Local Planning Authority, Cheshire East Council; 6. Environmental Health Department, Cheshire East Council; 7. Local Safeguarding Children Board; 8. HM Customs and Excise.
Interested Party:	For the purposes of this Act, a person is an interested party in relation to a premises licence if, in the opinion of the Licensing Authority which issues the licence or to which the application is made, the person:- <ol style="list-style-type: none"> a) Lives sufficiently close to the premises to be likely to be affected by the authorised activities; b) Has business interests that might be affected by the authorised activities; c) Represents persons who satisfy a) or b) above.

CHESHIRE EAST COUNCIL

Licensing Committee

Date of Meeting: 5th November 2012
Report of: Miss K Evans, Licensing Team Leader
Subject/Title: Hackney Carriage Table of Fares - Update

1.0 Report Summary

- 1.1 This report seeks Members' views on a number of different options open to the Council when deciding on an appropriate variation to the current table of fares in each Hackney Carriage Zone.

2.0 Recommendation

- 2.1 That Members note the information in the report and appendices and provide their suggestions to the Cabinet Member for Communities and Regulatory Services so that an informed decision can be taken.

3.0 Reasons for Recommendations

- 3.1 To give the Licensing Committee the opportunity to identify their preferred option or opinions to the Cabinet Member for Communities and Regulatory Services.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 Not applicable

6.0 Policy Implications

- 6.1 None

7.0 Financial Implications (Authorised by the Director of Finance and Business Services)

- 7.1 None

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 Following the Committee's decisions that further consultation be undertaken regarding the harmonisation of the Tables of Fares, the Licensing Section has conducted consultation with the licensed trade in the Macclesfield and Congleton zones. However, the licensed trade in the Crewe and Nantwich zone has chosen not to engage in the process.

10.2 Following the consultation, agreement with the Congleton and Macclesfield Zones has been reached on the following:

- i. A harmonised structure based on a fixed rate for first mile or part thereof
- ii. The subsequent mile rate to be £0.22 per 1/10th mile or part thereof
- iii. Tariff 2 to operate from 9pm to 12am at the flag rate plus a set percentage
- iv. Tariff 3 to operate from 12am to 7am at the flag rate plus 50%
- v. Soling charge to be £50.00
- vi. Additional agreements have been reached regarding Sundays, public holidays and Christmas and the rates that are applicable

10.3 Whilst agreement regarding the structure of the Table of Fares has been reached, no further agreement has been reached on the harmonisation of the flag/first mile rate.

10.4 It will therefore be necessary for the Cabinet Member for Communities and Regulatory Services to determine which option(s) are approved for further consultation and implementation.

10.5 To assist Members in making a recommendation to the Cabinet Member for Communities and Regulatory Services the following documents are attached to this report:

- i. Table showing the current rates applicable in each zone (appendix 1)
- ii. Current flag rates (appendix 2)
- iii. Tables showing the effective of a number of different flag rates and alternative percentage increases for tariff two (appendices 3 to 6)
- iv. Table produce by Private Hire and Taxi Monthly Magazine showing the fares and tariffs of other Local Authorities for the month of September (appendix 7). This is provided to Members for comparison.

11.0 Access to Information

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

Appendices 1- 7

Name: Miss K Evans

Designation: Licensing Team Leader

Tel No: 0300 123 5015

Email: kim.evans@cheshireeast.gov.uk

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Appendix 1

Journey		Congleton Current Rates	
		7:00am - 11:30pm	11:30pm - 7:00am
1	mile	£2.90	£4.35
5	mile	£10.90	£16.35
10	mile	£20.90	£31.35
15	mile	£30.90	£46.35
20	mile	£40.90	£61.35

Journey		Crewe Current Rates	
		7:00am - 9:00pm	9:00pm - 7:00am
1	mile	£4.20	£4.40
5	mile	£12.20	£13.20
10	mile	£22.20	£24.20
15	mile	£32.20	£35.20
20	mile	£42.20	£46.20

Journey		Macclesfield Current Rates	
		7:00am - 11:30pm	11:30pm - 7:00am
1	mile	£3.30	£4.95
5	mile	£11.30	£16.95
10	mile	£21.30	£31.95
15	mile	£31.30	£46.95
20	mile	£41.30	£61.95

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Current rates

Zone	Flag Rate	Half Mile Rate	First Mile Rate	Second Mile Rate
Congleton	£2.90	£2.90	£2.90	£4.90
Crewe and Nantwich	£2.40	£3.40	£4.20	£6.20
Macclesfield	£2.70	£2.70	£3.30	£5.30

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	7:00am - 9:00pm	9:00pm - 12:00am (+15%)	12:00am - 7:00am (+50%)
1 mile	£3.30	£3.80	£4.95
2 mile	£5.50	£6.33	£8.25
5 mile	£12.10	£13.92	£18.15
10 mile	£23.10	£26.57	£34.65
15 mile	£34.10	£39.22	£51.15

	7:00am - 9:00pm	9:00pm - 12:00am (+20%)	12:00am - 7:00am (+50%)
1 mile	£3.30	£3.96	£4.95
2 mile	£5.50	£6.60	£8.25
5 mile	£12.10	£14.52	£18.15
10 mile	£23.10	£27.72	£34.65
15 mile	£34.10	£40.92	£51.15

	7:00am - 9:00pm	9:00pm - 12:00am (+25%)	12:00am - 7:00am (+50%)
1 mile	£3.30	£4.13	£4.95
2 mile	£5.50	£6.88	£8.25
5 mile	£12.10	£15.13	£18.15
10 mile	£23.10	£28.88	£34.65
15 mile	£34.10	£42.63	£51.15

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	7:00am - 9:00pm	9:00pm - 12:00am (+15%)	12:00am - 7:00am (+50%)
1 mile	£3.40	£3.91	£5.10
2 mile	£5.60	£6.44	£8.40
5 mile	£12.20	£14.03	£18.30
10 mile	£23.20	£26.68	£34.80
15 mile	£34.20	£39.33	£51.30

	7:00am - 9:00pm	9:00pm - 12:00am (+20%)	12:00am - 7:00am (+50%)
1 mile	£3.40	£4.08	£5.10
2 mile	£5.60	£6.72	£8.40
5 mile	£12.20	£14.64	£18.30
10 mile	£23.20	£27.84	£34.80
15 mile	£34.20	£41.04	£51.30

	7:00am - 9:00pm	9:00pm - 12:00am (+25%)	12:00am - 7:00am (+50%)
1 mile	£3.40	£4.25	£5.10
2 mile	£5.60	£7.00	£8.40
5 mile	£12.20	£15.25	£18.30
10 mile	£23.20	£29.00	£34.80
15 mile	£34.20	£42.75	£51.30

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	7:00am - 9:00pm	9:00pm - 12:00am (+15%)	12:00am - 7:00am (+50%)
1 mile	£3.50	£4.03	£5.25
2 mile	£5.70	£6.56	£8.55
5 mile	£12.30	£14.15	£18.45
10 mile	£23.30	£26.80	£34.95
15 mile	£34.30	£39.45	£51.45

	7:00am - 9:00pm	9:00pm - 12:00am (+20%)	12:00am - 7:00am (+50%)
1 mile	£3.50	£4.20	£5.25
2 mile	£5.70	£6.84	£8.55
5 mile	£12.30	£14.76	£18.45
10 mile	£23.30	£27.96	£34.95
15 mile	£34.30	£41.16	£51.45

	7:00am - 9:00pm	9:00pm - 12:00am (+25%)	12:00am - 7:00am (+50%)
1 mile	£3.50	£4.38	£5.25
2 mile	£5.70	£7.13	£8.55
5 mile	£12.30	£15.38	£18.45
10 mile	£23.30	£29.13	£34.95
15 mile	£34.30	£42.88	£51.45

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	7:00am - 9:00pm	9:00pm - 12:00am (+15%)	12:00am - 7:00am (+50%)
1 mile	£3.60	£4.14	£5.40
2 mile	£5.80	£6.67	£8.70
5 mile	£12.40	£14.26	£18.60
10 mile	£23.40	£26.91	£35.10
15 mile	£34.40	£39.56	£51.60

	7:00am - 9:00pm	9:00pm - 12:00am (+20%)	12:00am - 7:00am (+50%)
1 mile	£3.60	£4.32	£5.40
2 mile	£5.80	£6.96	£8.70
5 mile	£12.40	£14.88	£18.60
10 mile	£23.40	£28.08	£35.10
15 mile	£34.40	£41.28	£51.60

	7:00am - 9:00pm	9:00pm - 12:00am (+25%)	12:00am - 7:00am (+50%)
1 mile	£3.60	£4.50	£5.40
2 mile	£5.80	£7.25	£8.70
5 mile	£12.40	£15.50	£18.60
10 mile	£23.40	£29.25	£35.10
15 mile	£34.40	£43.00	£51.60

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FARES NATIONAL AVERAGES AND BY AREA

SEPTEMBER 2012

THE NATIONAL AVERAGE FARE

Flag at T1 is now	£2.67	2 mile fare T1 is now	£5.46	10 mile fare T1 is now	£19.96
Flag at T2 is now	£3.55	2 mile fare T 2 is now	£7.21	10 mile fare T 2 is now	£26.15
1 mile fare T1 is now	£3.66	5 mile fare T1 is now	£10.89	Running mile on T1 is now	£1.80
1 mile fare T 2 is now	£4.84	5 mile fare T 2 is now	£14.60	Running mile on T2 is now	£2.36

TARIFF ONE

FLAGFALL AVERAGE BY AREA	ONE MILE FARE AVERAGE BY AREA
EAST ANGLIA£2.93	EAST ANGLIA£3.80
MIDLANDS£2.64	MIDLANDS£3.54
NORTH£2.41	NORTH£3.44
SOUTH£2.86	SOUTH£4.00
SOUTH WEST£2.67	SOUTH WEST£3.91
SCOTLAND£2.62	SCOTLAND£3.38
WALES£2.81	WALES£3.31
TWO MILE FARE AVERAGE BY AREA	FIVE MILE FARE AVERAGE BY AREA
EAST ANGLIA£5.54	EAST ANGLIA£10.63
MIDLANDS£5.23	MIDLANDS£10.29
NORTH£5.11	NORTH£10.14
SOUTH£5.92	SOUTH£11.69
SOUTH WEST£5.97	SOUTH WEST£12.64
SCOTLAND£5.08	SCOTLAND£10.19
WALES£5.14	WALES£10.59
TEN MILE FARE AVERAGE BY AREA	RUNNING MILE AVERAGE BY AREA
EAST ANGLIA£19.21	EAST ANGLIA£1.71
MIDLANDS£18.68	MIDLANDS£1.69
NORTH£18.55	NORTH£1.68
SOUTH£21.76	SOUTH£1.94
SOUTH WEST£22.40	SOUTH WEST£2.05
SCOTLAND£18.69	SCOTLAND£1.70
WALES£19.66	WALES£1.81

TARIFF TWO

FLAGFALL AVERAGE BY AREA	ONE MILE FARE AVERAGE BY AREA
EAST ANGLIA£3.85	EAST ANGLIA£4.91
MIDLANDS£3.53	MIDLANDS£4.72
NORTH£2.98	NORTH£4.26
SOUTH£3.99	SOUTH£5.55
SOUTH WEST£3.69	SOUTH WEST£5.41
SCOTLAND£3.33	SCOTLAND£4.18
WALES£3.56	WALES£4.19
TWO MILE FARE AVERAGE BY AREA	FIVE MILE FARE AVERAGE BY AREA
EAST ANGLIA£7.16	EAST ANGLIA£13.84
MIDLANDS£6.96	MIDLANDS£13.63
NORTH£6.41	NORTH£12.79
SOUTH£8.29	SOUTH£16.09
SOUTH WEST£8.09	SOUTH WEST£16.48
SCOTLAND£6.06	SCOTLAND£11.70
WALES£6.55	WALES£13.57
TEN MILE FARE AVERAGE BY AREA	RUNNING MILE AVERAGE BY AREA
EAST ANGLIA£25.00	EAST ANGLIA£2.22
MIDLANDS£25.22	MIDLANDS£2.25
NORTH£23.48	NORTH£2.13
SOUTH£29.56	SOUTH£2.65
SOUTH WEST£30.46	SOUTH WEST£2.76
SCOTLAND£21.11	SCOTLAND£1.88
WALES£25.28	WALES£2.34

THIRTEEN YEAR AREA AVERAGES COMPARED WITH THE NATIONAL AVERAGE

NATIONAL AVERAGE		EAST ANGLIA		MIDLANDS		NORTH		SOUTH		SOUTH WEST		SCOTLAND		WALES	
1999	£3.12	1999	£3.14	1999	£3.02	1999	£2.94	1999	£3.42	1999	£3.37	1999	£2.92	1999	£2.88
2000	£3.40	2000	£3.21	2000	£3.06	2000	£3.00	2000	£3.78	2000	£3.39	2000	£2.92	2000	£3.09
2001	£3.50	2001	£3.56	2001	£3.46	2001	£3.28	2001	£3.83	2001	£3.85	2001	£3.21	2001	£3.39
2002	£3.72	2002	£3.75	2002	£3.66	2002	£3.45	2002	£4.05	2002	£4.09	2002	£3.35	2002	£3.49
2003	£3.97	2003	£3.97	2003	£3.86	2003	£3.73	2003	£4.27	2003	£4.20	2003	£3.55	2003	£3.61
2004	£4.01	2004	£4.10	2004	£3.94	2004	£3.78	2004	£4.39	2004	£4.43	2004	£3.60	2004	£3.71
2005	£4.19	2005	£4.18	2005	£4.14	2005	£3.92	2005	£4.57	2005	£4.54	2005	£3.74	2005	£3.90
2006	£4.48	2006	£4.41	2006	£4.43	2006	£4.22	2006	£4.82	2006	£4.92	2006	£4.07	2006	£4.13
2007	£4.67	2007	£4.51	2007	£4.49	2007	£4.32	2007	£4.94	2007	£5.00	2007	£4.27	2007	£4.21
2008	£4.78	2008	£4.81	2008	£4.67	2008	£4.53	2008	£5.19	2008	£5.18	2008	£4.33	2008	£4.42
2009	£5.06	2009	£5.04	2009	£4.93	2009	£4.77	2009	£5.47	2009	£5.56	2009	£4.61	2009	£4.79
2010	£5.15	2010	£5.08	2010	£4.95	2010	£4.80	2010	£5.53	2010	£5.66	2010	£4.64	2010	£4.78
2011	£5.20	2011	£5.26	2011	£5.07	2011	£4.89	2011	£5.70	2011	£5.77	2011	£4.76	2011	£5.06
2012	£5.43	2012	£5.45	2012	£5.23	2012	£5.05	2012	£5.91	2012	£5.94	2012	£5.08	2012	£5.14

THIRTEEN YEAR PERCENTAGE INCREASES PER AREA

NATIONAL AVERAGE	EAST ANGLIA	MIDLANDS	NORTH	SOUTH	SOUTH WEST	SCOTLAND	WALES
75%	76.43%	71.43%	73.81%	73.10%	77.15%	73.97%	78.47%

Remember If you are going for a rise and you would like to see your financial percentages you know where to call - 0161 280 2800 - or e-mail npha@btconnect.com

Colour Code for the Table

RISE IN 2012
RISE IN 2011
RISE IN 2010

RISE IN 2009
RISE IN 2008
RISE IN 2007

RISE IN 2006
RISE IN 2005
RISE IN 2002

(Remember that the tables are sorted by the Tariff 1 two mile fare as being the lowest common denominator)

PLACE IN TABLE	COUNCIL	TARIFF 1 2 MILES
1	LUTON (AIRPORT)	£7.30
2	EPSOM & EWELL	£7.00
3	HERTSMERE	£7.00
4	LONDON	£7.00
5	SALISBURY	£7.00
6	CARADON	£6.80
7	CARRICK	£6.80
8	COLCHESTER	£6.80
9	ADUR	£6.60
10	READING	£6.60
11	TUNBRIDGE WELLS	£6.60
12	WAVENEY	£6.60
13	WEST BERKSHIRE	£6.55
14	JERSEY	£6.50
15	ARUN	£6.40
16	BATH & N.E.SOMERSET	£6.40
17	BRIGHTON & HOVE	£6.40
18	CAMBRIDGE	£6.40
19	GRAVESHAM	£6.40
20	MID SUSSEX	£6.40
21	ROTHER	£6.40
22	SOUTH GLOUCESTER	£6.40
23	STROUD	£6.40
24	WATFORD	£6.40
25	WEYMOUTH & PORTLAND	£6.40
26	WOKINGHAM	£6.40
27	SEVENOAKS	£6.32
28	HARROGATE	£6.30
29	MOLE VALLEY	£6.30
30	NORTH HERTS	£6.30
31	PENWITH	£6.30
32	WOKING	£6.30
33	FOREST OF DEAN	£6.27
34	NUNEATON & BEDWORTH	£6.25
35	BASINGSTOKE & DEANE	£6.20
36	BIRMINGHAM	£6.20
37	BOURNEMOUTH	£6.20
38	CHELMSFORD	£6.20
39	CREWE & NANTWICH	£6.20
40	DARTFORD	£6.20
41	GUERNSEY	£6.20
42	HARLOW	£6.20
43	HART	£6.20
44	HORSHAM	£6.20
45	LEEDS	£6.20
46	LINCOLN	£6.20
47	MENDIP	£6.20
48	NORWICH	£6.20
49	POOLE	£6.20
50	RUNNYMEDE	£6.20
51	SHEPWAY	£6.20
52	SOLIHULL	£6.20
53	SOUTH CAMBRIDGE	£6.20
54	TAUNTON DEANE	£6.20
55	WAVERLEY	£6.20
56	WINCHESTER	£6.20
57	YORK	£6.20
58	KERRIER	£6.19
59	EASTLEIGH	£6.10
60	ELMBRIDGE	£6.10
61	MALVERN HILLS	£6.10
62	NEW FOREST	£6.10
63	SPELTHORNE	£6.10
64	SWINDON	£6.10
65	VALE OF WHITE HORSE	£6.10
66	SOUTH SOMERSET	£6.08
67	ABERDEENSHIRE	£6.00
68	BRACKNELL FOREST	£6.00
69	BRENTWOOD	£6.00
70	CANTERBURY	£6.00
71	CARMARTHENSHIRE	£6.00
72	CASTLE POINT	£6.00
73	DOVER	£6.00
74	EAST HAMPSHIRE	£6.00
75	EXETER	£6.00
76	KENNET Now Wiltshire (East Zone)	£6.00
77	KETTERING	£6.00
78	MAIDSTONE	£6.00
79	MEDWAY	£6.00
80	NORTH DORSET	£6.00
81	NORTH WILTSHIRE	£6.00
82	SOUTH LAKELAND	£6.00
83	SOUTHEND-ON-SEA	£6.00
84	STEVENAGE	£6.00
85	SWALE	£6.00
86	WEST DORSET	£6.00
87	WEST WILTSHIRE	£6.00
88	DARLINGTON	£5.95
89	PURBECK	£5.95
90	TENDRING	£5.95
91	HIGH PEAK	£5.92

PLACE IN TABLE	COUNCIL	TARIFF 1 2 MILES
92	ASHFORD	£5.90
93	CHRISTCHURCH	£5.90
94	COUNTY OF HEREFORD	£5.90
95	DUDLEY	£5.90
96	EAST DORSET	£5.90
97	SOUTHAMPTON	£5.90
98	THREE RIVERS	£5.90
99	TONBRIDGE & MALLING	£5.90
100	WALSALL	£5.90
101	HARBOROUGH	£5.86
102	TEWKESBURY	£5.86
103	NORTH DEVON	£5.85
104	BLACKPOOL	£5.80
105	BRISTOL CITY OF UA	£5.80
106	CHELTENHAM	£5.80
107	CHICHESTER	£5.80
108	CRAWLEY	£5.80
109	EAST DEVON	£5.80
110	EAST HERTS	£5.80
111	GLOUCESTER	£5.80
112	MIDLOTHIAN	£5.80
113	REIGATE & BANSTEAD	£5.80
114	RESTORMEL	£5.80
115	SCARBOROUGH	£5.80
116	SEDGEMOOR	£5.80
117	SLOUGH	£5.80
118	ST ALBANS	£5.80
119	TEIGNBRIDGE	£5.80
120	TORBAY	£5.80
121	WEST SOMERSET	£5.80
122	EAST KILBRIDE	£5.70
123	EAST LOTHIAN	£5.70
124	EASTBOURNE	£5.70
125	FYLDE	£5.70
126	HASTINGS	£5.70
127	LUTON	£5.70
128	MANCHESTER	£5.70
129	MID DEVON	£5.70
130	MONMOUTHSHIRE	£5.70
131	PLYMOUTH	£5.70
132	RYEDALE	£5.70
133	WELWYN HATFIELD	£5.70
134	OXFORD	£5.65
135	RENFREWSHIRE	£5.65
136	VALE OF GLAMORGAN	£5.65
137	CHARWOOD	£5.63
138	BASILDON	£5.60
139	EAST LINDSEY	£5.60
140	FIFE	£5.60
141	GOSPORT	£5.60
142	GUILDFORD	£5.60
143	HINCKLEY & BOSWORTH	£5.60
144	IPSWICH	£5.60
145	LEWES	£5.60
146	NEWCASTLE UPON TYNE	£5.60
147	NORTHAMPTON	£5.60
148	NOTTINGHAM	£5.60
149	PORTSMOUTH UA	£5.60
150	RUSHMOOR	£5.60
151	SHEFFIELD	£5.60
152	STOCKPORT	£5.60
153	STRATFORD ON AVON	£5.60
154	SUFFOLK COASTAL	£5.60
155	SURREY HEATH	£5.60
156	TAMWORTH	£5.60
157	UTTLESFORD	£5.60
158	WORTHING	£5.60
159	WREXHAM	£5.60
160	WYRE	£5.60
161	DURHAM COUNTY COUNCIL	£5.55
162	ARGYLE & BUTE	£5.50
163	CARLISLE	£5.50
164	CASTLE MORPETH	£5.50
165	CHESTER	£5.50
166	DUMFRIES & GALLOWAY	£5.50
167	EAST STAFFORDSHIRE	£5.50
168	EDEN	£5.50
169	EDINBURGH	£5.50
170	GWYNEDD	£5.50
171	HUNTINGDONSHIRE	£5.50
172	ISLE OF MAN	£5.50
173	LEICESTER	£5.50
174	MORAY	£5.50
175	OLDHAM	£5.50
176	RUSHCLIFFE	£5.50
177	SHETLAND ISLANDS	£5.50
178	TORRIDGE	£5.50
179	TYNEDALE	£5.50
180	WANSBECK	£5.50
181	DACORUM	£5.44
182	GEDLING	£5.44

PLACE IN TABLE	COUNCIL	TARIFF 1 2 MILES
183	ABERDEEN	£5.40
184	BARROW IN FURNESS	£5.40
185	BRAINTREE	£5.40
186	CARDIFF	£5.40
187	CHILTERN	£5.40
188	COVENTRY	£5.40
189	DERBY	£5.40
190	FAREHAM	£5.40
191	FOREST HEATH	£5.40
192	GREAT YARMOUTH	£5.40
193	HAWANT	£5.40
194	ISLE OF WIGHT	£5.40
195	MID SUFFOLK	£5.40
196	MILTON KEYNES	£5.40
197	NEWARK & SHERWOOD	£5.40
198	NORTH LINCOLNSHIRE	£5.40
199	NORTH WARWICKS	£5.40
200	PEMBROKE	£5.40
201	PERTH & KINROSS	£5.40
202	RUGBY	£5.40
203	SELBY	£5.40
204	SOUTH RIBBLE	£5.40
205	TANDRIDGE	£5.40
206	WEST OXFORD	£5.40
207	WORCESTER	£5.40
208	BROXTOWE	£5.36
209	KINGS LYNN & W. NORFOLK	£5.36
210	BASSETLAW	£5.35
211	BRADFORD	£5.30
212	BROMSGROVE	£5.30
213	BROXBOURNE	£5.30
214	BURY ST EDMUNDS	£5.30
215	COTSWOLD	£5.30
216	CRAVEN	£5.30
217	FENLAND	£5.30
218	NORTH EAST LINCOLNSHIRE	£5.30
219	NORTH SOMERSET	£5.30
220	RIBBLE VALLEY	£5.30
221	SCOTTISH BORDERS	£5.30
222	SOUTH HAMS	£5.30
223	THURROCK	£5.30
224	DUNDEE	£5.27
225	SALFORD	£5.26
226	VALE ROYAL	£5.25
227	WINDSOR & MAIDENHEAD	£5.25
228	BLABY	£5.24
229	BOLTON	£5.20
230	BOSTON	£5.20
231	BURY	£5.20
232	DENBIGHSHIRE	£5.20
233	ELLESMERE PORT	£5.20
234	HAMBLETON	£5.20
235	MACCLESFIELD	£5.20
236	NORTH WEST LEICESTER	£5.20
237	POWYS	£5.20
238	PRESTON	£5.20
239	RHONDDA CYNON TAFF	£5.20
240	ROCHFORD	£5.20
241	SOUTH AYRSHIRE	£5.20
242	SUNDERLAND	£5.20
243	TRAFFORD	£5.20
244	WOLVERHAMPTON	£5.20
245	YNYSS MON	£5.20
246	BRECKLAND	£5.14
247	BABERGH	£5.10
248	CALDERDALE	£5.10
249	CANNOCK CHASE	£5.10
250	CLACKMANNAN	£5.10
251	MID BEDFORDSHIRE	£5.10
252	NEWPORT	£5.10
253	ORKNEY ISLANDS	£5.10
254	RICHMONDSHIRE	£5.10
255	SOUTH BEDFORDSHIRE	£5.10
256	SOUTH STAFFORDSHIRE	£5.10
257	WIGAN	£5.10
258	WYCOMBE	£5.10
259	CHERWELL	£5.08
260	ALNWICK	£5.05
261	SOUTH HOLLAND	£5.05
262	SWANSEA	£5.05
263	BLYTH VALLEY	£5.00
264	CHESTERFIELD	£5.00
265	DAVENTRY	£5.00
266	EAST RIDING	£5.00
267	EREWASH	£5.00
268	GLASGOW	£5.00
269	LIVERPOOL	£5.00
270	NEATH PORT TALBOT	£5.00
271	NORTH EAST DERBYSHIRE	£5.00
272	PETERBOROUGH	£5.00
273	SOUTH BUCKINGHAM	£5.00

PLACE IN TABLE	COUNCIL	TARIFF 1 2 MILES
274	SOUTH LANARKSHIRE(clydsle)	£5.00
275	SOUTH NORTHANTS	£5.00
276	TAMESIDE	£5.00
277	TEST VALLEY	£5.00
278	THANET	£5.00
279	WARWICK	£5.00
280	WEST LINDSEY	£5.00
281	WEST LOTHIAN	£5.00
282	WIRRAL	£5.00
283	WYCHAVON	£5.00
284	STOKE ON TRENT UA	£4.95
285	ANGUS	£4.90
286	BRIDGEND	£4.90
287	CHORLEY	£4.90
288	CLYDEBANK	£4.90
289	CONGLETON	£4.90
290	DUMBARTON	£4.90
291	FLINTSHIRE	£4.90
292	HALTON	£4.90
293	KINGSTON-UPON-HULL	£4.90
294	MELTON	£4.90
295	NORTH KESTEVEN	£4.90
296	NORTH NORFOLK	£4.90
297	ROSSENDALE	£4.90
298	STAFFORD	£4.90
299	TELFORD & WREKIN	£4.90
300	WELLINGBOROUGH	£4.90
301	WYRE FOREST	£4.90
302	REDDITCH	£4.88
303	ALLERDALE	£4.85
304	CERIDGION	£4.85
305	ASHFIELD	£4.80
306	BEDFORD	£4.80
307	CAERPHILLY	£4.80
308	CONWY	£4.80
309	DERBYSHIRE DALES	£4.80
310	DONCASTER	£4.80
311	GATESHEAD	£4.80
312	HAMILTON	£4.80
313	LANCASTER	£4.80
314	LICHFIELD	£4.80
315	MANSFIELD	£4.80
316	NORTH TYNESIDE	£4.80
317	ROCHDALE	£4.80
318	ROTHERHAM	£4.80
319	RUTHERGLEN	£4.80
320	SHROPSHIRE	£4.80
321	TORFAEN	£4.80
322	SANDWELL	£4.75
323	STAFFS MOORLANDS	£4.75
324	BARNLEY	£4.70
325	BERWICK ON TWEED	£4.70
326	BLACKBURN	£4.70
327	EAST AYRSHIRE	£4.70
328	EAST CAMBRIDGESHIRE	£4.70
329	EAST NORTHANTS	£4.70
330	HIGHLANDS	£4.70
331	HYNDBURN	£4.70
332	STIRLING	£4.70
333	WARRINGTON	£4.70
334	WEST LANCAHIRE	£4.70
335	AMBER VALLEY	£4.60
336	COPELAND	£4.60
337	EAST DUNBARTONSHIRE	£4.60
338	FALKIRK	£4.60
339	SEFTON	£4.60
340	WAKEFIELD	£4.60
341	BURNLEY	£4.50
342	MERTHYR TYDFIL	£4.50
343	REDCAR & CLEVELAND	£4.50
344	STOCKTON ON TEES	£4.50
345	CORBY	£4.40
346	EAST RENFREW	£4.40
347	KIRKLEES	£4.40
348	KNOWSLEY	£4.40
349	NORTH AYRSHIRE	£4.40
350	NORTH LANARKSHIRE	£4.40
351	OADBY & WIGSTON	£4.40
352	PENDLE	£4.40
353	SOUTH TYNESIDE	£4.40
354	ST. HELENS	£4.40
355	AYLESBURY VALE	£4.30
356	BLAENAU GWENT	£4.30
357	INVERCLYDE	£4.30
358	MIDDLESBROUGH	£4.30
359	NEWCASTLE-U-LYME	£4.20
360	WESTERN ISLES	£4.20
361	HARTLEPOOL	£3.60
362	SOUTH KESTEVEN	£3.50
363	BOLSOVER	£2.80
	NATIONAL AVERAGES	£5.46

			TARIFF ONE				RUNNING		TARIFF TWO				RUNNING	EXTRA for	START
	COUNCIL	FLAG	1 MILE	2 MILES	5 MILES	10 MILES	MILE	FLAG	1 MILE	2 MILES	5 MILES	10 MILES	MILE	NIGHTS	DATE
1	LUTON (AIRPORT)	£4.00	£5.30	£7.30	£13.20	£23.00	£1.97	£5.00	£6.60	£9.20	£16.70	£29.30	£2.52	28.13%	Oct-11
2	EPSOM & EWELL	£2.40	£4.60	£7.00	£14.40	£31.20	£2.50	£2.40	£5.80	£9.60	£21.00	£39.00	£3.75	50.0%	Apr-12
3	HERTSMERE	£2.40	£4.60	£7.00	£14.20	£31.60	2.44*	£2.40	£5.20	£8.20	£17.40	£34.80	3.01*	23.36%	Apr-12
4	LONDON	£2.40	£4.60	£7.00	£14.40	£31.20	£2.50	£2.40	£5.80	£9.60	£21.00	£39.00	£3.75	50.0%	Apr-12
5	SALISBURY	£3.20	£5.00	£7.00	£13.00	£23.00	£2.00	£4.50	£7.20	£10.20	£19.20	£34.20	£3.00	50.00%	Jun-12
6	CARADON	£3.20	£4.80	£6.80	£12.80	£22.80	£2.00	£3.80	£5.80	£8.30	£15.80	£28.30	£2.50	25%	Nov-11
7	CARRICK	£3.00	£3.80	£6.80	£14.40	£27.40	£2.55	£4.00	£5.20	£8.20	£19.60	£37.00	£3.91	53.00%	Aug-12
8	COLCHESTER	£2.60	£4.70	£6.80	£10.70	£17.30	£1.30	£3.40	£5.80	£8.80	£14.20	£22.90	£1.73	33.08%	Nov-11
9	ADUR	£2.80	£4.40	£6.60	£13.20	£24.20	£2.20	£3.80	£5.40	£7.60	£14.20	£25.20	£2.20	£1	Oct-08
10	READING	£2.20	£4.20	£6.60	£14.00	£26.20	£2.44*	£3.20	£5.20	£7.40	£15.00	£28.00	2.61**	6.97%	Oct-11
11	TUNBRIDGE WELLS	£4.00	£4.00	£6.60	£14.40	£27.40	£2.60	£6.00	£6.00	£9.90	£21.60	£41.10	£3.90	50%	Jan-11
11	WAVENEY	£3.00	£4.20	£6.60	£13.80	£25.80	£2.40	£3.20	£4.80	£7.80	£16.60	£31.00	£2.90	20.83%	Oct-12
11	WEST BERKSHIRE	£2.80	£4.45	£6.55	£12.85	£23.35	£2.10	£3.80	£6.40	£9.60	£19.20	£35.20	£3.20	50%	Apr-12
11	JERSEY	£2.60	£4.40	£6.50	£12.50	£22.40	£1.97	£2.80	£5.20	£8.20	£16.90	£31.63	£2.90	47.25%	Jul-12
11	ARUN	£2.50	£4.20	£6.40	£13.00	£24.00	£2.20	£3.75	£6.30	£9.60	£19.50	£36.00	£3.30	50%	Apr-11
11	BATH & N.E.SOMERSET	£2.60	£4.40	£6.40	£12.40	£24.80	£2.03	£3.60	£5.40	£7.40	£13.40	£25.80	£2.03	£1	Dec-11
11	BRIGHTON & HOVE	£2.80	£4.20	£6.40	£13.00	£24.00	£2.20	£3.80	£5.20	£7.40	£14.00	£25.00	£2.20	£1	Aug-12
11	CAMBRIDGE	£2.80	£4.60	£6.40	£11.60	£20.40	£1.76	£3.80	£5.60	£7.40	£12.60	£21.40	£1.76	£1	Aug-12
11	GRAVESHAM	£2.40	£4.20	£6.40	£12.60	£23.20	£2.12	£3.60	£6.30	£9.60	£18.90	£34.80	£3.17	50%	Dec-11
10	MID SUSSEX	£2.80	£4.40	£6.40	£12.40	£22.40	£2.00	£4.20	£6.60	£9.60	£18.60	£33.60	£3.00	50%	Apr-11
11	ROTHER	£2.60	£4.60	£6.40	£11.20	£19.60	£1.65	£4.00	£7.00	£9.70	£16.90	£29.50	£2.47	50%	Apr-12
11	SOUTH GLOUCESTER	£2.40	£4.40	£6.40	£12.40	£22.60	£2.03	£3.65	£5.65	£7.65	£13.65	£23.85	£2.03	£1.25	Oct-10
11	STROUD	£2.50	£4.30	£6.40	£12.40	£22.30	£2.00	£3.00	£5.10	£7.50	£14.70	£26.40	£2.35	17.33%	Jul-11
11	WATFORD	£2.20	£4.20	£6.40	£13.00	£27.80	£2.20*	£2.00	£5.40	£9.00	£19.60	£34.00	3.54*	60.91%	Feb-10
11	WEYMOUTH & PORTLAND	£2.40	£4.60	£6.40	£11.80	£20.80	£1.80	£2.90	£5.20	£7.30	£13.60	£24.10	£2.10	15.00%	Apr-12
11	WOKINGHAM	£3.00	£4.20	£6.40	£12.60	£23.20	£2.11	£4.50	£6.30	£9.60	£18.90	£34.80	£3.16	50%	May-12
11	SEVENOAKS	£3.80	£4.22	£6.32	£12.62	£23.12	£2.10	£5.60	£6.02	£8.12	£14.42	£24.92	£2.10	£1.80	May-11
11	HARROGATE	£3.10	£4.50	£6.30	£11.50	£20.30	£1.75	£4.65	£6.75	£9.45	£17.25	£30.45	£2.63	50%	Apr-11
11	MOLE VALLEY	£3.90	£4.10	£6.30	£12.70	£23.30	£2.13	£5.85	£6.15	£9.45	£19.05	£34.95	£3.20	50%	Apr-12
10	NORTH HERTS	£3.40	£4.10	£6.30	£12.90	£23.90	£2.20	£5.10	£6.15	£9.45	£19.35	£35.85	£3.30	50.00%	Oct-11
11	PENWITH	£2.80	£4.10	£6.30	£12.90	£23.90	£2.20	£3.50	£5.45	£8.75	£18.65	£35.15	£3.30	50%	Apr-12
11	WOKING	£3.00	£4.50	£6.30	£11.40	£21.60	£1.94*	£4.00	£6.25	£8.95	£16.60	£31.90	£2.63	35%	Jan-12
11	FOREST OF DEAN	£2.22	£3.57	£6.27	£14.37	£27.87	£2.70	£2.80	£4.25	£7.15	£15.85	£30.35	£2.90	7.4%	Apr-11
11	NUNEATON & BEDWORTH	£3.25	£4.25	£6.25	£12.25	£22.25	£2.00	£3.95	£5.45	£8.15	£16.25	£29.45	£2.80	40%	May-12
11	BASINGSTOKE & DEANE	£3.00	£4.80	£6.20	£10.40	£20.40	£1.40*	£4.50	£6.30	£8.40	£14.70	£29.70	£2.10*	50%	Feb-12
11	BIRMINGHAM	£2.20	£4.40	£6.20	£11.60	£20.60	£1.80	£2.40	£4.80	£6.80	£13.00	£23.20	£2.04	13%	Jun-12
11	BOURNEMOUTH	£2.80	£4.00	£6.20	£12.40	£22.80	£2.08	£3.75	£5.25	£8.00	£15.75	£28.75	£2.60	25.00%	Apr-12
11	CHELMSFORD	£3.00	£4.20	£6.20	£12.20	£22.20	£1.99	£4.10	£5.70	£8.70	£17.50	£32.30	£2.95	47.71%	Jul-12
11	CREWE & NANTWICH	£2.40	£4.20	£6.20	£12.20	£22.20	£2.00	£2.40	£4.40	£6.60	£13.20	£24.20	£2.20	10.00%	Jun-11
10	DARTFORD	£2.20	£4.00	£6.20	£12.60	£27.00	£2.15	£2.20	£4.80	£7.60	£16.20	£31.40	£2.86	33.19%	Nov-09
11	GUERNSEY	£3.00	£4.40	£6.20	£11.40	£20.40	£1.80	£4.20	£6.00	£8.60	£16.00	£28.60	£2.51	39.44%	Aug-11
11	HARLOW	£2.60	£4.60	£6.20	£10.40	£17.20	£1.36	£3.00	£5.20	£6.85	£11.80	£20.20	£1.61	18%	Jan-12
11	HART	£2.60	£4.00	£6.20	£12.80	£23.80	£2.20	£3.90	£5.70	£9.00	£18.90	£35.40	£3.30	50%	Nov-11
11	HORSHAM	£3.80	£4.30	£6.20	£11.90	£21.40	£1.89	£5.70	£6.45	£9.30	£17.85	£32.10	£2.84	50%	Jul-12
11	LEEDS	£2.40	£4.20	£6.20	£10.60	£18.60	£1.59**	£3.00	£5.00	£7.20	£11.60	£19.40	£1.55**	60p	Jul-12
11	LINCOLN	£3.00	£4.60	£6.20	£11.00	£19.00	£1.60	£3.80	£5.90	£8.00	£14.30	£25.10	£2.15	34.00%	Jan-12
11	MENDIP	£2.70	£4.20	£6.20	£12.30	£22.00	£2.02	£4.05	£6.30	£9.30	£18.45	£33.00	£3.03	50%	Feb-12
11	NORWICH	£3.00	£4.60	£6.20	£11.00	£19.20	£1.64	£3.40	£5.00	£7.00	£12.60	£22.00	£1.89	15.59%	Oct-11
11	POOLE	£2.80	£4.00	£6.20	£12.40	£22.80	£2.08	£3.75	£5.25	£8.00	£15.75	£28.75	£2.60	25.00%	May-12
10	RUNNYMEDE	£3.60	£3.60	£6.20	£12.60	£23.00	£2.10	£5.40	£5.40	£9.20	£18.80	£34.40	£3.15	50%	Jun-11
11	SHEPWAY	£3.00	£4.40	£6.20	£11.60	£20.60	£1.80	£4.50	£6.60	£9.30	£17.40	£30.90	£2.70	50%	Jul-12
11	SOLIHULL	£2.20	£4.40	£6.20	£11.60	£20.60	£1.80	£2.40	£4.80	£6.80	£13.00	£23.20	£2.04	13%	Jun-12
11	SOUTH CAMBRIDGE	£2.60	£4.40	£6.20	£11.40	£20.20	£1.76	£3.60	£5.40	£7.20	£12.40	£21.20	£1.76	£1	Nov-11
11	TAUNTON DEANE	£2.40	£4.00	£6.20	£12.80	£23.80	£2.20	£3.60	£6.00	£9.30	£19.20	£35.70	£3.30	50%	Nov-10
11	WAVERLEY	£3.40	£3.85	£6.20	£13.40	£25.40	£2.40	£5.10	£5.70	£9.30	£20.10	£38.10	£3.60	50%	Jul-12
11	WINCHESTER	£2.80	£4.20	£6.20	£12.40	£22.80	£2.07	£4.20	£6.30	£18.60	£17.40	£34.20	£3.11	50%	Jul-11
11	YORK	£2.60	£4.40	£6.20	£11.90	£21.40	£1.89	£3.40	£5.20	£7.10	£12.80	£22.30	£1.89	80p	Apr-12
11	KERRIER	£2.78	£3.09	£6.19	£15.49	£30.99	£3.10	£5.56	£6.18	£12.38	£30.98	£61.98	£6.20	100%	Jan-11
11	EASTLEIGH	£2.80	£4.30	£6.10	£11.50	£20.50	£1.80	£3.00	£5.25	£7.75	£15.25	£27.75	£2.50	38.89%	Aug-11
10	ELMBRIDGE	£3.85	£4.30	£6.10	£12.85	£24.10	£2.25	£4.95	£5.55	£7.95	£16.95	£31.95	£2.99	33.33%	Jul-11
11	MALVERN HILLS	£3.50	£4.00	£6.10	£12.40	£22.90	£2.10	£5.25	£6.00	£9.15	£18.60	£34.35	£3.15	50%	Aug-10
11	NEW FOREST	£2.30	£3.70	£6.10	£13.50	£25.90	£2.46	£2.85	£4.95	£8.55	£19.65	£38.25	£3.69	50%	Jul-12
11	SPELTORNE	£3.60	£3.60	£6.10	£13.60	£26.10	£2.50	£5.40	£5.40	£8.40	£17.40	£32.40	£3.00	50%	Sep-11
11	SWINDON	£2.90	£4.30	£6.10	£11.30	£21.70	£1.75*	£3.50	£4.90	£6.70	£11.90	£22.30	£1.75*	60p	Sep-08
11	VALE OF WHITE HORSE	£3.50	£4.10	£6.10	£12.10	£22.10	£2.00	£4.65	£5.55	£8.55	£17.55	£32.55	£3.00	50%	Oct-08
11	SOUTH SOMERSET	£3.00	£3.88	£6.08	£12.68	£23.68	£2.20	£4.50	£5.82	£9.12	£19.02	£35.52	£3.30	50%	Sep-08
11	ABERDEENSHIRE	£2.60	£3.80	£6.00	£12.60	£23.60	£2.20	£3.60	£4.80	£7.00	£13.60	£24.60	£2.20	£1	Aug-11
11	BRACKNELL FOREST	£3.00	£4.20	£6.00	£11.20	£20.00	£1.76	£4.50	£6.30	£9.00	£16.80	£30.00	£2.64	50%	Jun-11
11	BRENTWOOD	£2.80	£3.80	£6.00	£12.40	£23.00	£2.15	£3.50	£4.70	£7.30	£15.50	£28.90	£2.69	25.19%	Aug-11
10	CANTERBURY	£2.60	£4.20	£6.00	£11.40	£20.40	£1.80	£3.90	£6.30	£9.00	£17.10	£30.60	£2.70	50%	Oct-08
11	CARMARTHENSHIRE	£2.20	£4.00	£6.00	£12.00	£22.00	£2.00	£2.40	£4.65	£7.15	£14.65	£27.15	£2.50	25%	May-11
11	CASTLE POINT	£2.80	£4.00	£6.00	£12.00	£22.00	£2.00	£3.80	£5.00	£6.00	£13.00	£23.00	£2.00	£1.00	Nov-11
11	DOVER	£3.30	£4.35	£6.00	£10.50	£18.00	£1.50	£4.95	£6.75	£9.00	£15.75	£27.00	£2.25	50%	Jan-12
11	EAST HAMPSHIRE	£2.80	£4.20	£6.00	£11.40	£20.40	£1.80	£4.20	£6.30	£9.00	£17.10	£30.60	£2.70	50%	Jun-11
11	EXETER	£2.20	£4.00	£6.00	£12.00	£22.00	£2.00	£2.75	£5.00</						

			TARIFF ONE				RUNNING		TARIFF TWO				RUNNING	EXTRA for	START
	COUNCIL	FLAG	1 MILE	2 MILES	5 MILES	10 MILES	MILE	FLAG	1 MILE	2 MILES	5 MILES	10 MILES	MILE	NIGHTS	DATE
100	WALSALL	£2.50	£4.30	£5.90	£10.70	£18.70	£1.60*	£3.25	£4.90	£7.15	£13.90	£25.15	£2.25*	41%	May-12
101	HARBOROUGH	£3.00	£4.10	£5.86	£11.14	£19.94	£1.76	£4.00	£5.70	£8.42	£16.58	£30.18	£2.72	54.55%	Jul-08
101	TEWKESBURY	£2.60	£3.85	£5.86	£11.85	£21.85	£2.00	£3.60	£5.10	£7.50	£14.70	£26.70	£2.40	20%	Jul-11
101	NORTH DEVON	£2.60	£3.35	£5.85	£13.35	£25.85	£2.50	£3.90	£5.04	£8.84	£20.24	£39.24	£3.80	52%	Nov-11
101	BLACKPOOL	£2.60	£4.00	£5.80	£10.80	£19.40	£1.72	£2.60	£4.60	£6.80	£13.60	£25.00	£2.27	36.02%	Jul-11
101	BRISTOL, CITY OF UA	£2.60	£4.20	£5.80	£10.60	£18.60	£1.61	£3.40	£5.20	£7.00	£12.60	£22.00	£1.88	16.27%	Apr-11
101	CHELTENHAM	£2.40	£4.00	£5.80	£11.20	£20.20	£1.80	£3.00	£5.00	£7.25	£14.00	£25.25	£2.25	25%	Apr-11
101	CHICHESTER	£3.00	£3.80	£5.80	£11.80	£21.80	£2.00	£3.80	£5.60	£8.40	£14.00	£30.80	£2.80	40%	Mar-11
101	CRAWLEY	£3.60	£3.80	£5.80	£12.20	£22.60	£2.10	£4.50	£4.80	£7.80	£16.80	£31.80	£3.00	42.33%	Jan-12
101	EAST DEVON	£2.80	£3.80	£5.80	£11.80	£21.80	£2.00	£3.60	£4.80	£7.20	£14.40	£26.40	£2.40	20%	Dec-10
110	EAST HERTS	£3.00	£3.80	£5.80	£11.40	£20.60	£1.85	£4.00	£5.20	£8.20	£16.60	£30.40	£2.78	50%	Jan-11
111	GLOUCESTER	£3.00	£4.00	£5.80	£11.20	£20.60	£1.84	£4.00	£5.20	£7.60	£14.60	£26.60	£2.38	29.05%	Feb-12
111	MIDLOTHIAN	£2.20	£3.80	£5.80	£11.40	£21.00	£1.91	£2.70	£4.30	£6.30	£11.90	£21.50	£1.91	50p	Jan-10
111	REIGATE & BANSTEAD	£3.60	£3.60	£5.80	£12.40	£23.20	£2.17	£4.50	£4.50	£7.30	£15.50	£28.90	£2.71	24.62%	Dec-11
111	RESTORMEL	£2.80	£3.80	£5.80	£11.80	£21.80	£2.00	£4.20	£8.70	£8.70	£17.70	£32.70	£3.00	50%	Jul-08
111	SCARBOROUGH	£3.40	£4.60	£5.80	£9.40	£15.40	£1.20	£3.60	£5.00	£6.40	£10.60	£17.60	£1.40	16.66%	Aug-12
111	SEDGEMOOR	£2.60	£3.80	£5.80	£11.80	£21.60	£1.97	£3.90	£5.70	£8.70	£17.70	£32.40	£2.96	50%	Dec-10
111	SLOUGH	£3.00	£5.00	£5.80	£10.40	£23.60	1.76*	£4.80	£6.80	£7.60	£12.20	£23.60	1.76*	£1.80	Jul-10
111	ST ALBANS	£2.50	£3.60	£5.80	£12.40	£23.40	£2.20	£3.75	£5.40	£8.70	£18.60	£35.10	£3.30	50%	Mar-11
111	TEIGNBRIDGE	£2.40	£4.00	£5.80	£11.60	£21.00	£1.90	£3.60	£6.00	£8.70	£17.40	£31.50	£2.80	50%	Apr-11
110	TORBAY	£2.50	£4.00	£5.80	£11.50	£20.80	£1.87	£3.00	£5.00	£7.40	£15.00	£27.40	£2.50	33.33%	Sep-11
111	WEST SOMERSET	£2.40	£3.80	£5.80	£11.60	£21.40	£1.96	£3.60	£5.70	£8.70	£17.40	£32.10	£2.93	50%	Dec-11
111	EAST KILBRIDE	£2.80	£4.00	£5.70	£9.70	£16.30	£1.33	£3.40	£4.60	£6.30	£10.30	£16.90	£1.33	60p	Jan-12
111	EAST LOTHIAN	£2.50	£3.70	£5.70	£11.90	£22.30	£2.06	£3.00	£4.20	£6.20	£12.40	£22.80	£2.06	50p	Nov-10
111	EASTBOURNE	£2.60	£4.10	£5.70	£10.50	£20.50	£2.00*	£3.00	£4.80	£6.70	£12.40	£23.40	£2.20*	10.00%	Jul-09
111	FYLDE	£2.50	£3.90	£5.70	£10.90	£19.70	£1.74	£2.80	£4.60	£6.80	£13.40	£24.40	£2.19	25.47%	Aug-12
111	HASTINGS	£2.80	£4.20	£5.70	£10.20	£17.70	£1.49	£3.40	£5.40	£7.60	£13.80	£24.20	£2.10	40.48%	Apr-11
111	LUTON	£3.00	£3.70	£5.70	£11.60	£21.50	£1.97	£4.30	£5.50	£8.10	£15.60	£28.30	£2.52	28.13%	Oct-11
111	MANCHESTER	£2.30	£3.90	£5.70	£11.30	£20.50	£1.84	£2.80	£5.00	£7.40	£14.80	£27.20	£2.46	33.16%	Jun-12
111	MID DEVON	£2.30	£3.70	£5.70	£11.90	£22.10	£1.96	£3.45	£5.55	£8.55	£17.85	£33.15	£2.93	50%	Nov-10
110	MONMOUTHSHIRE	£3.00	£3.90	£5.70	£11.10	£20.10	£1.80	£3.50	£4.55	£6.65	£12.95	£23.45	£2.10	16.67%	Apr-11
111	PLYMOUTH	£3.30	£4.20	£5.70	£9.60	£16.20	£1.32	£4.00	£5.20	£6.70	£10.60	£17.20	£1.32	£1	Nov-11
111	RYEDALE	£3.00	£3.90	£5.70	£11.10	£20.10	£1.80	£3.60	£4.70	£6.90	£13.50	£24.50	£2.20	22.22%	Apr-12
111	WELWYN HATFIELD	£2.50	£3.70	£5.70	£11.90	£22.30	£2.07	£3.75	£5.55	£8.55	£17.85	£33.45	£3.11	50%	Sep-08
111	OXFORD	£2.45	£4.45	£5.65	£9.55	£15.95	£1.29*	£2.50	£5.50	£7.30	£11.00	£17.10	£1.24*	3.86%less	Jan-11
111	RENFREWSHIRE	£3.25	£4.05	£5.65	£10.05	£17.25	£1.47	£3.85	£4.65	£6.25	£10.65	£17.85	£1.47	60p	May-12
111	VALE OF GLAMORGAN	£2.80	£3.75	£5.65	£11.35	£20.85	£1.90	£3.00	£4.10	£6.30	£12.90	£23.90	£2.20	15.79%	Aug-11
111	CHARNWOOD	£3.25	£4.27	£5.63	£9.71	£16.51	£1.36	£3.75	£5.43	£7.67	£14.39	£25.59	£2.24	64.71%	Aug-10
111	BASILDON	£2.20	£3.80	£5.60	£11.60	£20.60	£1.95	£3.80	£5.40	£7.00	£13.20	£22.20	£1.95*	£1.60	Jul-11
111	EAST LINDSEY	£3.00	£4.00	£5.60	£10.80	£19.20	£1.70	£4.50	£6.00	£8.40	£16.20	£28.80	£2.55	50%	Mar-11
110	FIFE	£3.00	£3.60	£5.60	£11.20	£20.80	£1.90	£3.75	£4.50	£7.00	£14.00	£26.00	£2.38	25%	Oct-11
111	GOSPORT	£2.20	£3.80	£5.60	£10.80	£19.40	£1.73	£3.30	£5.70	£8.40	£16.20	£29.10	£2.59	50.00%	Aug-12
111	GUILDFORD	£3.00	£3.80	£5.60	£11.00	£22.00	£1.82	£4.00	£5.20	£7.60	£15.10	£29.20	£2.50	37.60%	Oct-12
111	HINCKLEY & BOSWORTH	£2.60	£3.60	£5.60	£11.60	£21.60	£2.00	£3.90	£5.40	£8.40	£17.40	£32.40	£3.00	50%	May-11
111	IPSWICH	£3.00	£4.00	£5.60	£10.40	£18.40	£1.60	£3.80	£5.00	£7.00	£12.60	£22.20	£1.89	18.24%	Dec-10
111	LEWES	£2.80	£3.60	£5.60	£11.60	£21.60	£2.00	£4.40	£5.20	£7.20	£13.20	£23.20	£2.00	£1.60	Oct-10
111	NEWCASTLE UPON TYNE	£2.40	£4.00	£5.60	£10.60	£19.00	£1.67	£2.40	£4.20	£6.20	£12.00	£21.60	£1.93	15.93%	Sep-08
111	NORTHAMPTON	£2.20	£3.80	£5.60	£10.60	£19.00	£1.69	£3.40	£5.00	£6.80	£12.00	£20.80	£1.74	2.96%	May-08
111	NOTTINGHAM	£2.00	£3.80	£5.60	£11.00	£20.40	£1.80	£2.00	£4.00	£6.00	£11.80	£22.00	£1.95	8.33%	Dec-11
111	PORTSMOUTH UA	£2.20	£3.80	£5.60	£10.80	£21.60	£1.76	£2.60	£4.00	£5.60	£11.20	£21.60	£1.87	6.25%	Dec-10
110	RUSHMOOR	£2.60	£3.40	£5.60	£12.20	£24.20	2.20*	£3.80	£5.00	£8.30	£18.50	£36.20	£3.30*	50%	Sep-11
111	SHEFFIELD	£2.60	£4.10	£5.60	£10.10	£17.90	£1.53*	£3.10	£4.60	£6.10	£10.60	£18.40	£1.53*	50p	Nov-10
111	STOCKPORT	£2.00	£3.20	£5.60	£12.40	£24.00	£2.32	£2.60	£4.20	£7.20	£16.60	£32.00	£3.09	33%	Apr-11
111	STRATFORD ON AVON	£2.20	£3.60	£5.60	£11.60	£21.60	£2.00	£3.30	£5.30	£8.10	£16.50	£30.50	£2.80	40%	Jan-12
111	SUFFOLK COASTAL	£3.40	£4.20	£5.60	£9.80	£16.80	£1.40	£3.90	£4.90	£6.50	£11.30	£19.30	£1.60	14.30%	Jul-12
111	SURREY HEATH	£3.60	£3.60	£5.60	£11.60	£21.60	£2.00	£3.60	£5.10	£8.10	£17.10	£32.10	£3.00	50%	May-08
111	TAMWORTH	£2.40	£3.80	£5.60	£11.00	£20.00	£1.80	£3.60	£5.70	£8.40	£16.50	£30.00	£2.70	50%	Apr-11
111	UTTLESFORD	£3.20	£3.60	£5.60	£11.60	£21.60	£2.00	£4.80	£5.40	£8.40	£17.40	£32.40	£3.00	50%	Oct-11
111	WORTHING	£3.00	£3.80	£5.60	£11.00	£20.00	£2.00	£4.00	£4.75	£7.50	£15.75	£29.50	£2.75	37.50%	Jun-10
111	WREXHAM	£3.60	£3.60	£5.60	£11.40	£21.00	£1.91	£3.96	£3.96	£6.16	£12.54	£23.10	£2.10	10%	Mar-11
110	WYRE	£2.60	£3.80	£5.60	£10.60	£19.00	£1.68	£2.70	£4.50	£6.70	£13.30	£24.30	£2.20	31.25%	Apr-11
111	DURHAM COUNTY COUNCIL	£2.55	£3.85	£5.55	£10.75	£19.35	£1.73	£3.15	£4.95	£7.20	£14.40	£26.10	£2.36	36.34%	Sep-11
111	ARGYLE & BUTE	£2.70	£3.70	£5.50	£10.70	£19.50	£1.76	£3.20	£4.40	£6.40	£12.60	£23.00	£2.07	17.61%	Mar-11
111	CARLISLE	£2.70	£3.50	£5.50	£11.70	£22.10	£2.07	£3.60	£4.60	£7.10	£14.80	£28.30	£2.66	33%	Oct-11
111	CASTLE MORPETH	£2.50	£3.90	£5.50	£10.00	£17.70	£1.53	£2.60	£4.40	£6.40	£10.20	£21.80	£1.93	26.37%	Aug-12
111	CHESTER	£2.50	£4.10	£5.50	£9.90	£18.30	1.47*	£2.80	£4.40	£6.20	£11.00	£20.40	1.65*	12.50%	Apr-11
111	DUMFRIES & GALLOWAY	£4.50	£4.50	£5.50	£11.50	£21.50	£2.00	£5.50	£5.50	£6.50	£12.50	£22.50	£2.00	£1	Jan-10
111	EAST STAFFORDSHIRE	£2.00	£3.70	£5.50	£11.10	£20.40	£1.85	£3.00	£4.70	£6.50	£12.10	£21.40	£1.85	£1	Aug-08
111	EDEN	£2.50	£3.00	£5.50	£13.00	£25.50	£2.50	£3.50	£4.20	£7.70	£18.20	£35.70	£3.50	40%	Aug-11
111	EDINBURGH	£2.00	£3.50	£5.50	£10.75	£19.75	£1.79*	£3.00	£4.50	£6.50	£11.75	£20.75	£1.79*	£1.00	Dec-11
110	GWYNEDD	£3.00	£3.00	£5.50	£13.00	£25.50	£2.50	£4.50	£4.50	£8.25	£19.50	£38.25	£3.75	50%	Nov-11
111	HUNTINGDONSHIRE	£2.70	£4.10	£5.50	£10.10	£17.50	£1.50	£2.70	£4.70	£6.70	£12.70	£22.70	£2.00	33%	Nov-11
111	ISLE OF MAN	£2.70	£4.10	£5.50	£10.30	£19.50	£1.56	£3.50	£5.30	£7.50	£14.30	£27.30	£2.24	43.59%	Apr-12
111	LEICESTER	£2.50	£4.00	£5.50	£10.00	£17.50	£1.50	£3.00	£4.70	£6.50	£11.90	£20.90	£1.80	20%	

			TARIFF ONE				RUNNING				TARIFF TWO				RUNNING		EXTRA for	START
	COUNCIL	FLAG	1 MILE	2 MILES	5 MILES	10 MILES	MILE	FLAG	1 MILE	2 MILES	5 MILES	10 MILES	MILE	NIGHTS	DATE			
111	NORTH WARWICKS	£2.20	£3.60	£5.40	£10.80	£19.80	£1.80	£3.00	£4.95	£7.50	£15.15	£27.90	£2.55	42%	Feb-11			
100	PEMBROKE	£3.00	£3.00	£5.40	£12.60	£24.60	£2.40	£4.10	£4.10	£7.10	£16.10	£31.10	£3.00	25%	Feb-08			
101	PERTH & KINROSS	£3.00	£3.80	£5.40	£10.20	£18.20	£1.60	£3.80	£4.80	£6.80	£12.80	£22.80	£2.00	25%	Aug-11			
101	RUGBY	£2.30	£3.60	£5.40	£10.70	£19.60	£1.78	£2.80	£4.10	£5.90	£11.20	£20.10	£1.78	50p	Feb-09			
101	SELBY	£3.50	£3.90	£5.40	£9.90	£17.40	£1.50	£3.70	£4.20	£5.90	£11.00	£19.50	£1.70	13.33%	Apr-11			
101	SOUTH RIBBLE	£2.00	£3.40	£5.40	£11.40	£21.40	£2.00	£2.70	£4.50	£6.90	£14.10	£26.10	£2.40	20%	Sep-11			
101	TANDRIDGE	£3.40	£3.40	£5.40	£11.40	£21.40	£2.00	£3.70	£3.70	£6.30	£14.10	£27.10	£2.60	30.00%	Jul-11			
101	WEST OXFORD	£2.00	£3.60	£5.40	£10.80	£19.80	£1.80	£3.00	£5.40	£8.10	£16.20	£29.70	£2.70	50%	Sep-07			
101	WORCESTER	£3.20	£3.60	£5.40	£10.20	£18.20	£1.60	£4.20	£4.80	£7.20	£13.80	£25.20	£2.25	40.63%	Nov-11			
101	BROXTOWE	£2.50	£3.38	£5.36	£11.19	£20.87	£1.95	£3.10	£4.22	£6.60	£14.02	£26.06	£2.43	25%	Nov-10			
101	KINGS LYNN & W. NORFOLK	£3.60	£3.60	£5.36	£10.64	£19.44	£1.76	£5.40	£5.40	£8.04	£15.96	£29.16	£2.64	50%	Aug-12			
110	BASSETLAW	£3.60	£3.60	£5.35	£10.60	£19.35	£1.75	£3.00	£5.10	£7.55	£14.90	£27.15	£2.45	40%	Apr-11			
111	BRADFORD	£2.00	£3.60	£5.30	£10.20	£18.50	£1.66	£2.00	£3.80	£5.60	£11.20	£20.40	£1.85	11.45%	Jan-09			
111	BROMSGROVE	£3.50	£3.50	£5.30	£10.70	£19.50	£1.78	£4.50	£4.50	£6.30	£11.70	£20.50	£1.78	£1	Sep-08			
111	BROXBORNE	£2.90	£3.50	£5.30	£10.60	£19.40	£1.77	£4.35	£5.25	£7.95	£15.90	£29.10	£2.65	50%	Nov-11			
111	BURY ST EDMUNDS	£3.30	£3.70	£5.30	£10.10	£18.10	£1.60	£4.95	£5.55	£7.95	£15.15	£27.15	£2.40	50%	Jun-11			
111	COTSWOLD	£2.80	£3.10	£5.30	£11.90	£22.90	£2.20	£3.20	£3.59	£6.19	£13.99	£26.99	£2.60	18.18%	Oct-08			
111	CRAVEN	£3.00	£3.80	£5.30	£9.80	£17.30	£1.49	£3.30	£4.30	£6.10	£11.50	£20.50	£1.79	20.13%	May-11			
111	FENLAND	£3.30	£3.30	£5.30	£11.30	£21.30	£2.00	£4.90	£4.90	£7.90	£16.90	£31.90	£3.00	50%	Apr-12			
111	NORTH EAST LINCOLNSHIRE	£2.00	£3.80	£5.30	£9.80	£17.30	£1.50	£2.20	£4.40	£6.30	£12.10	£21.60	£1.90	26.66%	Sep-11			
111	NORTH SOMERSET	£2.50	£3.90	£5.30	£9.90	£17.70	£1.53	£3.30	£5.05	£6.80	£12.55	£22.30	£1.91	24.84%	Aug-10			
110	RIBBLE VALLEY	£3.30	£3.30	£5.30	£11.30	£21.30	£2.00	£4.65	£4.65	£7.65	£16.65	£31.65	£3.00	50.00%	Oct-08			
111	SCOTTISH BORDERS	£2.10	£3.70	£5.30	£10.30	£18.50	£1.64	£2.60	£4.60	£6.70	£12.80	£23.10	£2.05	25%	Nov-11			
111	SOUTH HAMS	£2.50	£3.50	£5.30	£10.70	£19.70	£1.81	£3.30	£4.50	£6.90	£13.50	£24.70	£2.24	24.20%	Mar-11			
111	THURROCK	£2.30	£3.70	£5.30	£10.10	£20.90	1.63*	£3.30	£5.40	£7.80	£15.00	£29.70	2.45*	50%	Aug-08			
111	DUNDEE	£2.87	£3.77	£5.27	£9.77	£17.27	£1.50	£3.44	£4.52	£6.32	£11.72	£20.72	£1.80	20%	Jul-12			
111	SALFORD	£2.40	£3.72	£5.26	£10.10	£18.24	£1.61	£3.00	£4.54	£6.52	£12.24	£21.70	£1.90	17.65%	Jan-12			
111	VALE ROYAL	£2.50	£3.30	£5.25	£10.50	£19.25	£1.75	£3.50	£4.30	£7.00	£14.50	£27.00	£2.50	42.85%	Oct-11			
111	WINDSOR & MAIDENHEAD	£2.73	£3.57	£5.25	£10.29	£18.69	£1.68	£4.09	£5.33	£7.81	£15.25	£27.96	£2.52	50%	Nov-11			
111	BLABY	£3.20	£3.80	£5.24	£9.56	£16.76	£1.44	£3.50	£4.10	£5.54	£9.86	£17.06	£1.44	30p	Aug-11			
111	BOLTON	£2.00	£3.40	£5.20	£10.80	£20.00	£1.85	£2.60	£3.80	£6.00	£13.00	£24.80	£2.35	27.02%	Sep-08			
110	BOSTON	£2.40	£3.60	£5.20	£10.00	£18.00	£1.60	£3.10	£4.90	£7.10	£13.70	£24.70	£2.20	37.50%	Aug-11			
111	BURY	£1.90	£3.10	£5.20	£11.50	£22.00	£2.10	£2.30	£3.70	£6.20	£13.70	£26.20	£2.50	19.05%	Jul-08			
111	DENBIGHSHIRE	£2.10	£3.60	£5.20	£10.00	£18.00	£1.60	£2.30	£4.70	£7.10	£14.30	£26.30	£2.40	50.00%	Oct-10			
111	ELLESMERE PORT	£2.20	£3.60	£5.20	£9.80	£17.60	£1.56	£2.75	£4.50	£6.50	£12.25	£22.00	£1.95	25%	Apr-11			
111	HAMBLETON	£3.30	£3.30	£5.20	£10.90	£20.40	£1.90	£4.95	£4.95	£7.75	£16.15	£30.15	£2.80	47.37%	Sep-11			
111	MACCLESFIELD	£2.70	£3.20	£5.20	£11.20	£21.20	£2.00	£4.05	£4.80	£7.80	£16.80	£31.80	£3.00	50%	Jun-11			
111	NORTH WEST LEICESTER	£3.60	£3.60	£5.20	£10.00	£18.00	£1.60	£4.80	£4.80	£7.11	£13.41	£24.12	£2.13	33%	Apr-11			
111	POWYS	£3.40	£3.40	£5.20	£10.60	£19.60	£1.80	£4.00	£4.00	£6.20	£12.80	£23.80	£2.20	22%	May-11			
111	PRESTON	£2.20	£3.40	£5.20	£10.60	£19.60	£1.81	£2.80	£4.20	£6.40	£13.20	£24.40	£2.24	23.57%	Aug-12			
111	RHONDDA CYNON TAFF	£3.60	£3.60	£5.20	£10.00	£18.00	£1.60	£3.90	£3.90	£5.70	£11.10	£20.10	£1.80	12.50%	May-12			
110	ROCHFORD	£2.80	£3.80	£5.20	£10.00	£19.80	2.19*	£4.80	£5.80	£7.40	£13.20	£21.80	2.19*	£2.00	Jun-11			
111	SOUTH AYRSHIRE	£2.80	£3.30	£5.20	£10.90	£20.40	£1.90	£3.80	£4.30	£6.20	£11.90	£21.40	£1.90	£1	Apr-11			
111	SUNDERLAND	£2.40	£3.80	£5.20	£9.40	£16.40	£1.41	£2.80	£4.60	£6.40	£11.80	£20.80	£1.81	28.21%	May-12			
111	TRAFFORD	£2.00	£3.20	£5.20	£11.40	£21.60	£2.06	£2.65	£4.25	£6.85	£15.05	£28.85	£2.74	33%	Dec-11			
111	WOLVERHAMPTON	£3.00	£3.70	£5.20	£9.90	£17.70	£1.56	£3.50	£4.20	£5.70	£10.40	£17.30	£1.56	50p	Feb-09			
111	YNYS MON	£2.80	£2.80	£5.20	£12.40	£24.40	£2.40	£5.60	£5.60	£10.40	£24.80	£48.80	£4.80	100%	Apr-11			
111	BRECKLAND	£3.14	£3.14	£5.14	£10.74	£20.34	£1.89	£4.70	£4.70	£7.70	£16.10	£30.50	£2.84	50%	Sep-11			
111	BABERGH	£2.60	£3.70	£5.10	£9.30	£16.30	£1.40	£3.90	£5.55	£7.65	£13.95	£24.45	£2.10	50%	Nov-10			
111	CALDERDALE	£1.90	£3.10	£5.10	£11.00	£21.00	£1.99	£2.00	£3.60	£5.90	£12.70	£24.00	£2.27	14.08%	Feb-12			
111	CANNOCK CHASE	£2.50	£3.70	£5.10	£9.50	£16.70	£1.45	£3.75	£5.55	£7.65	£14.25	£25.05	£2.18	50%	Jun-11			
110	CLACKMANNAN	£1.90	£3.18	£5.10	£10.86	£20.46	£1.92	£2.70	£4.38	£6.90	£14.46	£27.06	£2.52	33%	Oct-11			
111	MID BEDFORDSHIRE	£3.00	£3.30	£5.10	£10.50	£19.50	£1.80	£4.50	£4.95	£7.65	£15.75	£29.25	£2.70	50%	Jun-08			
111	NEWPORT	£3.00	£3.50	£5.10	£9.80	£17.70	£1.57	£4.00	£4.50	£6.10	£10.80	£18.70	£1.57	£1	Oct-10			
111	ORKNEY ISLANDS	£3.50	£3.50	£5.10	£9.90	£17.90	£1.60	£4.50	£4.50	£6.50	£12.50	£22.50	£2.00	25.00%	Apr-12			
111	RICHMONDSHIRE	£2.40	£3.30	£5.10	£10.50	£19.32	£1.78	£3.20	£4.40	£6.80	£14.00	£25.76	£2.37	33%	Oct-11			
111	SOUTH BEDFORDSHIRE	£3.00	£3.30	£5.10	£10.50	£19.50	£1.80	£4.50	£4.95	£7.65	£15.75	£29.25	£2.70	50%	Jan-09			
111	SOUTH STAFFORDSHIRE	£3.50	£3.50	£5.10	£9.90	£17.90	£1.60	£4.40	£4.40	£6.40	£12.40	£22.40	£2.00	25%	May-09			
111	WIGAN	£1.80	£3.20	£5.10	£10.50	£19.60	£1.81	£2.25	£4.05	£6.25	£13.05	£24.35	£2.26	24.36%	Mar-11			
111	WYCOMBE	£2.20	£3.60	£5.10	£9.80	£17.50	£1.54	£2.75	£4.45	£6.45	£12.35	£22.05	£1.96	27.27%	Apr-11			
111	CHERWELL	£2.00	£3.32	£5.08	£10.36	£19.16	£1.76	£2.30	£3.74	£5.66	£11.42	£21.02	£1.92	9.09%	Sep-08			
110	ALNWICK	£2.50	£3.40	£5.05	£10.15	£18.40	£1.67	£3.10	£4.30	£6.30	£12.50	£23.10	£2.09	25%	Aug-12			
111	SOUTH HOLLAND	£2.20	£3.55	£5.05	£9.55	£17.05	£1.50	£3.20	£5.00	£7.00	£13.00	£23.00	£2.00	33.33%	Oct-08			
111	SWANSEA	£1.80	£3.30	£5.05	£10.30	£19.05	£1.75	£2.10	£3.90	£6.00	£12.30	£22.80	£2.10	20%	Oct-08			
111	BLYTH VALLEY	£2.20	£3.40	£5.00	£9.60	£17.40	£1.56	£2.70	£4.10	£6.10	£11.70	£20.90	£1.87	19.68%	Aug-12			
111	CHESTERFIELD	£2.00	£3.40	£5.00	£9.80	£17.80	£1.60	£2.50	£4.25	£6.25	£12.25	£22.25	£2.00	25.00%	Apr-12			
111	DAVENTRY	£1.80	£3.00	£5.00	£11.00	£21.00	£2.00	£2.20	£4.00	£7.00	£16.00	£31.00	£3.00	50%	Dec-07			
111	EAST RIDING	£2.20	£3.60	£5.00	£9.40	£16.80	£1.48	£2.40	£4.20	£6.20	£12.20	£21.80	£1.95	31.57%	Aug-08			
111	EREWASH	£3.00	£3.00	£5.00	£11.00	£21.00	£2.00	£3.40	£3.40	£5.90	£13.40	£25.90	£2.50	25%	Apr-08			
111	GLASGOW	£2.40	£3.40	£5.00	£10.00	£18.20	£1.64	£3.40	£4.40	£6.00	£11.00	£19.20	£1.64	£1	Aug-12			
111	LIVERPOOL	£2.20	£3.60	£5.00	£9.60	£15.40	1.52*	£2.75	£4.50	£6.25	£12.00	£19.26	£1.90*	25%	Nov-11			
110	NEATH PORT TALBOT	£2.40	£3.00	£5.00	£11.00	£21.00	£2.00	£3.00	£3.92	£6.22	£13.12	£24.62	£2.30	15%	May-11			
111	NORTH EAST DERBYSHIRE	£2.00	£3.40	£5.00	£9.80	£17.80	£1.60	£2.50	£4.25	£6.25	£12.25	£22.25	£2.00	25.00%	Jun-12			
111	PETERBOROUGH	£3.30	£3.30	£5.00	£10.10	£16.50	£1.70	£3.30	£3.30	£5.00	£10.10	£16.50	£1.70	NIL	Jul-08			
111	SOUTH BUCKINGHAM																	

			TARIFF ONE				RUNNING				TARIFF TWO				RUNNING		EXTRA for	START
	COUNCIL	FLAG	1 MILE	2 MILES	5 MILES	10 MILES	MILE	FLAG	1 MILE	2 MILES	5 MILES	10 MILES	MILE	NIGHTS		DATE		
111	STAFFORD	£2.50	£3.70	£4.90	£8.90	£16.50	£1.50	£3.75	£5.55	£7.35	£13.35	£24.75	£2.59	50%	Sep-08			
111	TELFORD & WREKIN	£2.00	£3.50	£4.90	£9.00	£15.50	£1.40	£3.00	£4.50	£6.30	£11.70	£20.70	£1.80	29%	Aug-11			
100	WELLINGBOROUGH	£2.30	£3.40	£4.90	£9.40	£16.90	£1.50	£3.45	£5.10	£7.35	£14.10	£25.35	£2.25	50%	Oct-11			
101	WYRE FOREST	£2.70	£3.40	£4.90	£9.40	£16.90	£1.50	£4.05	£5.10	£7.35	£14.10	£25.35	£2.25	50%	Jun-12			
101	REDDITCH	£2.78	£3.48	£4.88	£8.98	£15.88	£1.38	£4.03	£4.73	£6.13	£10.23	£17.13	£1.38	£1.25	Apr-11			
101	ALLERDALE	£2.90	£2.90	£4.85	£10.70	£20.45	£1.95	£4.35	£4.35	£7.83	£16.53	£31.03	£2.92	50%	Mar-10			
101	CEREDIGION	£2.60	£3.35	£4.85	£9.35	£16.85	£1.50	£3.00	£4.05	£6.15	£12.45	£22.95	£2.10	40%	Jan-08			
101	ASHFIELD	£3.00	£3.00	£4.80	£10.20	£19.20	£1.80	£4.00	£4.00	£6.20	£12.60	£23.40	£2.15	19.44%	Dec-10			
101	BEDFORD	£3.20	£3.20	£4.80	£9.60	£17.60	£1.60	£4.20	£4.20	£5.80	£10.60	£18.60	£1.60	£1	May-08			
101	CAERPHILLY	£3.00	£3.00	£4.80	£10.20	£19.20	£1.80	£3.50	£3.50	£5.50	£11.50	£21.50	£2.00	11.11%	Aug-10			
101	CONWY	£2.60	£2.60	£4.80	£11.40	£22.40	£2.20	£3.90	£3.90	£7.20	£17.10	£33.60	£3.30	50%	Aug-08			
101	DERBYSHIRE DALES	£3.00	£3.00	£4.80	£10.20	£19.20	£1.80	£4.50	£4.50	£7.25	£15.50	£29.00	£2.70	50%	Sep-11			
110	DONCASTER	£2.10	£3.30	£4.80	£9.30	£16.80	£1.50	£2.55	£3.40	£5.10	£10.20	£18.70	£1.70	13.33%	Oct-08			
111	GATESHEAD	£2.00	£3.40	£4.80	£9.00	£16.20	£1.42	£2.50	£4.10	£5.90	£11.30	£20.10	£1.77	24.6%	Mar-11			
111	HAMILTON	£2.40	£3.20	£4.80	£9.60	£17.60	£1.60	£3.00	£3.80	£5.40	£10.20	£18.20	£1.60	60p	Jun-12			
111	LANCASTER	£2.40	£3.20	£4.80	£9.60	£17.60	£1.60	£3.60	£4.80	£7.20	£14.40	£26.40	£2.40	50%	Jun-11			
111	LICHFIELD	£3.00	£3.00	£4.80	£10.20	£19.20	£1.80	£4.50	£4.50	£7.00	£14.50	£27.00	£2.50	38.89%	Jan-09			
111	MANSFIELD	£2.40	£3.30	£4.80	£9.30	£16.80	£1.50	£3.30	£4.42	£6.50	£12.74	£23.14	£2.08	38.67%	Sep-11			
111	NORTH TYNESIDE	£1.60	£3.20	£4.80	£10.00	£18.40	£1.70	£2.40	£4.20	£6.00	£11.80	£21.20	£1.90	25%	Dec-09			
111	ROCHDALE	£1.80	£3.00	£4.80	£10.40	£19.60	£1.85	£2.25	£3.75	£6.00	£13.00	£24.50	£2.32	25%	Jun-11			
111	ROTHERHAM	£2.50	£3.60	£4.80	£8.40	£14.40	£1.20	£2.50	£3.80	£5.20	£9.40	£16.40	£1.40	14.28%	Dec-07			
111	RUTHGLEN	£2.40	£3.20	£4.80	£9.60	£17.60	£1.60	£3.00	£3.80	£5.40	£10.20	£18.20	£1.60	60p	Dec-11			
110	SHROPSHIRE	£3.30	£3.30	£4.80	£9.30	£16.80	£1.50	£4.95	£4.95	£7.45	£14.95	£27.47	£2.50	66.66%	Apr-11			
111	TORFAEN	£3.50	£3.50	£4.80	£8.60	£14.90	£1.26	£4.20	£4.20	£5.85	£10.65	£18.60	£1.60	26.98%	Sep-08			
111	SANDWELL	£3.15	£3.15	£4.75	£9.15	£16.55	£1.47	£4.70	£5.00	£7.10	£13.70	£24.80	£2.21	50%	Dec-08			
111	STAFFS MOORLANDS	£2.20	£3.25	£4.75	£9.40	£17.20	£1.50**	£3.10	£4.85	£7.35	£15.10	£28.10	£2.25**	50%	Apr-05			
111	BARNSELY	£3.10	£3.10	£4.70	£9.50	£17.50	£1.60	£3.80	£3.80	£5.40	£10.20	£18.20	£1.60	80p	Nov-10			
111	BERWICK ON TWEED	£1.90	£3.30	£4.70	£9.10	£16.40	£1.45	£2.50	£3.90	£5.30	£9.70	£17.00	£1.45	60p	Aug-12			
111	BLACKBURN	£2.30	£3.10	£4.70	£9.50	£17.50	£1.60	£2.40	£3.50	£5.30	£10.70	£19.70	£1.80	12.50%	Sep-11			
111	EAST AYRSHIRE	£2.75	£2.75	£4.70	£10.40	£19.85	£1.89	£3.75	£3.75	£5.70	£11.40	£20.85	£1.89	£1	Dec-10			
111	EAST CAMBRIDGESHIRE	£3.00	£3.00	£4.70	£9.80	£18.30	£1.70	£3.80	£3.80	£5.80	£11.80	£21.80	£2.00	17.65%	Jul-10			
111	EAST NORTHANTS	£2.50	£3.30	£4.70	£9.10	£16.30	£1.45	£3.75	£4.95	£7.05	£13.65	£24.45	£2.18	50%	Jan-12			
110	HIGHLANDS	£2.50	£3.30	£4.70	£8.70	£15.50	£1.35	£3.00	£4.40	£6.30	£12.00	£21.60	£1.83	41.30%	Jun-11			
111	HYNDLE	£2.50	£3.40	£4.70	£8.50	£14.80	£1.26	£3.00	£3.90	£5.20	£9.00	£15.30	£1.26	50p	May-08			
111	STIRLING	£2.00	£2.90	£4.70	£10.10	£19.10	£1.80	£2.50	£3.70	£5.90	£12.70	£23.90	£2.25	25.53%	Jan-10			
111	WARRINGTON	£2.30	£3.10	£4.70	£9.50	£17.20	£1.80	£2.80	£4.00	£6.40	£13.60	£30.40	£2.40	50%	Nov-09			
111	WEST LANCASHIRE	£2.50	£3.40	£4.70	£8.60	£15.10	£1.30	£3.10	£4.18	£5.74	£10.42	£18.22	£1.56	20%	May-11			
111	AMBER VALLEY	£2.60	£2.60	£4.60	£10.60	£20.60	£2.00	£3.90	£3.90	£6.90	£15.90	£30.90	£3.00	50%	Aug-12			
111	COPELAND	£2.80	£2.80	£4.60	£10.00	£19.00	£1.80	£4.20	£4.20	£6.90	£13.65	£25.65	£2.70	50%	Apr-11			
111	EAST DUNBARTONSHIRE	£2.20	£3.00	£4.60	£9.40	£17.40	£1.60	£3.70	£4.50	£6.10	£10.90	£18.90	£1.60	£1.50	May-12			
111	FALKIRK	£2.00	£2.90	£4.60	£9.80	£18.40	£1.73	£2.50	£3.60	£5.80	£12.30	£23.00	£2.16	25%	Apr-12			
111	SEFTON	£1.60	£3.20	£4.60	£9.00	£16.60	1.46*	£2.00	£3.75	£5.50	£10.50	£19.00	£1.83	25.00%	Nov-11			
110	WAKEFIELD	£2.00	£3.10	£4.60	£9.10	£16.60	£1.50	£2.00	£3.60	£5.30	£10.40	£18.90	£1.70	13.33%	Dec-11			
111	BURNLEY	£2.50	£2.90	£4.50	£9.30	£17.30	£1.60	£3.00	£3.60	£5.80	£12.40	£23.40	£2.20	37.50%	Jul-08			
111	MERTHYR TYDFIL	£3.00	£3.00	£4.50	£9.00	£16.50	£1.50	£4.00	£4.00	£6.20	£12.80	£23.80	£2.20	46.67%	Aug-08			
111	REDCAR & CLEVELAND	£3.00	£3.00	£4.50	£9.00	£16.50	£1.50	£3.50	£3.50	£5.30	£10.70	£19.70	£1.80	20%	Oct-11			
111	STOCKTON ON TEES	£2.50	£3.20	£4.50	£8.40	£14.80	£1.29	£2.80	£3.85	£5.80	£11.65	£21.25	£1.94	50.38%	Jun-08			
111	CORBY	£1.80	£2.90	£4.40	£8.80	£16.20	£1.48	£2.70	£4.35	£6.60	£13.20	£24.30	£2.22	50%	Aug-11			
111	EAST RENFREW	£2.80	£2.90	£4.40	£8.60	£15.60	£1.40	£3.30	£3.40	£4.90	£9.10	£16.10	£1.40	50p	Aug-08			
111	KIRKLEES	£2.00	£3.00	£4.40	£8.60	£15.50	£1.40	£2.50	£3.70	£5.50	£10.90	£19.90	£1.80	28.57%	Oct-06			
111	KNOWSLEY	£2.00	£3.20	£4.40	£8.80	£17.00	£1.61*	£2.25	£3.75	£5.25	£10.75	£21.00	£2.01*	24.84%	Oct-11			
111	NORTH AYRSHIRE	£2.50	£2.90	£4.40	£8.90	£15.20	£1.50	£3.00	£3.50	£5.30	£10.70	£19.70	£1.80	20%	May-12			
110	NORTH LANARKSHIRE	£2.00	£2.80	£4.40	£9.20	£17.20	£1.60	£3.00	£3.80	£5.40	£10.20	£17.20	£1.60	£1	Jul-11			
111	OADBY & WIGSTON	£3.00	£3.00	£4.40	£8.60	£15.60	£1.40	£4.00	£4.00	£6.22	£11.77	£21.02	£1.86	33.00%	Sep-07			
111	PENDLE	£3.00	£3.00	£4.40	£8.60	£15.60	£1.40	£3.50	£3.50	£5.00	£9.50	£17.00	£1.50	7.14%	Jan-08			
111	SOUTH TYNESIDE	£2.00	£3.00	£4.40	£9.00	£16.40	£1.49	£2.20	£3.80	£5.60	£10.60	£19.20	£1.71	14.77%	Nov-07			
111	ST. HELENS	£1.40	£2.80	£4.40	£9.20	£17.20	£1.61	£1.50	£3.30	£5.40	£11.90	£22.60	£2.15	33.33%	Mar-11			
111	AYLESBURY VALE	£3.00	£3.00	£4.30	£8.20	£16.20	£1.30*	£3.75	£3.75	£5.45	£10.35	£20.25	£1.65	25%	Jul-10			
111	BLAENAU GWENT	£2.80	£2.80	£4.30	£8.80	£16.30	£1.50	£3.70	£3.70	£5.70	£11.70	£21.70	£2.00	25%	Apr-11			
111	INVERCLYDE	£2.20	£3.00	£4.30	£8.50	£15.50	£1.41	£2.30	£3.00	£4.40	£8.80	£16.00	£1.44	2.46%	Nov-11			
111	MIDDLESBROUGH	£2.80	£2.80	£4.30	£8.80	£16.30	£1.50	£2.80	£2.80	£4.30	£8.80	£16.30	£1.50	NIL	Oct-11			
111	NEWCASTLE-U-LYME	£2.20	£2.90	£4.20	£8.00	£14.30	£1.26	£3.00	£4.05	£5.70	£10.65	£18.90	£1.65	30.95%	Aug-08			
110	WESTERN ISLES	£2.60	£2.92	£4.20	£8.04	£14.44	£1.28	£3.25	£3.65	£5.25	£10.05	£18.05	£1.60	25%	Apr-07			
111	HARTLEPOOL	£2.00	£2.80	£3.60	£6.10	£10.30	£0.84	£2.00	£3.30	£4.80	£9.20	£16.50	£1.47	75%	Aug-08			
111	SOUTH KESTEVEN	£1.70	£1.70	£3.50	£8.90	£17.90	£1.80	£2.55	£2.55	£5.25	£13.35	£26.85	£2.70	50%	Jan-12			
111	BOLSOVER	£1.80	£1.80	£2.80	£5.80	£10.80	£1.00	£2.70	£2.70	£4.20	£8.70	£20.80	£1.50	50%	Oct-02			
	NATIONAL AVERAGES	£2.67	£3.66	£5.44	£10.89	£19.04	£1.80	£1.81	£4.04	£8.01	£14.00	£14.01	£1.84					

CHESHIRE EAST COUNCIL

REPORT TO: LICENSING COMMITTEE

Date of Meeting: MONDAY, 5th NOVEMBER 2012

Report of: MISS K EVANS, LICENSING TEAM LEADER

Subject/Title: CONSIDERATION OF A REVISED CONVICTIONS POLICY FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS

1.0 Report Summary

1.1 To ask that Members give consideration to the revised convictions policy for joint hackney carriage / private hire drivers.

2.0 Decision Requested

2.1 The Licensing Committee is requested to consider the revised policy and authorise the Licensing Team Leader to undertake formal consultation on the amendments.

2.3 That the results of the consultation are reported to a further meeting of the Licensing Committee for thorough consideration prior to adoption.

3.0 Reasons for Recommendations

3.1 The Licensing Committee has delegated authority determine such matters.

4.0 Wards Affected

4.1 All

5.0 Local Ward Members

5.1 Not applicable.

6.0 Policy Implications including – Carbon Reduction - Health

6.1 Not applicable

7.0 Financial Implications (Authorised by the Director of Finance and Business Services)

- 7.1 There will be 'one-off' printing and postage costs associated with the consultation exercise with an estimated costs of £500.
- 7.2 Whilst it is acknowledged that this expenditure is necessary, it is noted that early projections indicate that the Service area may be in a net overspend position at year end.
- 7.3 There are also other areas within Hackney Carriage and Private Hire Licensing that will be subject to consultation and the Licensing Team will endeavour, so far as possible, to amalgamate all consultation exercises with a view to reducing any cost implications.

8.0 Legal Implications (Authorised by the Borough Solicitor)

- 8.1 By virtue of section 59 (1) (a) (in relation to hackney carriage drivers licences) and section 51 (1) (a) (in relation to private hire drivers licences) of the Local Government (Miscellaneous Provisions) Act 1976 a Council shall not grant a licence 'unless they are satisfied that the applicant is a fit and proper person to hold a driver's licence'.
- 8.2 What constitutes fit and proper is not defined in the Town Police Clauses Act 1847 or the Local Government (Miscellaneous Provisions) Act 1976. It is for the Licensing Authority to determine whether an applicant or driver is fit and proper based on the information presented and having regard to the following:
- The rules of natural justice
 - The Human Rights Act 1998
 - Section 17 of the Crime and Disorder Act 1998
 - The Council's own Conditions, By-laws and Policies
- 8.3 Members must consider each application on its own merit in light of the Council's policies. However, the Licensing Authority must not apply its policies in such a way as to fetter its discretion.
- 8.4 The overriding concern for any decision-maker must be the protection of the safety of the public.

9.0 Risk Management

- 9.1 Full and thorough consideration of any consultation responses received would be required to reduce any risk of challenge to any subsequent decisions.

10.0 Background and Options

- 10.1 The Licensing regime exists to ensure that the safety of the public is protected. As a result it is necessary for the Council to have a robust convictions policy that adequately deals with any issue that might undermine the safety of the public.
- 10.2 The Council's current convictions policy was adopted in 2009 following Local Government Reorganisation and only minor subsequent amendments have been

made. It is acknowledged as best practice to revise and update such policies every three years or so.

- 10.3 There have been changes in legislation that do need to be taken into consideration in a new policy. In addition, the Licensing Section has seen an increase in certain types of offences appearing on applications that are not dealt with specifically in the current policy.
- 10.4 A review of the current policy has been undertaken and revisions have been deemed necessary. The draft revised policy is attached at appendix A. Some of the more significant changes to the policy include:
- Expanding on the types of convictions dealt with under the policy, including the addition of ASBOs and Restraining Orders
 - Clarifying, for the benefit of applicants and decision-makers, that the Licensing Authority will deal with Cautions and Other Sanctions in a similar way to convictions
 - Dealing specifically with repetitive endorsements on DVLA driving licences
 - Confirming that the Licensing Authority makes its decisions on a balance of probability and that consequently, information concerning offences that did not lead to prosecution may still render the applicant as not fit and proper
- 10.5 Members should also note that the policy sets out the minimum requirements before an application will be considered. This does not mean that an applicant will automatically be suitable once the 3-5 years (or other applicable periods) have elapsed. It merely confirms that their application will be considered and still refused if the Licensing Authority is not satisfied that they are fit and proper to hold a licence.
- 10.6 The Department for Transport's best practice guide to Hackney Carriage and Private Hire Licensing issued in March 2010 states the following in respect of criminal records checks:

'A criminal record check is an important safety measure particularly for those working closely with children and the vulnerable...

An Enhanced Disclosure may also include any other information held in police records that is considered relevant by the police, for example, details of minor offences, non-conviction information on the Police National Computer such as Fixed Penalty Notices and, in some cases, allegations...

In considering an individual's criminal record, local licensing authorities will want to consider each case on its merits, but they should take a particularly cautious view of any offences involving violence, and especially sexual attack. In order to achieve consistency, and thus avoid the risk of successful legal challenge, local authorities will doubtless want to have a clear policy for the consideration of criminal records, for example the number of years they will require to have elapsed since the commission of particular kinds of offences...'

11.0 Access to Information

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

Appendix A – Revised Convictions Policy

Current policy on relevant convictions

www.cheshireeast.gov.uk/business/licensing/taxi_and_private_hire/policies.aspx

Taxi and Private Hire Vehicle Licensing: Best Practice Guidance, published 2nd March 2012 by the Department of Transport

www.dft.gov.uk/publications/taxi-private-hire-licensing

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Guidelines Relating to the Relevance of Convictions

Hackney Carriage and Private Hire Drivers

The Licensing Authority must be satisfied that all those who are licensed to drive Hackney Carriage and Private Hire Vehicles are fit and proper persons. This Policy relates to the Council's assessment of the suitability of an applicant for licensing as a licensed Driver in terms of their Criminal and Driving records.

By virtue of The Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002 a requirement is placed on all Licensed Hackney Carriage and Private Hire Vehicle Drivers, and applicants, to disclose ALL convictions including those 'spent'.

GENERAL POLICY

1. Each case will be decided on its own merit.
2. A person with a conviction or other sanctions need not be permanently barred from obtaining a licence, but should be expected to remain free from conviction (or other sanction) for 3 to 5 years, according to the circumstances, before an application is considered. Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances.
3. Where offences have led to a term of imprisonment the necessary period free from conviction will commence from the date the applicant was released from detention. All other periods will run from the date of sentence or in the cases of disqualification from the date of restoration of any licence.
4. Where, in these guidelines, an 'application' or 'applicant' is mentioned, this also refers to an application upon revocation of a current licence and the renewal of existing licences, new grants, and reviews of existing licences.
5. Any applicant with 6 or more valid penalty points on their driving licence shall expect their application to be heard by the Council's Appointed Licence Committee or Sub-committee thereof (the Committee). For this purpose valid penalty points will mean points that are not more than 4 years old. This will be the trigger for a

referral to the committee, but will not preclude all relevant information being disclosed.

6. As a general guide the following test will be also be used to determine whether an applicant is fit and proper:

‘Would you (as a member of the licensing committee or other person charged with the ability to grant a hackney carriage driver’s licence) allow your son or daughter, spouse or partner, mother or father, grandson or granddaughter or any other person for whom you care, to get into a vehicle with this person alone?’

7. Notwithstanding any guidance within this document, at all times the overriding consideration will be the protection of the public. On that basis any application may be referred to the Committee for determination.
8. Where in this document it states that a period of time must elapse before the consideration of an application, there is no expectation that a licence will be granted after that period of time has elapsed. The Committee will still need to be satisfied that taking all circumstances into consideration an applicant is a fit and proper person.
9. Case law indicates that the Committee should not review the criminal convictions of an applicant, a conviction is a conviction. There is also a clear distinction between the criminal and civil standards of proof. Decisions taken by the Licensing Authority are to be taken on a balance of probabilities.

The Licensing Authority expects all those who are licensed drivers to show a regard for the law and public safety. The following examples afford a general guide on the action to be taken where convictions are declared:

TRAFFIC OFFENCES

Licensed drivers are responsible for the safety of members of the public who are travelling in their vehicles. Therefore the Licensing Authority needs to be satisfied that licensed drivers are capable of driving safely and understand the need to comply with traffic regulations.

Minor Traffic Offences

Convictions or endorsements for a minor traffic offence, such as obstruction, waiting in a restricted street, speeding, etc should not prevent a person from making an application.

Where an applicant has more than one current conviction for such an offence (i.e. 6 or more penalty points issued by the DVLA) the Licensing Authority will need to consider whether the applicant is fit and proper to hold a licence.

If an applicant has accrued sufficient penalty points to require a period of disqualification a period of 24 months free from further conviction or endorsement after the restoration of the driving licence must elapse before the consideration of an application.

If an applicant has been disqualified from driving during the first 2 years since passing their driving test, then a period of 3 years free from further conviction or endorsement after the restoration of the driving licence must elapse before the consideration of an application. A strict warning as to future conduct may be given.

Major Traffic Offences

An isolated conviction or endorsement for reckless driving or driving without due care and attention, failing to disclose the identity of a driver etc may merit a warning as to the future conduct expected of a licensed driver, suspension or revocation depending on the circumstances.

However, where an isolated offence resulted in discretionary or obligatory disqualification, 24 months free from further conviction or endorsement must elapse before the consideration of an application.

More than one conviction or endorsement for this type of offence within 2 years of the application should merit refusal and no further application will be considered until a period free from conviction of at least 3 years has elapsed.

Driving Without Insurance or Driving Whilst Disqualified

Licensed drivers are responsible for the safety of members of the public who are travelling in their vehicles, a serious view will always be taken of a conviction or endorsement for driving without insurance or driving whilst disqualified.

It must be shown that 24 months have elapsed without further conviction or endorsement before an application is considered. This period of 24 months would run consecutively to any other periods applicable. If more than one conviction or endorsement of this type has been accrued within the last 2 years then a period of 3 years (plus any other periods applicable) must elapse before an application will be considered.

Drunkness

i) With a Motor Vehicle

A serious view will always be taken of driving or being in charge of any vehicle whilst under the influence of alcohol or drugs or failing to provide a specimen for analysis. If an applicant has been disqualified, a period of 24 months free of further conviction after restoration of the licence must pass before an application will be considered.

ii) Not in a Motor Vehicle

An isolated conviction for a drink related offence should not debar an applicant from obtaining a licence. However, more than one conviction for such offences will raise serious doubts as to the applicant's fitness to hold a licence.

Penalty Points on a Driver's DVLA Licence

Where an applicant or driver habitually commits motoring offences this clearly demonstrates a disregard for the safety of the public and the law. In such cases the Licensing Authority will consider this applicant as high risk and this may result in the refusal to grant an application or, in respect of current drivers, the suspension or revocation of a licence.

NON-DRIVING OFFENCES

Drugs

An applicant with a conviction for a drug related offence will be required to show a period of at least 3 years free of conviction before an application is considered, or 5 years after detoxification treatment if the applicant was an addict.

An application will normally be refused where an applicant has more than one conviction for offences related to the possession of drugs and the last conviction or the date of release from jail, where a custodial sentence has been imposed, is less than 5 years before the date of the application.

An application will normally be refused if an applicant has a conviction for an offence that relates to the supply or importation of drugs and the date of the conviction or the date of release from jail, where a custodial sentence has been imposed, is less than 10 years before the date of the application.

Indecency Offences

Applicants with conviction for indecent exposure, indecent assault, importuning, or of any offence of a sexual nature will be refused a licence until a period of 5 years free from conviction has elapsed. If the applicant was required to register on the National Sex Offenders Register as a result of an offence, then no application will be

considered whilst the applicant remains on the Register. In general 3 years would need to have elapsed since an applicant was removed from the Register before an application will be considered.

An applicant with more than one conviction of this type of offence will normally be refused. If a conviction of this type arose as a result of the person acting as a licensed driver then no application will be considered for at least 10 years after the conviction or the conclusion of the sentence imposed.

When considering applications, the Licensing Authority may take into account any information regarding an applicant's sexual behaviour or activity. This includes information that did not amount to a criminal offence where that information may indicate that an applicant may not be a fit and proper person to hold a licence.

Violence

A firm line will be taken with applicants with a conviction for grievous bodily harm, wounding, assault, public order or any other type of offence of a violent or aggressive nature. An applicant must be free of further convictions for at least 3 years before an application will be considered. In all cases, if a licence is granted, a strict warning will be given as to the standards expected of licensed drivers. Applicants with a history of committing offences of a violent or aggressive nature will normally be refused. Where an offence involves the loss of life, a licence will normally be refused.

Dishonesty

A Licensed Driver is expected to be honest and trustworthy and is responsible for the security for the public. A serious view will be taken of any conviction involving dishonesty. In general a period of 5 years free of further conviction will be required before an application is considered. Applicants with a history of committing offences of dishonesty will normally be refused. (Offences of dishonesty would include offences against Section 111A and 112 of the Social Security Administration Act 1992).

Offences under the Town and Police Clauses Acts, Local Government (Miscellaneous Provisions) Act 1976 and any Local By-Laws and Conditions

The main purpose of the Licensing regime is to ensure the protection of the public. For this reason, a serious view will be taken of convictions for offences under the above, particularly offences of illegally plying for hire, when deciding if a person is a fit and proper person to hold a licence. If an applicant has more than one of this type of conviction, in the 2 years preceding the date of the application, the application will likely be refused.

Refusal to carry an assistance dog

The Licensing Authority is keenly aware of the duties placed on the licensed trade by the Equality Act 2012. Any driver found to be refusing to carry assistance dogs without the correct exemption certificate may be committing an offence which may be dealt with by way of prosecution. The matter would also be referred to the Licensing Committee for it to determine whether or not the driver is a fit and proper person.

Proven Complaints of rude or aggressive Behaviour

In less serious cases a written warning of future conduct may be given. However, if the nature or level of aggression leads the Licensing Authority to be concerned about public safety, this may result in the immediate suspension (pending investigation) or revocation of a licence.

In all other cases where an alleged offence has been committed and not listed within this Policy, the Licensing Authority will deal with each case on its own merit.

Smoking in Vehicle

Where an applicant is convicted or received a fixed penalty for smoking in a vehicle or permits smoking in a vehicle a serious view will be taken as this demonstrates a clear disregard for the law and public safety.

Formal/Simple and Police Cautions

For the purposes of these guidelines, the Council will treat all Cautions as though they were a conviction before the Court. All Cautions must be declared on the application.

Other Sanctions

Where a Binding Order, Anti-Social Behaviour Order, Banning Order or Restraining Order etc has been imposed by a court, applications will not be considered whilst that order is current. A period of 12 months free of further sanction must have elapsed, after expiry of the order, before an application is considered. In general, the overriding consideration should be the protection of the public.

The Licensing Authority views fixed penalties and administrative penalties as a clear indication that the applicant has committed an offence. The body issuing the sanction has to be satisfied that there is sufficient evidence that an offence has been committed before they can issue such a sanction.

Similarly, case law has confirmed that the Licensing Authority can take into consideration information concerning offences where the prosecuting agency chose not to pursue the matter or the case was discharged. The Licensing Authority is keenly aware that the standard of proof applicable in criminal and civil proceedings is different.

Warnings

The Licensing Authority will issue warnings as are appropriate to the circumstances. Minor or first time transgressions are likely to attract a written warning and/or suspension, repeated or more serious conduct may lead to suspension or revocation of any licence. The Licensing Authority will only expect to issue one warning. Further transgressions, that may normally warrant a warning, may be dealt with by way of prosecution, suspension, or revocation depending on the circumstances.

Serious Offences

If an offence or conviction is deemed to be 'serious' and if granting a licence would be of detriment to the protection of the public, the Council will be minded not to grant a licence, subject to each application being considered on its own merits.

Foreign Offences

Offences from any jurisdiction outside the United Kingdom of Great Britain and Northern Ireland must be declared in full. For applicants not of British Nationality a Certificate of Good Conduct/Behaviour must be provided from their Country of Origin. The Licensing Authority will deal with foreign offences in a similar way to comparable offences under UK law.

Decriminalised Offences

If an applicant has been convicted of an offence which has since been decriminalised, the offence should still be declared. Consideration will be given to the circumstances including the length of time since decriminalisation and the nature of the offence. However, the Licensing Authority will also be mindful of the fact that an offence was committed and the applicant chose to contravene a law that was extant at the time the offence was committed.

Failure to report/declare a conviction

The failure to report/declare a conviction or other sanction will normally be dealt with by the issuing of a written warning in addition to any further actions that may be warranted by the nature of the offence. Subsequent offences may be dealt with by way of suspension or revocation. However, if it is considered that there was a premeditated

intent to deceive, the Licensing Authority will have to decide on whether or not the applicant is a fit and proper person.

Knowingly or recklessly making a false statement or omitting any material

The Licensing Authority considers this to be a serious offence as it is dishonest. The Licensing Authority will consider prosecuting any applicant who makes a false statement or omits any material requested on an application form or at a committee meeting.

CHESHIRE EAST COUNCIL

Licensing Committee

Date of Meeting: 5th November 2012
Report of: Miss Kim Evans, Licensing Team Leader
Subject/Title: Amendments to the Licensing Committee Scheme of Delegation

1.0 Report Summary

- 1.1 This report seeks Members' approval for a number of amendments to the Licensing Committee Scheme of Delegation.

2.0 Recommendation

- 2.1 That Members approve the following amendments:
- i. That Officers are given delegated authority to refuse applications for Joint Driver Hackney Carriage/Private Hire Licences where the application does not have or cannot establish that they have the right to work in the UK.
 - ii. That Officers are given delegated authority to review, update, and amend the driver knowledge test, including the consideration and implementation of an appropriate numeracy/language skills test.
 - iii. That a full review of the current scheme of delegations is undertaken and that the details of the review and any subsequent proposals are presented to a future meeting of the Licensing Committee.

3.0 Reasons for Recommendations

- 3.1 To enable the Licensing Section to process applications in a more efficient and effective way. Similarly, enhanced delegations to Officers would ensure that the Committee's time would be utilised more effectively without causing a reduction in standards.
- 3.2 The Licensing Committee has the delegated authority to determine such matters in accordance with the Council's Constitution.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 Not applicable

6.0 Policy Implications

6.1 None

7.0 Financial Implications (Authorised by the Director of Finance and Business Services)

7.1 None

8.0 Legal Implications (Authorised by the Borough Solicitor)

8.1 The Licensing Authority is empowered by section 46 of the Town Police Clauses Act 1847 and section 51 of the Local Government (Miscellaneous Provisions) Act 1976 to issue licences to drive Hackney Carriage and Private Hire Vehicles.

8.2 Additionally, section 59 (1) (a) (in relation to hackney carriage drivers licences) and section 51 (1) (a) (in relation to private hire drivers licences) of the 1976 Act state that the Council shall not grant a licence 'unless they are satisfied that the applicant is a fit and proper person to hold a driver's licence'.

8.3 The fitness and propriety of an applicant is tested in a number of ways:

- Satisfactory completion of an application form
- Enhanced Criminal Records Bureau checks
- DVLA Licence check
- Medical examination
- Knowledge test

9.0 Risk Management

9.1 By virtue of the Local Government (Miscellaneous Provisions) Act 1976 a person aggrieved by a decision of the Licensing Authority may appeal to the Magistrates' Court within 21 days of the decision being made.

10.0 Background and Options

10.1 At a meeting of the Council on 9th December 2009 it was resolved that all licensing functions be delegate to the Licensing Committee. Due to the volume of applications which require determination, it was further resolve that a scheme of delegation to both Licensing Sub-Committees and Officers be establish. The current scheme of delegation is set out at Appendix A.

10.2 There have been a number of changes in case law and working practices that can be better reflected in an updated scheme of delegation.

10.3 There has also been an increase in the number of driver applications where the applicant is resident in the UK on a specific type of visa and consequently is not entitled to work. It would therefore be more efficient for these

applications to be refused at Officer level thereby freeing the Committee's time to consider more complicated or contentious applications.

- 10.4 A benchmarking exercise has been undertaken, which shows that neighbouring Licensing Authorities have been operating a more rigorous testing regime. This leaves Cheshire East vulnerable to applications being made for driver and vehicle licences where the applicant intends to operate in a different Local Authority area. Whilst this is permissible, it presents a number of challenges, including; the difficulty of taking any enforcement action against a driver or unsafe vehicle, and dealing with issues or complaints that take place outside of the Borough.

11.0 Access to Information

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

Appendix A – Scheme of Delegation

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Designation: Licensing Team Leader

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DELEGATION OF LICENSING FUNCTIONS

Function	Provision	Full Committee	Sub-Committee	Officer¹
Licensing Act 2003				
Application for a Personal Licence (first grant and renewal)	Section 120 and 121 Licensing Act 2003		To determine applications where Police objection is made.	To determine applications where no objections are made.
Power to revoke Personal Licence	Section 124 Licensing Act 2003		Power to revoke Personal Licence.	
Application for a Premises Licence/ Club Premises Certificate	Premises Licence: Section 18 Licensing Act 2003 Club Premises Certificate: Section 72		To determine applications where relevant representations are received and not withdrawn.	To determine applications where no relevant representations are made or where representations made have been withdrawn.
Application for a provisional statement	Section 31 Licensing Act 2003		To determine applications where relevant representations are received and not withdrawn.	To determine applications where no relevant representations are made or where representations made have been withdrawn.
Application to vary Premises Licence/Club Premises Certificate	Premises Licence: Section 35 Licensing Act 2003 Club Premises Certificate: Section 85		To determine applications where relevant representations are received and not withdrawn.	To determine applications where no relevant representations are made or where representations made have been withdrawn.
Application to vary designated Personal Licence holder	Section 39 Licensing Act 2003		To determine applications where Police objection is made.	To determine applications where no objections are made.
Request to be removed as designated Personal Licence Holder	Section 41 Licensing Act 2003			In all cases.
Application of transfer of Premises Licence.	Section 44 Licensing Act 2003		To determine applications where Police objection is made.	To determine applications where no objections are made.

¹ Unless specifically stated to the contrary the delegation shall be to the Head of Safer and Stronger Communities

Application for Interim Authorities	Section 48 Licensing Act 2003		Consideration of Police objection to interim authority notice.	To determine where no objections are made.
Application to review Premises Licence/Club Premises Certificate.	Premises Licence: Section 52 Licensing Act 2003 Club Premises Certificate: Section 88 Section 167 Licensing Act 2003		To determine applications for review.	
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc.				In all cases.
Determination of a police objection to a Temporary Event Notice.	Section 105 Licensing Act 2003		In all cases	
Decision to object when Local Authority is a consultee and not a lead authority.			In all cases	
Gambling Act 2005				
Application for premises licences	Part 8 and Section 163 Gambling Act 2005		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence	Part 8 and Section 187 Gambling Act 2005		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence	Part 8 and Section 188 Gambling Act 2005		Where representations have been received from the Gambling Commission	Where no representations received from the Gambling Commission

Application for a provisional statement	Part 8 and Section 204 Gambling Act 2005		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence	Part 8 and Section 201 Gambling Act 2005		To determine applications for review	
Application for club gaming /club machine permits	Part 12, sections 271 and 273 Gambling Act 2005		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits			X	
Applications for other permits				X
Cancellation of licensed premises gaming machine permits	Part 12 and Schedule 13 Gambling Act 2005			X
Consideration of temporary use notice	Part 9 Gambling Act 2005			X
Decision to give a counter notice to a temporary use notice	Part 9 Gambling Act 2005		X	
Functions in relation to Occasional Use Notices	Section 39 Gambling Act 2005			X
Registration and regulation of small society lotteries	Part 5 of Schedule 11 Gambling Act 2005			X
Duty to comply with requirement to provide information to the Gambling	Section 29 of the Gambling Act 2005			X

	Private Hire Vehicles: sections 58 & 60 Local Government (Miscellaneous Provision) Act 1976			Committee. The power to issue notices for the return of vehicle plates/discs. Power to serve notice requiring vehicle to be presented for test. To serve notice to require the address where a vehicle is kept when not in use To suspend vehicle licences pending inspection as to fitness. Officers may grant/renew where the Council's requirements are met.
Power to suspend hackney carriage and private hire vehicle licences pending inspection	Section 50 & 68 Local Government (Miscellaneous Provision) Act 1976			
Power to licence (first grant or renewal) operators licences	Sections 55 – 58 & 79 Local Government (Miscellaneous Provision) Act 1976		To determine applications where the Council's requirements are not met.	
Power to suspend or revoke operators licences	Section 62 Local Government (Miscellaneous Provision) Act 1976		To note reports relating to officer decisions to suspend operators licences. Power to revoke operators licences.	To suspend operators licences Any officer decision to suspend an operators licence shall be reported to the next available meeting of the Licensing Committee.
Power to licence (first grant or renewal) hackney carriage and private hire drivers	Hackney carriages: Town Police Clauses Act 1847; section 53, 54, 57, 59, 61 & 79 Local Government (Miscellaneous Provision) Act 1976 Private Hire: sections 51, 53, 54, 61 & 79 Local Government (Miscellaneous Provision) Act 1976		To determine applications where the driver does not meet the Council's requirements.	Officers may grant/renew where the driver meets the Council's requirements (such as medical certification, knowledge and satisfactory CRB disclosure)

<p>Power to suspend or revoke hackney carriage and private hire drivers licences</p>	<p>Section 61 Local Government (Miscellaneous Provision) Act 1976</p>		<p>To note reports relating to officer decisions to suspend drivers licences. Power to revoke drivers licences.</p>	<p>To suspend drivers licences Any officer decision to suspend a drivers licence shall be reported to the next available meeting of the Licensing Committee. The power to require the return of drivers badge.</p>
<p>Power to set fees in relation to hackney carriage and private hire drivers, vehicles and operators</p>	<p>Drivers: section 53 Local Government (Miscellaneous Provision) Act 1976 Vehicles/operators: section 70 Local Government (Miscellaneous Provision) Act 1976</p>	<p>Power to set fees.</p>		

<p>Sex Establishments</p> <p>Power to licence sex shops and sex cinemas (including first grant, renewal, transfer and variation of standard conditions)</p>	<p>Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3</p>	<p>First grant: all cases before the Licensing Committee.</p> <p>Renewal: if there are objections which are not withdrawn and which cannot be dealt with under the authority delegated to officers.</p> <p>Transfer: if there are objections which are not withdrawn and which cannot be dealt with under the authority delegated to officers.</p> <p>Variation of standard conditions.</p>	<p>Renewal and transfer: the power to renew and transfer where the following apply:</p> <p>(i) there has been no material change to the character of the relevant locality or to the use to which any premises in the vicinity are put or to the layout, character or condition of the premises in respect of which the application is made; and</p> <p>(ii) no objections have been received, or those that have been received should in the officer's opinion be set aside on the ground that the Council could not lawfully take them into account.</p>
<p>Power to set fees for sex establishments</p>	<p>Para 19, Schedule 3 Local Government (Miscellaneous Provisions) Act 1982</p>	<p>Power to set fees</p>	
<p>Charitable Collections</p>			
<p>Power to licence street collection</p>	<p>Section 5 Police, Factories etc (Miscellaneous Provisions) Act 1916</p>	<p>To determine requests for waiver of the Council's street collection regulations.</p> <p>Determines appeals against officer refusal.</p>	<p>To licence street collections in circumstances where the collection complies with Council's street collection regulations.</p> <p>The power to waive regulation</p>

					10 (in relation to processions) in appropriate circumstances.
Power to licence House to House collection	Section 2 House to House Collections Act 1939			Determines appeals against officer refusal. Appeal against officer decision to the Licensing Committee	To licence House to House collections.
Street Trading					
Power to issue street trading licences or consents	Section 3 and Schedule 4 Local Government (Miscellaneous Provisions) Act 1982			To determine applications for street trading consents where representations have been received (and not withdrawn). To determine applications for street trading licences.	To issue street trading consents where no representations are received (or where any that were received have been withdrawn).
Power to designate streets as consent streets, licence streets or prohibited streets.	Section 3 and Schedule 4 Local Government (Miscellaneous Provisions) Act 1982		Power to designate streets		
Power to set fees in relation to street trading	Paragraph 9, Schedule 4 Local Government (Miscellaneous Provisions) Act 1982		Power to set fees.		