

General Licensing Committee

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MEMBERS: Councillor Dow (Chairman); Councillor Rodohan (Deputy-Chairman); Councillors Belsey, Choudhury, Coles, Freebody, Holt, Murdoch, Murray, Robinson, Smart and Swansborough

Agenda

- 1 Minutes of the meeting held on 5 October 2015.** (Pages 1 - 4)
- 2 Apologies for absence.**
- 3 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.**
- 4 Questions by members of the public.**

On matters not already included on the agenda and for which prior written notice has been given (total time allowed 15 minutes).

5 Urgent items of business.

The Chairman to notify the Committee of any items of urgent business to be added to the agenda.

6 Right to address the meeting/order of business.

The Chairman to report any requests received to address the Committee from a member of the public or from a Councillor in respect of an item listed below and to invite the Committee to consider taking such items at the commencement of the meeting.

7 Adoption of Standard Licence Conditions for Riding Establishments. (Pages 5 - 32)

Report of Senior Specialist Advisor.

8 Hackney Carriage and Private Hire Penalty Points Scheme.
(Pages 33 - 40)

Report of Senior Specialist Advisor.

9 Hackney Carriage and Private Hire Licensing Fee and Charges 2017-2019. (Pages 41 - 52)

Report of Manager, Performance and Specialist Advisory and Senior Specialist Advisor.

10 Taxi Livery Policy.

Verbal Report of Senior Specialist Advisor.

Inspection of Background Papers – Please see contact details listed in each report.

Councillor Right of Address - Councillors wishing to address the meeting who are not members of the Committee must notify the Chairman in advance.

Public Right of Address – Requests by members of the public to speak on a matter which is listed in this agenda must be **received** in writing by no later than 12 Noon, 2 working days before the meeting e.g. if the meeting is on a Tuesday, received by 12 Noon on the preceding Friday). The request should be made to Local Democracy at the address listed below. The request may be made by letter, fax or e-mail. For further details on the rules about speaking at meetings please contact Local Democracy.

Disclosure of interests - Members should declare their interest in a matter at the beginning of the meeting, and again, at the point at which that agenda item is introduced.

Members must declare the existence and nature of any interest.

In the case of a DPI, if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation). If a member has a DPI he/she may not make representations first.

Further Information

Councillor contact details, committee membership lists and other related information is also available from Local Democracy.

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Monday, 5 October 2015
at 6.21 pm



General Licensing Committee

Members: Councillor Dow (Chairman), Councillor Rodohan (Deputy-Chairman); Councillors Choudhury, Hearn, Holt, Murdoch, Murray, Salisbury, Smart and Swansborough

1 Minutes of the meeting held on 14 July 2014.

The minutes of the meeting held on 14 July 2014 were submitted and approved and the Chairman was authorised to sign them as a correct record.

2 Apologies for absence.

Apologies for absence were reported from Councillors Belsey, Blakebrough and Coles.

3 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.

Councillor Holt declared a disclosable pecuniary interest in respect of the Street Trading policy at item 6, as his current employer, the Chamber of Commerce runs the street market and town centre management. He withdrew from the room whilst this item was being considered.

4 Deregulation Act 2015: Approval of Temporary Licence Fee for Private Hire Operators.

The Committee considered the report of the Customer First Manager regarding the changes implemented by the Deregulation Act 2015 relating to the licensing of hackney carriage and private hire drivers and the operation of private hire operators.

The Act had amended the Local Government (Miscellaneous Provisions) Act 1976 to alter the length of time licences are issued for and the method of operation of the holders of a private hire operator's licence.

Dual driver licences for hackney carriage and private hire vehicles were currently issued by the Council every three years, which was in accordance with the Deregulation Act. Private Hire operators' licences were currently issued on a yearly basis and the Act would permit, as from 1 October 2015 private hire operators to apply or renew a licence for a five year period.

The proposed five year fee structure was set out in the report and it was proposed that there would be no amendments to the current fees pending a review.

The Committee discussed the fees tabulated in the report. The Customer First Manager advised that the Council's hackney carriage and private hire licensing functions were self-financing. The fees were levied and reviewed on an ongoing basis in consultation with Financial Management to ensure that the account was not in surplus. This was part of a 3 year rolling programme and at the end of the third year the account would be reviewed to identify whether an increase in the fees was required. Should the authority opt for a fee increase, a statutory consultation process would be undertaken before being considered by the General Licensing Committee.

In response to a question from the Committee, the Customer First Manager advised that the private hire operator's licence fees charged by the authority were relatively high when compared with neighbouring authorities, however this was balanced by a low charge for vehicle and driver licences.

The Customer First Manager advised that operators would have a number of payment options available to facilitate the payment of the five year fee. Should an operator make a flat payment of the five year fee and stop working through illness or retirement, they would be refunded, pro-rata for any years left where they were not operating.

RESOLVED: (with 1 abstention) That the structure of fees for a five year private hire operators licence be approved pending a full review of the licensing fees.

5 Sex Establishment and Encounter Policy.

The Committee considered the report of the Customer First Manager regarding a review of the Council's Sex Establishment and Encounter Policy.

A variety of organisations and individuals had been directly consulted about the review including Sussex Police and a copy of the amended policy was appended to the report.

The Committee was advised that no responses had been received in response to the consultation which commenced on the 1 July 2015 and concluded on 24 September 2015.

It was noted that the policy would be submitted to Cabinet for approval on the 9 December 2015.

RESOLVED: (Unanimous) (1) That the Committee delegate any further revisions of the Policy in line with its views to the Senior Specialist Advisor for Licensing in consultation with the Chair of the Licensing Committee and the relevant Cabinet Portfolio Holder prior to submission to Cabinet.

(2) That the feedback received in relation to the public consultation concerning the review of the council's sex encounter policy and the timetable for consultation, review and implementation be noted.

6 Street Trading Policy.

The Committee considered the report of the Customer First Manager regarding a review of the Council's Street Trading Policy.

A variety of organisations and individuals had been directly consulted about the review including existing traders and the Chamber of Commerce, who ran the street market and town centre management.

The Committee was advised that no responses had been received in response to the consultation which commenced on the 1 July 2015 and concluded on 24 September 2015.

It was noted that the policy would be submitted to Cabinet for approval on 9 December 2015.

The Committee asked how the Council monitored the content of stalls in terms of protecting retail businesses. The Customer First Manager responded that this was covered by a service level agreement with the Chamber of Commerce. The Lawyer to the Council added that 5.3 of the policy sets out the intention to address and protect against over proliferation of street traders.

The Customer First Manager added that the policy prohibited the proliferation of stalls in the town centre, with the exception of those regulated through the Chamber of Commerce and the flower salesman, who had "grandfather rights". The Committee was advised that any comments or feedback received relating to the Chamber of Commerce street market should be forwarded to the Customer First Manager.

In relation to other street activity in the town, charity workers who collect on the street were regulated by an organisation called the Public Fundraising Regulatory Association (PFRA). The organisation ensured that the work undertaken was in agreement with Eastbourne Borough Council and the Chamber of Commerce and individuals adhered to the approved code of conduct. Pedlars' certificates were issued by Sussex Police to individuals who sell their goods from a mobile unit, moving from location to location and was regulated under the Pedlars Act 1871.

RESOLVED: (Unanimous) (1) That the Committee delegate any further revisions of the Policy in line with its views to the Senior Specialist Advisor for Licensing in consultation with the Chair of the Licensing Committee and the relevant Cabinet Portfolio Holder prior to submission to Cabinet.

(2) That the feedback received in relation to the public consultation concerning the review of the council's street trading policy and the timetable for consultation, review and implementation be noted.

The meeting closed at 7.15 pm

Councillor Dow (Chairman)

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Body: General Licensing Committee

Date: 9th January 2017

Subject: Adoption of Standard Licence conditions for Riding Establishments

Report Of: Claire Groves, Senior Specialist Advisor

Ward(s) All

Purpose To assist the Council to ensure a high standard of animal welfare and public safety at Riding Establishments in the Borough.

Recommendation: (1) The committee approve the adoption of the standard set of licence conditions.

Contact: claire.groves@eastbourne.gov.uk, Telephone 01323 415757 or internally on extension 5757.

1.0 Introduction

- 1.1 Local Authorities issue licences to proprietors of Riding Establishment under the provisions of the Riding Establishment Act 1964 as amended by the Riding Establishment Act 1970 ("the Act"). Before granting the licence the Council must be satisfied the safety of the public using the establishment and that the animal welfare of the horses are being met.
- 1.2 A riding establishment is defined as "the carrying on of a business of keeping horses to let them out for hire for riding or for use in providing instruction in riding for payment, or both" (RE Act 1964 S.6 (1)). Thus licences are necessary for traditional riding establishments, pony trekking, beach ponies and donkeys and the hiring of horses for hacking and hunting.
- 1.3 A licence is renewed annually following an inspection of the premises by a veterinary surgeon to ensure the welfare needs of the animals are being met.
- 1.4 The Council has the power to adopt its own set of standard conditions to be attached to a licence and inspect riding establishments at all reasonable times in order to ensure that the premises is/remains suitable. Licences are issued for a maximum period of 1 year.

2.0 Background

- 2.1 Under the Act, every local authority may, on application being made to them

for the purpose;

- by a person who is over 18 years or is a corporate body,
- not being disqualified from running a riding establishment,
- on payment of such fee as may be determined by the local authority,

grant a licence to run a riding establishment as such premises in their area subject to an inspection by the Council appointed veterinary practitioner and compliance with such conditions as may be specified in the licence.

2.2

In considering whether to grant a licence, the Council shall have particular regard to section 4 of the Act which states: In determining whether to grant a licence for the keeping of a riding establishment by any person at any premises a local authority shall in particular (but without prejudice to their discretion to withhold a licence on other grounds) have regard to:-

- (a) Whether that person appears to them to be suitable and qualified to be the holder of such a licence; and
- (b) The need for securing:
 - i. The condition of the horses and that they are maintained in good health and is suitable for the purpose for which it is kept.
 - ii. The feet of all animals are properly trimmed and that, if shod, their shoes are properly fitted and in good condition.
 - iii. Available at all time, suitable accommodation as respects construction, size, number of occupants, lighting, ventilation, drainage and cleanliness.
 - iv. In the case of horses maintained at grass there will be available adequate pasture, shelter and water and that supplementary feeds will be provided as and when required.
 - v. That horses will be adequately supplied with suitable food, drink and bedding material, and will be adequately exercised, groomed and rested and visited at suitable intervals.
 - vi. That all reasonable precautions will be taken to prevent and control the spread among horses of infectious or contagious diseases and that veterinary first aid equipment and medicines shall be provided and maintained at the premises.
 - vii. Appropriate steps will be taken for the protection and extrication of horses in case of fire.
 - viii. That adequate accommodation will be provided for forage, bedding, stable equipment and saddlery.

2.3

Further every licence granted under the Act shall be subject to certain conditions as contained in section 4A of the Act and these are reproduced in

Appendix 1 as conditions 1 to 5.

- 2.4 All premises are inspected in respect of new applications and renewal applications by a Council appointed veterinary surgeon, who may attach premises specific conditions to the grant of the licence. The purpose of the inspection is to ensure that there is suitable qualified and experienced personal running the establishment and the horses are in good health and physically fit, suitable to be hired out and used for riding, provided with adequate food, drink and bedding, regularly exercised and are safeguarded in an emergency.
- 2.5 Further inspections may take place during the term of the licence in order to react to and investigate complaints and allegations.
- 2.6 Under the Act the Council has the power to adopt its own set of standard conditions as there are no model conditions. A set of standard conditions have been drafted, which include the statutory conditions. A copy is attached at Appendix 1.
- 2.7 The conditions have been drawn up with reference to the Royal College of Veterinary Surgeons and British Veterinary Association guideline for Local Authorities and their riding establishment inspectors. A copy of which is attached for your reference at Appendix 2.
- 2.8 Any person aggrieved by the refusal of a local authority to grant such a Licence, or by any conditions subject to which such a licence is proposed to be granted, may appeal to the Magistrate Court.

3.0 Current Position

- 3.1 In September 2016, Eastbourne Borough Council received its first Riding Establishment licence application for a number of years.
- 3.2 Following an inspection by the Council's appointed veterinary surgeon; the licence was granted and issued with the statutory conditions required by the Act and those recommended by the veterinary surgeon.

4.0 Conclusion

- 4.1 A standard set of conditions for Riding Establishments will ensure a consistent approach to the licensing of such premises; improve public safety and welfare of the animals.
- 4.2 This report is to enable members to consider and adopt a set of standard licence conditions to be applied to all existing, a renewal and new Riding Establishment licence issued and administered by the Council.

5.0 Recommendations

- 5.1 That the Council adopt the standard conditions attached at Appendix 1 of this report and attach those conditions to all new and renewed Riding Establishment licences issued by the Council.

6.0 Financial Implications

- 6.1 Licence fees are charges on a full cost recovery basis and include officer time for processing an application, the inspection of the premises and the enforcement. The additional cost of the inspection by the veterinary practitioner is paid by the Riding Establishment.

7.0 Legal Implications

- 7.1 The legal implications of this Report have been checked with the Council's Legal section.

8.0 Human Rights

- 8.1 The provisions of the Human Rights Act 1998, must be borne in mind by the Committee when taking licensing decisions. Particular regard should be had to Article 1 of the First Protocol, which relates to the protection of property and the peaceful enjoyment of possessions and property, and Article 8 - which relates to the right to respect for private and family life, home and correspondence - should also be borne in mind. While the Human Rights Act makes it unlawful for a local authority to act or to fail to act in a way that is incompatible with a Convention right, Article 1 of the First Protocol and Article 8 are both qualified rights which means that interference - to a justifiable extent - may be permitted as long as what is done:

- Has a basis in law;
- Is intended to pursue a legitimate purpose
- Is necessary and proportionate; and
- Is not discriminatory.

Background Papers:

- The Riding Establishments Acts 1964 & 1970
- Royal College of Veterinary Surgeons and British Veterinary Association – Guidelines for Local Authorities and their Riding Establishment Inspectors.

Appendices:

- Appendix 1 – Standard Conditions
- Appendix 2 – Royal College of Veterinary Surgeons and British Veterinary Association Guideline for Local Authorities and their Riding Establishment Inspectors.

**CONDITIONS OF LICENCE
RIDING ESTABLISHMENTS ACTS 1964 AND 1970**

1. A horse found on Inspection of the premises by an authorised officer to be in need of veterinary attention shall not be returned to work until the holder of the licence has obtained at his own expense and has lodged with the local authority, a veterinary certificate that the horse is fit for work.
2. No horse will be let out on hire for riding or use for providing instruction in riding without supervision by a responsible person of the age of 16 years or over unless (in the case of a horse let out for hire for riding) the holder of the licence is satisfied that the hirer of the horse is competent to ride without supervision.
3. The carrying on of the business of a Riding Establishment shall at no time be left in the charge of any person under 16 years of age.
4. The licence holder shall hold a current insurance policy which insures him against liability for any injury sustained by those who hire a horse from him for riding and those who use a horse in the course of receiving from him, in return for payment, instruction in riding and arising out of the hire or the use of a horse as aforesaid and which also insures such persons in respect of any liability which may be incurred them in respect of injury to any person caused by, or arising out of, the hire or use of a horse as aforesaid.
5. A register shall be kept by the licence holder of all horses in his possession age 3 years and under and usually kept on the premises which shall be available for inspection by an authorised officer at all reasonable times.
6. The licence holder or manager must hold a recognised qualification. The minimum being the British Horse Society Assistant Instructor or an equivalent equine qualification.
7. All horses shall be maintained in good health, and in all respects physically fit and in the case of a horse kept for the purpose of it being let out on hire for riding or a horse kept for the purposes of its being used in providing instruction in riding, the horse shall be suitable for the purpose for which it is kept.
8. No horse aged 3 years or under nor any mare heavy with foal nor any mare within three months after foaling may be let out on hire for riding or used in return for payment for instruction in or demonstrating riding.
9. The feet of all animals shall be properly trimmed and, if shod, their shoes must be properly fitted and in good condition.

Appendix 1



10. There shall be available at all times accommodation for horses suitable as regards construction and size having regard to the breeds and number of horses housed therein. Construction shall be substantial and shall provide warmth and shelter in safe, clean and hygienic conditions. Stalls shall be large enough to allow the animals to lie down and get up without risk of injury. Boxes shall be large enough to allow the animal to turn around.
11. The yard shall provide sufficient space for every horse kept on the premises.
12. The accommodation shall be lighted by a source of daylight with adequate supplementary artificial light to allow the proper working and cleaning of the stables with no dark areas. Horses shall be protected from injury from windows, electrical installations and equipment in their stalls and boxes.
13. Suitable and sufficient means of ventilation shall be provided and maintained so as to provide a clean and draught free atmosphere in the animals' living and sleeping quarters.
14. Adequate drainage shall be provided to carry away liquid voided by the horses and to keep the standings dry. Drains should discharge outside the building.
15. Where horses are maintained at grass there shall be available for them at all times during which they are so maintained, adequate pasture and shelter and water and supplementary feeds will be provided as and when required. Horses at grass should be visited twice daily by a person competent to recognise injury or illness, and with the authority to take the necessary action if required.
16. Fences must be maintained in a safe condition, free from hazards and loose or broken rails.
17. Riding equipment shall be maintained in good condition so as not to cause suffering to the horse or accidents to the rider.
18. All horses shall be adequately supplied with suitable food, drink and (except in the case of horses maintained at grass, so long as they are so maintained) bedding material, and shall be adequately exercised, groomed and rested and visited at suitable intervals.
19. Suitable facilities shall be provided for the collection, storage and the disposal of manure and spoiled bedding.
20. Every precaution shall be taken to eliminate flies or vermin from the stables and yard area, such precautions to be compatible with protection of the horses from insecticide or rodenticide poisoning.
21. The licensee shall take adequate measures to prevent and control the spread of infection among the horses, including arrangement for proper veterinary advice. Veterinary first aid equipment and medicines shall be provided and maintained in

the premises. Suitable isolation facilities shall be provided, such accommodation being structurally separate from all other accommodation. The utensils used for food and drink shall be kept separate and cleansed and sterilised after each use. The isolation accommodation shall be suitably disinfected during and after use and always before again being used by another horse.

22. No horse which is suffering from, or could be suspected of having come into contact with any other animals suffering from infectious or contagious disease, or which is infested with parasites shall be brought into or kept on the premises unless effectively isolated.
23. The licensee should ensure that a responsible person shall at all times be in, or within reasonable distance from the premises for the purposes of giving warning and taking other necessary steps in the event of fire or other emergency. In case of absence of the responsible person the licensee shall appoint a second responsible person residing within a reasonable distance of the premises to have custody of a key. The name, address and telephone number of such a person shall be displayed in legible characters on the front door or windows of the premises and be notified to the local Fire Brigade and Police. Instructions as to action to be taken in the event of fire, with particular regard to the extrication of horses shall also be kept displayed in a prominent position on the outside of the premises.
24. The licensee shall make and maintain appropriate arrangements for the protection of the horses in case of fire or other emergency, including the provision of adequate fire fighting appliances. Such appliances shall be conveniently accessible, clearly marked 'FIRE POINT' and maintained in good condition.
25. Prominent no smoking notices must be displayed in all areas of the premises.
26. Animals and equipment shall not be placed as to render entry or exit difficult.
27. All heating appliances provided shall be of such construction as to constitute no risk of fire and not to endanger the health and well being of the occupants. Free standing oil appliances shall not be installed in an area accessible to horses.
28. Adequate accommodation shall be provided for forage, stable equipment and saddlery.
29. Adequate and conveniently accessible washing and lavatory facilities shall be provided for staff.
30. A copy of the licence and its conditions shall be displayed in a suitably prominent position in the establishment.
31. The name, address and telephone numbers of the licence holder must be displayed prominently on the outside of the premises.

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**ROYAL COLLEGE OF VETERINARY SURGEONS
AND
BRITISH VETERINARY ASSOCIATION**

THE RIDING ESTABLISHMENTS ACTS 1964 AND 1970

**GUIDELINES FOR LOCAL AUTHORITIES AND THEIR RIDING
ESTABLISHMENT INSPECTORS**

January 2012

1.1 THE INSPECTION OF RIDING ESTABLISHMENTS MUST ONLY BE CARRIED OUT BY A CURRENT MEMBER OF THE RCVS/BVA INSPECTORATE OF APPROVED VETERINARY SURGEONS. (RE Act 1964 S. 2(3))

1.2 A list of members is available on the RCVS website www.rcvs.org.uk

Or from

**Royal College Veterinary Surgeons
Belgravia House
62-64 Horseferry Road
London
SW1P 2AF**

Tel: 0207 207 0707

INTRODUCTION

- 2.1 When the Riding Establishments Act, 1964, came into operation on 1 April 1965, the British Veterinary Association invited representatives of the British Horse Society, the County Land Agent's Association, the Ponies of Britain Club and the Royal Society for the Prevention of Cruelty to Animals to form a committee to consider the advice on problems arising from the implementation of the Act. As a result of information and experience accumulated by this Committee, a Memorandum was prepared for the assistance of the veterinary inspectors and local authorities administering the Act. This Memorandum was widely circulated among interested parties and in March 1968 revisions were published.
- 2.2 In 1970 a Bill to amend the principal Act was presented to Parliament and came on to the Statute Book as the Riding Establishments Act, 1970, which came into operation on 1 January 1971. The Committee has further amended the Memorandum on the principal Act to take into account the effects of the amending Act.
- 2.3 The result of these Acts is that riding establishments (as defined below) are required by law to be licensed by local authorities. The licence may only be issued or denied by the local authority following an inspection and report by a veterinary surgeon who is a member of the RCVS/BVA Inspectorate.
- 2.4 The RCVS and BVA have formed a joint sub-committee which is charged with responsibility for maintaining the list of Riding Establishment Inspectors, setting standards for their admission and retention on the list, and for ensuring, as far as possible, a competent and uniform level of inspection.

- 2.5 These guidelines have been modified in line with the Animal Welfare Act 2006, the Animal Health and Welfare (Scotland) Act 2006 and the Equine Codes of Practice for England, Scotland and Wales.

THE RIDING ESTABLISHMENTS ACT, 1964

- 3.1 The Riding Establishments Act, 1964, repealed the Riding Establishments Act, 1939, and forbids the keeping of a riding establishment except under the authority of a licence issued by the local authority. The term 'riding establishment' means the carrying on of a business "***of keeping horses to let them out on hire for riding, or for use in providing instruction in riding for payment, or both.***"(RE Act 1964 S.6 (1))
- 3.2 "***Horse***" is defined as including "***any mare, gelding, pony, foal, colt, filly or stallion and also any ass, mule or jennet***" (RE Act 1964 s.6 (4)).
- 3.3 In addition to horses and ponies in traditional riding schools, trail riding, orienteering and trekking have become popular, and establishments offering these activities require a license. The running of beach ponies and donkeys, instruction in playing polo (other than on the pupil's own horse) and the hiring of horses for hacking and hunting also require a license.
- 3.4 **INSPECTION OF PREMISES IS REQUIRED FOR:-**
- 1 Previously licensed riding establishments;
 - 2 Riding establishments which have a three month provisional licence;
 - 3 New applications for licensing;
 - 4 Any premises where there is reason to believe a person is running a riding establishment as defined above.
- 3.5 The fourth category may be visited initially by a veterinary inspector appointed by the local authority, or by a local authority officer, to determine whether licensing is necessary. Any local authority officer undertaking such an investigation should have a sound knowledge of horses and their management or should be accompanied by a veterinary surgeon who is on the list of inspectors.

- 3.6 **Only current members of the veterinary inspectorate are authorised to advise the local authority as to the licensing of a riding establishment.**
- 3.7 When an inspection is made for licensing, ideally the Veterinary Inspector should be accompanied by a local authority official.

RIGHT OF ENTRY OF PREMISES

- 3.8 The 1964 Act empowers the local authority to instruct its veterinary inspector/officer to enter premises where it is believed a person may be keeping a riding establishment or one which is licensed "**at all reasonable times**" (*RE Act 1964 S.2(2)*) and inspect the premises, and any horses thereon.
- 3.9 It is an offence under the Act for any person to deny access to such premises to a duly authorised officer.

LICENCES

- 4.1 A licence is granted annually by the Local Authority following an application. The applicant must be 18 years of age or over, or a body corporate. The licence fee is decided by the local authority in accordance with Section 35, Schedule 6 of the Local Government Act, 1974. The licence is issued by the local authority after it has considered the report from its veterinary inspector
- 4.2 Following an inspection, if it is recommended that a licence is issued but that certain improvements must be carried out by the licence holder, a follow up visit must be made to ensure that the recommendations have been carried out. This may be done by a non-veterinary local authority officer only if an **annual licence** was recommended by the Inspector and minor improvements are required. The follow up to a provisional licence (see below), prior to further licensing, must be made by a member of the Inspectorate.

PROVISIONAL LICENCES

- 4.3 ***"In any case in which application is made under the principal Act to a local authority for a licence to keep a riding establishment and the local authority are not satisfied that having regard to all the circumstances they would be justified in granting such licence they may grant a provisional licence that will come into force at the beginning of the day on which it is granted and shall remain in force for three months"***
(*RE Act 1970 S.1 (1)*).

- 4.4 The 1970 Act allows a local authority to give a provisional licence where considerable improvements to the premises are required before a full licence can be awarded.
- 4.5 The provisional licence can specify conditions and the licensing authority will normally only grant a full licence when these conditions have been satisfied. The granting of a provisional licence is, in the first instance, for a period of three months.
- 4.6 A second provisional licence may be given for a further three months but no more than 2 may be granted in any 12 months. Care must be taken to ensure that riding establishments that are only open during the summer months, such as trekking yards, do not try to exist permanently on provisional licences.
- 4.7 When such conditions are imposed, it is important that **subsequent inspections are carried out by the same inspector**, so that there is continuity in the reports to be considered by the authority. Veterinary inspectors should consult with the local authority officer to agree a detailed procedure.
- 4.8 It is desirable that licensing authorities accept professional advice on matters involving seeking an expert or second opinion in cases of doubt or difficulty.

PLANNING PERMISSION

- 4.9 Before consideration is given to the granting of a licence to a new applicant, the local authority should ascertain that the applicant has obtained Planning Permission under the Town and Country Planning Act, 1990 (a) to use the premises as a riding establishment and either (b) to erect new stables or other buildings on the site, or (c) has obtained Permission for Change of Use of all, or part, of the premises if either all, or part, of a farm or other premises are to be used as a riding centre.

INSURANCE

- 5.1 The 1970 Act specifies that the licence holder shall hold a current Public Liability Insurance policy to provide an indemnity against liability at law to pay damages for accidental bodily injury or damage to property to those hiring a horse for riding or receiving instruction in riding resulting from his own activities or those of members of his staff or of his clients in connection with his business. **(RE 1970 Act S.2 (4A))**

CONDITIONS: QUALIFICATIONS OF THE APPLICANT

- 5.2 An Inspector is required to consider the suitability of the applicant as to his/her experience in the management and care of horses and his/her ability to supervise the establishment, ***“either by experience in the management of horses, or by being the holder of an approved certificate or by employing in the management of the riding establishment a person so qualified, to be the holder of such a licence” (1970 Act S.2 (ii)(4)(a))***
- 5.3 Both the British Horse Society (BHS) and the Association of British Riding Schools (ABRS) grant recognised qualifications to suitable candidates, with the BHSAI (or equivalent) generally accepted as being the necessary minimum level.
- 5.4 Other equine qualifications such as college diplomas and NVQs may be taken into consideration as proving the suitability of an applicant or manager.
- 5.5 If a new applicant has no recognised qualifications and is relying on practical experience the local authority should obtain references to support the application and the Inspector should assess them.
- 5.6 If the management of a riding establishment is to be entrusted to another person by the applicant (such as a manager), the suitability and experience of the manager must also be considered and reported upon.
- 5.7 The principal Act provides that a licence will not be granted to a person disqualified under the Act or five other specific Acts for the protection of animals. Provision is made for appeal to a magistrate’s court on the refusal of a licence or any condition subject to which a licence is proposed to be granted.
- 5.8 **A copy of these guidelines should be sent by the local authority to all new applicants.**

THE INSPECTORATE

- 6.1 A veterinary surgeon wishing to become an Approved Inspector of Riding Establishments must first apply to the Secretary of the Riding Establishment’s sub-Committee. All new applicants to the inspectorate are required to attend a one-day instructional and induction course before they can be admitted to the Inspectorate, and applications are

scrutinised by the Riding Establishment's sub-Committee for approval before admission to the Inspectorate.

Qualifications

- 6.2 The Committee requires certain criteria to be met.
- 6.3 The inspector will have at least five years experience post registration by the Royal College of Veterinary Surgeons, of which at least the last two years should fulfil the requirements below.
- 6.4 At least 30% of the potential inspector's practice workload, (being a minimum of 10 hours per week), will be with horses. In exceptional cases, this requirement may be relaxed; particularly, for example, in remote geographical areas.
- 6.5 The veterinary surgeon will have attended an induction course before inclusion and will also attend an approved refresher course every 5 years thereafter.
- 6.6 All courses are run by the Riding Establishment's sub-Committee.
- 6.7 Failure to attend a refresher course normally leads to the removal of the inspector from the panel, unless a dispensation is agreed in advance. **It is therefore important for all local authorities to examine the list of inspectors regularly to avoid possible adverse legal consequences should a non-inspectorate veterinary surgeon be used for inspections.** This list is only available on the RCVS website at www.rcvs.org.uk . **(RE Act 1964 S.2 (3))**

INSPECTORS REPORT FORM

- 7.1 Licensing authorities and their inspectors are advised to use the Veterinary Inspectors Report Form, which is available free of charge and can be found in the related documents section on the riding establishment page of the RCVS website. Riding Establishments - RCVS Animal Owners. This form may be completed on-line for subsequent transmission or storage, although a check should be made with the Local Authority as to whether on-line submission is acceptable. A copy of the application form should be sent to the inspector concerned so that he is familiar with the type of premises and the number of animals to be inspected.
- 7.2 Upon completion of the inspection, the report form should be returned by the inspector to a **named individual** at the Local Authority. Where any recommendations or adverse comments are made on the report form by the inspector, a letter to the local authority should accompany

the report form outlining the inspectors concerns, giving full details and the Inspector's recommended course of action.

INTERNAL AUDITING OF REPORTS

- 7.3 Each year several local authorities are requested to forward copies of their inspectors' reports for scrutiny by the Riding Establishment sub-Committee. Both the inspector and the local authority are informed by letter of the Committee's findings.
- 7.4 Action will be taken by the Committee should the reports fall below the required standard.

ADVICE TO INSPECTORS

QUALIFICATIONS

- 8.1 The criteria for eligibility for inclusion in the Inspectorate have been outlined above. In particular, re-applicants and part-time workers should ensure that they fulfil the criteria of a minimum of 10 hours equine practice weekly.
- 8.2 The committee will consider the continuing appointment of inspectors over the age of 65 for a further period following the submission of a self-declaration of fitness to continue in practice.
- 8.3 Inspectors must have personal indemnity insurance.

THE INSPECTION

GENERAL

- 9.1 The local authority should be encouraged to have one of its officers present at the inspection. In this way small problems can quickly be sorted out and larger ones will be more readily understood by the authority.
- 9.2 The inspector is required to inspect the horses and the premises to assess the operation of the riding establishment as a whole. He/she will advise the local authority on the type of equine activities carried out by the establishment and the standard to which they are performed. This can vary from teaching people to ride in confined areas, to the hiring of horses for riding with or without supervision, and also includes beach donkeys, trekking centres, and orienteering.
- 9.3 The definition of "horse" has already been given and includes pony, ass, mule or jenny.

- 9.4 The inspector should visit the riding establishment at a reasonable time when all the horses are likely to be at the stables, having previously made an appointment convenient for all parties. The time of year when an inspection is carried out should relate to the use of the animals. Pony trekking centres should be inspected during the trekking season when the animals are in full use. The inspection of any establishment that is carried out at the beginning or end of the season is of little value in determining the standard of care and management of such animals.
- 9.5 The day book/diary/appointments book must be inspected to assess the workloads of the horses.
- 9.6 The horses must be, and as far as can be judged, continue to be maintained in good health. This is not always easy to ascertain at the first inspection but a general assessment of the establishment, the state of the buildings, the saddlery and the record keeping etc will be good indicators of the standards of the establishment.
- 9.7 The inspector will certify that every horse and pony presented to him comes within the terms of the Acts. He must list them including age, short description and their general condition, including feet (noting if shod). The shoeing book may be inspected, or the owner/manager carefully questioned as to the frequency of shoeing.
- 9.8 The inspector should note for each horse inspected what restrictions (if any) are required to be placed on the use of that animal. This would be expected to apply particularly to:- smaller animals, older or young/inexperienced animals, unshod animals, and any with a medical condition which might limit their ability to perform the tasks required. Any restrictions should be noted, with a copy sent to both the Establishment and the Local Authority.
- 9.9 Mares heavily in foal, and for three months after foaling, and all animals three years and under are not allowed to be used. The latter is defined as a horse whose lower permanent lateral incisor teeth have not yet erupted. (see list of offences below) A register of all animals three years and under is required to be kept.
(RE Act 1970 S.2 (1) (ii) (4A) (e))
- 9.10 Horses at part livery and working livery of which the establishment has limited use, and any animal used for providing instruction in riding for payment, whether owned by the establishment or not, are within the provisions of the Acts. This includes escort horses. Horses kept in the stables at full livery should be noted.
- 9.11 **Section 1(3) of the principle Act authorises the inspection of any horse or anything found on the premises if the inspector deems it to be necessary, even if it does not fall within the terms of the Acts.**

ANIMAL WELFARE ACT 2006

- 10.1 Inspectors should be aware of the “Duty of Care” imposed on all animal owners and keepers by section 9 of the Animal Welfare Act 2006 (England and Wales) and section 24 of the Animal Health and Welfare (Scotland) Act 2006 (Scotland). These acts require an animal, owner or keeper to meet each animal’s needs by all steps which are reasonably practical to the extent required by good practice.
- 10.2 The needs are defined as:-
- a) its need for a suitable environment,
 - b) its need for a suitable diet,
 - c) its need to be able to exhibit normal behaviour patterns,
 - d) any need to be housed with, or apart from, other animals. And
 - e) its need to be protected from pain (except in Scotland), suffering, injury or distress.
- 10.3 Guidance on how these needs might be met are laid out in the Equine Codes of Practice issued by the Welsh Assembly Government and the Scottish Government in 2009, and by DEFRA for England in 2010. Further advice may also be gained from the Equine Industry Welfare Guidelines Compendium published by the National Equine Welfare Council. www.newc.co.uk

NOTICES

- 11.1 The name, address and telephone numbers (preferably including a mobile telephone number) of the licence holder or other responsible person must be displayed prominently and clearly on the outside of the premises. The post code should also be displayed on the notice to help the emergency services locate the property in the event of a fire.
- 11.2 This notice is particularly important at premises at which no one lives permanently or which are left unattended for long periods of the day
- 11.3 The notice should have on it clear instructions as to what to do in the event of a fire. This notice should be in a prominent place and large enough to be easily read from a distance. The small plastic notices which have been available from some equine societies may satisfy the letter of the law but not its intention and should be discouraged as inadequate.
- 11.4 Prominent “**No Smoking**” notices must be present in all areas of the premises.

INSPECTION OF THE HORSES

- 12.1** *RE act 1970 S2 (1) (ii)(4)(b)(i): "That paramount consideration will be given to the condition of the horses and that they will be maintained in good health and in all respects physically fit, and that in the case of a horse kept for the purpose of its being let out on hire for riding or for a horse kept for the purpose of its being used in providing instruction in riding the horse will be suitable for the purpose for which it is kept."*

Note the "need to be protected from pain injury suffering or distress"

- 12.2 Every horse should be brought out of its stable into good light, the description noted for future identification, and the animal walked and trotted on a hard level surface. Its age must be checked and a careful inspection must be made for sores and galls from its tack, as well as any other injuries. Any injuries found must be noted and their significance assessed.
- 12.3 Each animal should be seen tacked up at some stage during the examination.
- 12.4 The clinical inspection of each horse should include auscultation of the chest whilst at rest, plus an ophthalmoscopic assessment of both eyes.
- 12.5 Attention must be paid to the state of the feet, which should be properly trimmed, and to the shoes if shod. This should be noted, as well as any badly worn, cast or loose shoes. **(RE Act 1970 S.2(1)(ii)(4)(b)(ii))**
- 12.6 When abnormalities are found they must be assessed in respect of the animal's welfare and the safety its rider. The abnormality must be noted and a decision must be made immediately as to whether the animal should continue to be used. The owner or his agent should also be informed immediately.
- 12.7 In such cases the inspector should not attempt to make a diagnosis or suggest treatment, but should inform the owner or manager that the horse must be seen by their own veterinary surgeon.
- 12.8 If a horse is found to be in need of veterinary attention it must be removed from work by a verbal order that must be confirmed in writing as soon as possible at or after the inspection. Any such animal may only be returned to work when the owner has obtained, at his own expense, a veterinary certificate stating that the horse is fit for work.

- 12.9 Where horses are declared by the owner as not in work because of lameness, illness or injury, the inspector must also be satisfied that the appropriate treatment is being carried out.
(RE Act 1970 S.2(1)(ii)(4A)(a))

ACCOMMODATION

Note the “need for a suitable environment”

- 13.1 **The principal Act requires a riding establishment to have accommodation suitable for its horses and ponies in respect of construction and size, number of occupants, light, ventilation and drainage. Specific recommendations are made in the Equine Codes and should be complied with.**
- 13.2 Construction should be substantial, adequate to contain the animal and should provide warmth and shelter in clean hygienic conditions. Access to boxes and stalls should be safe and convenient. Stalls shall be large enough to allow the animal to lie down and get up without risk of injury. Boxes shall be large enough to allow the animal to turn around and there should be sufficient headroom, with a minimum allowing a horse to hold its head in a normal upright position without its ears touching the roof. Both shall be free of fittings and projections or other structural features that might cause injury to equine occupants. Doors must open outwards, be of robust construction, and of such a height as to allow the animal to look out.
- 13.3 The amending Act requires that buildings converted for use as stabling must comply with all the requirements of the principal Act. Cowsheds, pig sties and other agricultural buildings are not usually suitable without significant modification.
- 13.4 Consideration should be given to the number of horses kept at an establishment, including animals at livery, in relation to the buildings and land that are available. It would generally be accepted that it should be possible to bring all horses under cover should the need arise.
- 13.5 **If appropriate a licence may impose a condition that no more than a specified number of horses of all categories should be kept on the premises.**
- 13.6 Lighting must be adequate to render the use of artificial light unnecessary during daylight hours. Horses must be protected from injury from windows, electric switches, loose wires and other equipment in stalls and boxes. If an inspector is in any doubt about the safety of electrical equipment he must report this to the Local Authority and request in writing that the installation is checked by a qualified electrician.

- 13.7 In the absence of mains electricity adequate alternative lighting should be readily available.
- 13.8 Ventilation should provide regular air changes without significant draughts
- 13.9 Drainage must be adequate to carry away liquid voided by the horses and keep the floors or bedding dry. Drains shall discharge outside the buildings. There must be provision for the storage and disposal of manure and spoiled bedding, and this must be located sufficiently far from buildings to avoid the risk of fire and the spread of disease.
- 13.10 Many of the problems at riding establishments are related to the buildings. This is easy to deal with when a potential riding establishment is being inspected for the first time. Either a licence is refused until improvements are made or, if changes of a more minor nature are required, a provisional licence is recommended while the required improvements are completed. Where there has been a gradual deterioration in a premises, the same system may be used to bring it up to an acceptable standard. Improvements must be made during the period of one or two provisional licences for a full license to be restored.
- 13.11 The introduction of the Animal Welfare Acts in 2006 has given increased urgency to the provision of a suitable environment for all animals, and improvements may be suggested on this basis.

GRAZING

- 14.1 The amending Act requires that horses maintained at grass must have water and shelter at all times, as well as adequate pasture. They should also receive supplementary feed if necessary, either when in work or during the cold winter months. The supplementary feed requirement will depend on the type and age of the animal, its workload and the pasture provided. Warmblood types, such as TBs and Arabs, may need stabling as well as additional feed during winter. Turnout rugs will provide some extra protection from the elements; such fittings should be checked daily and the rug removed at least twice a week to ensure that the animal is clean and dry underneath. Cold blooded types, such as native ponies and cobs, are more hardy and can usually overwinter at grass provided there is shelter available and supplementary feeding given where necessary.
- 14.2 Fences must be maintained in a safe condition, free from hazards and loose or broken rails. Barbed wire is not generally regarded as suitable for horses, although it may be acceptable as a boundary fence on large acreages providing it is maintained properly. Fields should be free of

rubbish, parked machinery and other equipment likely to cause injury to horses. There must be control of injurious weeds including ragwort.

14.3 Horses at grass must be visited twice daily by a person competent to recognise injury or illness, and with the authority to take the necessary action if required.

14.4 It is generally recommended that a minimum of one acre per horse is required with two acres per horse being necessary if outdoor exercise areas are provided, and hay or haylage is to be produced. Where establishments do not have access to the recommended acreage, inspectors should ascertain how the horses' exercise requirements are to be met, and how waste disposal is to be managed.

14.5 More specific guidance regarding grazing is provided in the Equine Codes of Practice.

INDOOR AND OUTDOOR SCHOOLS

15.1 The surface of the school should be well drained, free of standing water and maintained regularly to keep it level and smooth. It should have the degree of 'give' consistent with the nature of the surface material of which it is composed.

15.2 Indoor schools should ideally have no central roof stanchions. All stanchions around the walls must be either outside of the innermost protecting wall or well padded up to a height above the head of a rider on the tallest horse used in the establishment. Central stanchions, if absolutely necessary, should be similarly padded. There should be no other projections, either around the walls or elsewhere in the school, that could cause injury to horse or rider.

15.3 Outdoor schools should be properly fenced and maintained so as not to cause injury to horse or rider. Lighting stanchions must be properly padded (as above) if they are sufficiently close to the riding surface to present a danger of contact.

15.4 Indoor schools should have functional doors and outdoor schools must be able to be closed off by gates or rails when in use.

15.5 Any jumping or similar equipment should be maintained in a good state of repair and should be stored out of the school when not in use.

SADDLERY

16.1 The principal Act requires that riding equipment shall be maintained in a good condition so as not to cause suffering to the horse or accident

to the rider. Inspection of saddlery shall be carried out in a good light. It will normally be fitted on the animals for which it is intended, to ensure that a correct fit can be established, with particular attention being given to the condition of the leather (or synthetic material), buckles, stitching and padding and to the degree of wear on bits. Leather should not be dry and should not crack when fully bent. Any article of saddlery deemed to be in poor condition must be taken out of use immediately and noted in the report.

- 16.2 The following are some of the items that are unacceptable in a riding establishment. Saddles with broken trees, nickel stirrups, stirrups with worn or smooth treads, worn and dirty girths, numnahs or saddle cloths that are dirty or are used to try to improve the fit of a badly fitting saddle. Some bits, such as a running gag, may be considered unsuitable for use on horses that are used for teaching purposes.

RIDING HATS

- 16.3 The availability of riding hats should be ascertained and their overall appearance assessed. However any further examination of hats and other riding apparel is a Health and Safety issue, and is the joint responsibility of the proprietor of the Riding Establishment and the Local Authority. In general riding hats should have the current British Standard mark.

GENERAL MANAGEMENT

- 17.1 ***1970 Act S.2(1)(ii)(b)(viii): "That adequate accommodation will be provided for forage, bedding, stable equipment and saddlery."***
- 17.2 The supply of food, drink and bedding material must be adequate and suitable; the hay and food shall not be mouldy or rat infested. Hard feed should be stored in vermin-proof containers. By inspection of these, the Inspector must satisfy himself that all are sufficient for the animals in the establishment, with a reasonable reserve. It must be borne in mind that some riding establishments prefer to have frequent deliveries of foodstuffs, rather than store large quantities.
- 17.3 The amending Act requires that the horses be adequately exercised, groomed, rested and visited at suitable intervals. By inquiry and examination of the stable records and appointment book, (which it is desirable should be kept in permanent form), the inspector must be satisfied on these points.

DISEASE CONTROL AND FIRST AID EQUIPMENT

- 18.1 ***1970 Act S.2(1)(ii)(b)(vi): "That all reasonable precautions will be taken to prevent and control the spread among horses of***

infectious or contagious diseases and that veterinary first aid equipment and medicines shall be provided and maintained in the premises.”

- 18.2 The Acts require that reasonable precautions are taken against the spread of infectious disease, and veterinary first aid equipment must be maintained on the premises in a clean state in a place set aside for that purpose. So far as possible, the inspector must be satisfied that there is provision for the isolation of any animal with an infectious disease.
- 18.3 First aid equipment may include antiseptic solution and powder, dressings, bandages, scissors and a thermometer. It is strongly advised that the name, address and telephone number of the attending veterinary surgeon and doctor be prominently displayed at each establishment in case of emergency.
- 18.4 Adequate alternative lighting should be readily available for veterinary examinations or simple first aid treatments.
- 18.5 The vaccination of animals against equine disease in a riding establishment should be recommended by the veterinary inspector, but it cannot, under the present Acts, be made mandatory.
- 18.6 Parasite control measures should be discussed and records checked.
- 18.7 The inspector should make enquiries to satisfy him/herself that every horse on the establishment is in possession of a valid passport.

FIRE PRECAUTIONS

- 19.1 ***1970 Act S.2(1)(ii)(b)(vii): “That appropriate steps will be taken for the protection and extrication of horses in case of fire and, in particular, that the name, address and telephone number of the licence holder or some other responsible person will be kept displayed in a prominent position on the outside of the premises and that instructions as to action to be taken in the event of fire, with particular regard to the extrication of horses, will be kept displayed in a prominent position on the outside of the premises.”***
- 19.2 Owners, managers and staff must be made aware that their primary duty in the event of a fire is to call the fire brigade, extract the horses and attend to the safety of people. Fire fighting is dangerous and should be left to the professionals. For small isolated fires a water tap and hose may be adequate. Fire extinguishers should be serviced annually and the last service date must be visible on an attached label.
- 19.3 There must be clear access to all stalls and loose boxes to allow for emergency evacuation. A suitable holding area away from the buildings where animals may be temporarily contained should be identified and staff instructed accordingly.

- 19.4 The amending Act requires that the name, address and telephone number of the licence holder or other responsible person, with directions for action in case of fire, particularly with regard to the extrication of horses, must be displayed prominently on the outside of the premises.
- 19.5 All stables must comply with the Regulatory Reform (Fire Safety) Order 2005 or the Fire Safety (Scotland) Order 2009. A fire risk assessment must be carried out and a pre-incident planning form logged with the local fire service. An inspector should check that the Establishment has complied with this requirement, but need not concern him/herself with the details.

HEALTH AND SAFETY ASSESSMENT

- 20.1 The veterinary inspector should ask to see the stables' Health and Safety assessment. If one is not available the proprietor should be reminded of the need for one in order to comply with the terms of the Health and Safety at Work Act, although the enforcement of this lies with the local authority.

SUPERVISION

- 21.1 ***1970 Act S.2 (4A): " No horse will be let out on hire for riding or used for providing instruction in riding without supervision by a responsible person of the age of 16 years or over unless (in the case of a horse let out for hire for riding) the holder of the licence is satisfied that the hirer of the horse is competent to ride without supervision. The carrying on of a business of a riding establishment shall at no time be left in the charge of any person under 16 years of age."***
- 21.2 The inspector shall satisfy himself/herself as far as possible that the management of the business is not left under the supervision of a person under 16 years of age.
- 21.3.A The 1970 Act requires that horses let out on hire must be supervised by a person 16 years of age or over, unless the licence holder is satisfied that the hirer is competent to ride without supervision.

NOTE

Inspectors should be aware that owners are allowed to appeal against the decision of a local authority to refuse a licence. Such cases are heard before magistrates who are often reluctant to take action to remove a person's means of livelihood, but may well agree to the imposition of improved conditions.

OFFENCES

22.1 It is an offence under the Acts:

- To keep a riding establishment without a licence;
- To wilfully obstruct or delay any person in the exercise of his/her powers of entry or inspection;
- To permit a person for the time being disqualified under this Act from keeping a riding establishment or to have control or management of an establishment;
- To conceal a horse or horses with intent to avoid inspection under the Act;
- To use in a riding establishment a horse in contravention of the requirements of the Animal Welfare Act 2006 or the Animal Health and Welfare (Scotland) Act 2006
- To use in a riding establishment any horse three years old or under, or any mare heavy in foal or within three months after foaling;
- To fail to provide curative care for a sick or injured horse used in a riding establishment;
- To supply riding equipment which is visibly defective or likely to cause suffering to the horse or an accident to the rider.

EXCEPTIONS

22.2 The following do not fall within the definition of keeping a riding establishment within the meaning of the Acts:

- A business premises where the horses employed for the purposes of the business are kept by, or under, the management of the Secretary of State for Defence; or
- The carrying on of such a business if solely for police purposes; or
- The carrying on of such a business by the Zoological Society of London or by the Royal Zoological Society of Scotland; or
- The keeping of horses by universities for the instruction of students on courses qualifying for membership of the Royal College of Veterinary Surgeons.

VARIATIONS OF PREMISES AND SPECIAL CONSIDERATIONS

22.3 Apart from the standard riding school premises, other centres of horse activity which come within the scope of the Acts present the Inspector with special considerations. These include:

Trail Riding - guided and unguided
Riding Schools with attached trekking
Riding Schools with Livery
Centres requiring an Adventure Activity Licence

Centres teaching Polo using hired horses
Centres and Individuals hiring Hunters and Hacks

These establishments should normally be inspected during their operating season and should comply with the normal requirements of the riding Establishments Acts in so far as these are reasonably applicable. Where it is impossible to inspect all premises, a representative sample must be inspected.

- 22.4 It is important to give the Local Authority a concise idea of how the centre operates, and to consider whether the operators are competent to run what may be extensive riding, where control of the health and safety of the rider and horse may be from a distance.
- 22.5 In these cases it is useful to see a risk assessment of the centre that will give the Inspector some idea of how things are run.

Trekking Centres

- 22.6 As a general rule, horses and ponies in purely trekking centres are so used to the pattern and familiarity of rides that the inexperienced rider can rely on the horse to carry them safely.

Hacking

- 22.7 This is the next stage upwards in horsemanship from conventional lessons or trekking, where the rider is expected to be able to control the horse competently and independently.
- 22.8 The Inspector must be satisfied that the operator is able to gauge the skill level of the rider for the appropriate horse.

Trail Riding

- 22.9 The horses travel over greater distances than the previous two types of operation, often staying away overnight, and may cover 80-100 miles in a week.
- 22.10 This requires a more skilled rider, and better supervision by the operator, especially with regard to accidents and emergencies.
- 22.11 Any horse that becomes lame or sick is normally replaced under the supervision of the operator during the trail ride, and provision for this must be made.
- 22.12 The horses can find this type of work physically demanding and distances over 12-15 miles per day can be a problem, particularly for young horses. Most centres offering this type of riding will give the horse a week off for every week on.
- 22.13 The most adventurous of this type is unguided, with the rider left to their own devices with maps and a rendezvous. It is essential that the Inspector is satisfied that adequate control and management is in place to cover any eventuality.

22.14 For example, all riders are checked in at night by phone, and the overnight stays allow for the checking of the horses.

Riding School with attached trekking.

22.15 The Inspector shall be clear about which horses are used for each type of function

Riding Schools with attached Livery.

22.16 There shall be a clear distinction of premises between the hired out horse and those at livery.

22.17 In the case of “DIY” livery, a separate feed, tack and other facilities is to be preferred.

22.18 In case of doubt the inspector is authorised to inspect all animals on a premises for which a licence is requested, not merely those used in the riding school.

Centres requiring Adventure Activity Licence Association licences.

22.19 This applies to centres offering activities to under 18 year olds. The licence is given after inspection by the AALA, and generally applies to trekking centres where the horses are taken well away from main roads, and at certain heights of mountain. It does not strictly apply to all centres, but many get this licence if dealing with school children.

Polo/Hireling Centres

22.20 Establishments teaching **polo** on hired ponies must ensure compliance with the provisions of the Acts and ensure the ponies are suitable for this specific purpose.

22.21 Similar considerations apply to centres **hiring hunters and hacks.**

Body:	General Licensing Committee
Date:	9th January 2017
Subject:	Hackney Carriage and Private Hire Penalty Points Scheme
Report Of:	Claire Groves, Senior Specialist Advisor
Ward(s)	All
Purpose	To assist the Council in improving standards by considering the introduction of a Penalty Points Scheme
Recommendation:	(1) That members endorse the scheme as outlined in this report. (2) Approve consultation process and if no adverse comments are received in the consultation process to delegate to Head of Customer First to take the necessary steps to introduce the scheme. If adverse comments are received as part of the consultation process then a report will be brought back to the Committee prior to making a final determination on whether to implement the scheme.
Contact:	claire.groves@eastbourne.gov.uk, Telephone 01323 415757 or internally on extension 5757.

1.0 Introduction and Background

- 1.1 Hackney Carriage and Private Hire Operators, Drivers and Vehicles are principally governed by the Local Government (Miscellaneous Provision) Act 1976, Town Police Clauses Act 1847, Council Byelaws and the Rules, Regulations and Conditions set by the Council.
- 1.2 Members will be aware that currently when officers have sufficient evidence to penalise Operators, Drivers or Proprietors of Vehicles for breaches of licensing legislation and conditions, these matters are usually dealt with by either advice (verbal or written), written warning, an official caution, proceedings before the Court or the Council General Licensing Committee.
- 1.3 This system is not satisfactory in dealing with repeat offenders for minor vehicle defects and breaches of licence conditions because these breaches are not formally cumulatively considered.

2.0 Penalty Points Scheme

2.1 The Primary objective of implementing a penalty point scheme must be to improve the levels of compliance within the trade which would subsequently help improve the standards, safety and protection of the travelling public. An issue highlighted in the Department for Transport 'Taxi and Private Hire Vehicle Licensing: best practice guidance', which states:

"Well-directed enforcement activity by local licensing authority benefits not only the public but also the responsible people in the taxi and PHV trades. Indeed, it could be argued that the safety of the public depends upon licensing authorities having an effective enforcement mechanism in place".

2.2 Members are asked to consider the following alternative system, which if adopted would be more effective against those Operators, Drivers or Proprietors who see fit to ignore their responsibilities.

2.3 The scheme aims to provide a formalised stepped enforcement plan which is easy for drivers and proprietors to understand. The purpose being to record misdemeanours and to act as a record of the driver's behaviour and conduct so as to ascertain whether they remain a fit and proper person to hold the relevant licence.

2.4 The operation of the scheme ensures that the most serious cases are referred to Members for a decision to be taken. However, serious offences or breaches may remain liable to prosecution.

2.5 The scheme will be subject to a 3 month consultation. Whilst the Private Hire and Hackney Carriage trade will be specifically notified, the consultation document will be placed on the Council's website so that everyone will be able to get involved in the process to gain a more balanced view.

2.6 If at the end of the consultation period no adverse comments are received the Head of Customer First will take the necessary steps to introduce the scheme. If adverse comments are received then a report will be brought back to the Committee prior to making a final determination on whether to implement the scheme.

2.7 A copy of the proposed Penalty Point Scheme is attached at Appendix 1.

3.0 Operation of the Scheme

3.1 Full details of how the scheme will operate are detailed in the Penalty Point Scheme document, attached at Appendix 1.

3.2 It should be noted that the issue of these penalty points are completely different to those issued as a result of prosecutions undertaken or fixed penalty notices issued by the police and therefore have no effect on a DVLA driving licence.

4.0 Conclusion

4.1 A penalty point scheme can be used as an internal mechanism to record minor infringements. The scheme itself acts as a means of recording evidence for potential further action but is not a condition of the driver, vehicle or operator licence.

4.2 The scheme will allow the Council to demonstrate that it operates a fair and transparent administrative system for all its drivers.

5.0 Recommendations

5.1 Members are asked to consider the details in the report and approve the introduction of the scheme following consultation with the trade.

6.0 Financial Implications

6.1 There are limited financial implications due to the likely need to hold additional Licensing Sub-Committee meetings. These will be factored into the overall costs of running the service, with the objective of the service to balance income against expenditure over the course of a 3 year period.

7.0 Legal Implications

7.1 The Council's Legal section have considered this report.

8.0 Human Rights

The provisions of the Human Rights Act 1998, must be borne in mind by the Committee when taking licensing decisions. Particular regard should be had to Article 1 of the First Protocol, which relates to the protection of property and the peaceful enjoyment of possessions and property, and Article 8 - which relates to the right to respect for private and family life, home and correspondence - should also be borne in mind. While the Human Rights Act makes it unlawful for a local authority to act or to fail to act in a way that is incompatible with a Convention right, Article 1 of the First Protocol and Article 8 are both qualified rights which means that interference - to a justifiable extent - may be permitted as long as what is done:

- Has a basis in law;
- Is intended to pursue a legitimate purpose
- Is necessary and proportionate; and
- Is not discriminatory.

Appendix 1
Eastbourne Borough Council - Penalty Points Scheme

	Details of the misconduct	Points Applicable	Driver	Vehicle Owner or Operator
1	Providing false or misleading information on licence application form / failing to provide relevant information or pay the relevant fee (including dishonoured cheques)	6	✓	✓
2	Failure to notify, in writing, the Council of a change of address within 7 calendar days	3	✓	✓
3	Refusal to accept hiring without reasonable cause	6	✓	
4	Unreasonable prolongation of journeys or any misconduct regarding the charging of fares	6	✓	
5	Plying for hire by Private hire drivers or Hackney Carriage drivers plying for hire outside the district	9	✓	✓
6	Private hire vehicle parking or waiting on a taxi rank	9		✓
7	Inappropriate behaviour at a taxi rank,	1-12*	✓	
8	Leaving a taxi unattended at a rank	4	✓	
9	Using unlicensed vehicle or using a licensed vehicle without insurance or without a valid VST	12	✓	✓
10	Failure to produce relevant documents within timescales when requested by an Authorised Officer	4	✓	✓
11	Unsatisfactory condition of vehicle, interior or exterior	4	✓	✓
12	Failure to undergo the 6 monthly VST on time	6		✓
13	Failure to provide proof of insurance cover when requested	6	✓	
14	Failure to produce Hackney Carriage or Private Hire vehicle for re-testing when required	4		✓
15	Using a vehicle subject to a suspension order issued by an Authorised Officer or a police officer	12	✓	✓
16	Using a vehicle for which the licence has been suspended or revoked	12	✓	✓
17	Failure to report, in writing, within 72 hours, accident or damage to licensed vehicle, which would cause the vehicle to breach licence conditions	4	✓	✓
18	Carrying more passengers than stated on the vehicle licence	6	✓	
19	Failure to display external/internal licence plate in a fixed position or failure to display appropriate door signs	6	✓	✓
20	Carrying an offensive weapon in the vehicle	12	✓	
21	Failure to notify a transfer of Private Hire or Hackney Carriage vehicle licence within 14 days of transfer	4		✓
22	Failure to carry fire extinguisher	4		✓
23	Failure to carry first aid kit	3		✓

	Details of the misconduct	Maximum* Points Applicable	Driver	Vehicle Owner or Operator
24	Displaying unsuitable or inappropriate sited signs or unauthorised advertisements in or on the vehicle	3		✓
25	Failure to use authorised roof light	4	✓	
26	Failure to maintain records in a suitable form of the commence and cessation of work of each driver each day	4		✓
27	Failure to produce on request records of drivers' work activity	4		✓
28	Using a non-approved or non-calibrated taximeter (HC)	6	✓	✓
29	Obstruction of an authorised officer or police officer wishing to examine a licensed vehicle	12	✓	✓
30	Evidence of smoking in vehicle	3	✓	✓
31	Displaying any feature on private hire vehicle that may suggest that it is a Hackney Carriage	6		✓
32	Using a vehicle, the appearance of which suggests that it is a Taxi	6		✓
33	Failure to carry an assistance dog without requisite medical exemption certificate	12	✓	✓
34	Driver not holding a current DVLA licence	12	✓	✓
35	Failure to have the driver's badge clearly displayed	4	✓	
36	Failure to notify, in writing, a change in medical circumstances	6	✓	✓
37	Unsatisfactory appearance of driver	4	✓	
38	Failure to observe rank discipline (HC)	3	✓	
39	Failure to maintain proper records of private hire vehicles	3		✓
40	Failure to keep or produce records of Private Hire bookings or other documents required to be kept or produced	6		✓
41	Misleading use of the words 'Taxi' or 'Cab' on advertising materials	3		✓
42	Failure to issue receipt on request .	6	✓	✓
43	Using a licensed vehicle in a dangerous condition	9	✓	✓
44	Failure to return vehicle licence plate within 7 days after due notice following expiry, revocation or suspensions of such licence	4		✓
45	Unsatisfactory behaviour or conduct of a driver.	1-12*	✓	
46	Failure to notify the Council in writing, of any motoring or criminal convictions within 21 days or conviction or cautions during period of current licence	6	✓	✓

47	Failure to behave in a civil and orderly manner, or bringing the trade into disrepute.	1-12*	✓	✓
	Details of the misconduct	Maximum* Points Applicable	Driver	Vehicle Owner or Operator
48	Failure to provide reasonable assistance to a passenger	1-12*	✓	✓
49	Failure to display a correct up to date fare card (HC)	3	✓	✓
50	Carrying two or more separate fares without the appropriate consent	9	✓	
51	Failure to carry a legal spare wheel (or appropriate alternative) and the necessary tools to fit the spare wheel	4	✓	✓
52	Failure to attend punctually at appointed time and place without sufficient cause	4	✓	✓
53	A licensed vehicle with a bald or dangerous or defective tyre	4 per tyre	✓	✓
54	Failure to submit licence renewal application including documents and attendance at a vehicle inspection	6	✓	✓
55	Failure to display an applicable fare card AND the Councils valid fare card together	3	✓	✓
56	Waiting or stopping on a double yellow area, bus stop or private land (without the owner's permission) unless requested by a paying customer present in the vehicle	3	✓	
57	Driving whilst using a mobile phone	9	✓	
58	Appeal of points by way of Licensing Sub-Committee	4-12*	✓	✓

Notes:

*- discretionary points up to a maximum of 6 points can be issued by officers, but greater awards of points can only be issued by the Licensing Sub-Committee.

Officers may refer any mandatory award of points to Members where there are aggravating features to any case.

The Maximum points applicable refers to points issued by Officers. If the matter is referred to the Licensing Sub-Committee the Sub-Committee may impose up to 12 points.

Ticks indicate potential recipients of points for infringements, but are not limited to those only. Certain cases may result in drivers and/or proprietors and/or operators receiving penalty points. Points may be awarded to one or several persons depending upon the circumstances of the case, but each case will be considered on its individual merits.

Penalty Point Scheme

Introduction

- 1.0 Hackney Carriage and Private Hire Operators, drivers and vehicles are principally governed by the Local Government (Miscellaneous Provisions) Act 1976, Town Police Clauses Act 1847, Councils Byelaws and the Rules, Regulations and Conditions set by the Licensing Committee.
- 2.0 Should operators, drivers or proprietors of vehicles commit an offence or breach those rules, regulations or conditions of licence, persons involved are asked to attend the offices for an interview and then once investigations are completed, letters are sent out detailing the outcome and a permanent record kept on the persons' file. The outcome of investigations may result in no further action being taken, penalty points being awarded, a formal warning, referral to the Licensing Panel and /or prosecution.
- 3.0 The aim of a penalty point scheme is to work in conjunction with other enforcement options. It provides a formalised stepped enforcement plan. The purpose of the scheme is to record misdemeanours and to act as a record of drivers, vehicle proprietors and operator's behaviour and conduct so as to ascertain whether they are a fit and proper person. It does not prejudice the Council's ability to take other actions.
- 4.0 The primary objective of the penalty point's scheme is to improve levels of compliance and help improve the standards, safety and protection of the travelling public.
- 5.0 Penalty points remain on the licensee's record for twelve months. The period is a roll forward basis, so as to allow any older points to be considered as spent and therefore excluded from the running total recorded against any individual licensee.

Issue of Penalty Points

- 6.0 Complaints from the public concerning significant breaches of conduct will be subject to investigation by officers and may be reported to the Licensing Sub-Committee for the issue of discretionary points.
- 7.0 Where a licensee accumulates 12 or more penalty points in any 12 month period, the matter will be referred to the Council's Licensing Sub-Committee for the members to decide whether the licensee remains a fit and proper person. The Licensing Sub-Committee may then suspend or revoke a licence, or issue a warning to the Licensee, depending on the circumstances. Periods of suspension of a licence by a Sub-Committee will be dependent on the nature of the breaches of the legislation/conditions and the compliance history of the individual. Suspension periods will normally vary between 7 to 31 days.
- 8.0 Penalty Points will remain current for 12 months from the date the penalty points were issued. Points issued to either the proprietor of a vehicle, operator or a driver will be confirmed in writing normally within 10 working days of the conclusion of the investigation into the contravention.

- 9.0 The system will operate without prejudice to the Council's ability to take other action that it is entitled to take under legislation, byelaws and regulations.
- 10.0 Any disputes regarding the issuing of penalty points will be referred to the Licensing Sub-Committee who will have the discretion to award a greater number of points than displayed on the tariff, if the complaint is upheld. Drivers or Operators must appeal against points awarded by officers to the Licensing Sub-Committee within 21 days of them being issued.
- 11.0 If points are issued to a proprietor/driver or operator by the Council for a matter which is also a criminal offence, e.g. bald tyres, no badge, those person (s) will not be the subject of a prosecution for that offence by the Council.

BODY: General Licensing Committee

DATE: 9th January 2017

SUBJECT: Hackney Carriage & Private Hire Licensing Fee & Charges 2017-2019

REPORT OF: Peter Gaimster, Manager Performance and Specialist Advisory & Claire Groves, Senior Specialist Advisor.

Ward(s): All

Purpose: To ask the Committee to approve the proposed hackney carriage and private hire licence fees detailed in this report.

Claire Groves, Senior Specialist Advisor, Telephone 01323 415757 or internally on extension 5757

E-mail address claire.groves@eastbourne.gov.uk

Recommendations: Members are recommended to:

- 1) Approve the publication of the proposed hackney carriage and private hire licence fees detailed in this report in accordance with statutory requirements, and
- 2) To agree that the fees outlined here should come into effect from 1st April 2017.

1.0 Background

1.1 The Council's hackney carriage and private hire licensing function, which includes administration, liaison and development as well as enforcement and compliance monitoring of licensed (but not unlicensed) operators, is self-financing. The income from licensing fees covers the cost of providing this function.

1.2 Fees are set for a 3 year period in consultation with Financial Management to ensure that there is neither an excessive surplus nor deficit in the hackney carriage and private hire account. In setting licence fees, local authorities are entitled to recover their costs but should not actively seek to make a profit. The Council should be able to manage its licence fees in such a way that over a reasonable period of time, fees remain cost neutral.

2.0 Fee-Setting: General Principles

2.1 In order to ensure that council tax payers are not subsidising the work involved in the administration of licensing functions, income is raised through licence fees. These fees must not be used to raise revenue but instead are set at a level which aims to cover the cost of administering the function within the constraints of regulation.

- 2.2 Case law has established a number of points relevant to fee-setting. It has confirmed that approximate calculations of anticipated costs are sufficient to discharge the requirement that the licensing authority endeavour to achieve a break-even position. Surpluses as well as deficits must be carried over year on year. A shortfall in one year may moreover be rectified by increasing costs the following year where needed, although the council does not have to adjust the licence fee every year to reflect any previous deficit or surplus.
- 2.3 It will also include the costs of badge issuing and other administrative tasks, as well as enforcement undertaken in respect of licensed (but importantly not unlicensed, which is funded from an alternative budget) drivers.
- 2.4 All discretionary fees must be reasonable and based upon a cost recovery model. This principle has been reiterated through the Provision of Services Regulations 2009/2999 reg.18(4), which states that: "any charges provided for by a competent authority, which applicants may incur under an authorisation scheme must be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities".

3.0 Fees: Current

- 3.1 Individuals are currently required to obtain a dual Hackney Carriage & Private Hire driver's licence to enable them to drive a licensed vehicle. The vehicle that the driver operates must also be licensed, either as a Hackney Carriage or Private Hire. Additionally, private hire operators require a licence in order for them to take bookings on behalf of the drivers/vehicles within their fleet.
- 3.2 Hackney carriage and private hire vehicle licence fees are paid annually. The driver licence fees are however paid every three years and Private Hire Operators every five years.
- 3.3 The last fee amendment took place in April 2014. This set the fees and charges for the period April 2014 – March 2017. A copy of the current fees and charges is attached to the report at Appendix 1.
- 3.4 The income and expenditure for the period is shown in figure 1 below:-

Figure 1: Income & Expenditure over the period 2014-17:

	2014/2015 ACTUAL (£)	2015/2016 ACTUAL (£)	2016/2017 FORECAST (£)
Total Expenditure	116,728	125,830	131,594
Total Income	129,301	142,905	143,875
Net expenditure	(12,573)	(17,074)	(12,280)
Balance c/f	(11,801)	(24,374)	(41,448)
(Surplus) / Deficit	(24,374)	(41,448)	(53,729)

Full details from the taxi budget are attached at Appendix 2

4.0 Fees: Proposed 2017-2020

4.1 Figure 1 shows that at the end of the 2016/2017 there will be a forecast accumulated surplus of £53,729.

4.2 This surplus is forecast to reduce over the subsequent 3-year period as a result of licensing related expenditure – see further at paragraphs 4.5 and 4.6 below. Also, it is legitimate for the Council to make recharges to this cost centre for appropriate support services. Work will be undertaken with colleagues in Finance and the various support services to review the level of recharges made to this cost centre to ensure they continue to be an accurate reflection of the amount of work that is contributed to licensing.

4.3 A forecast for the next 3 year period is detailed in figure 2 below.

Figure 2:

	2017/2018 FORECAST (£)	2018/2019 FORECAST (£)	2019/2020 FORECAST (£)
Total Expenditure	145,673	149,173	153,673
Total Income	143,875	143,875	143,875
Net expenditure	1,798	5,298	9,798
Balance c/f	(53,729)	(51,930)	(46,632)
(Surplus) / Deficit	(51,930)	(46,632)	(36,834)

4.4 The number of licences issued over the past 5 years has remained stable and there is no evidence to suggest this will change in the near future. It is predicted that income will remain relatively stable and the forecast income figure shown in figure 2 is based on the predicted income for 2016/2017. Full details of the number of licences issued over the past 5 years can be found at Appendix 3.

4.5 The 'Total Expenditure' entries, in figure 2 include the cost of, equipment, magnetic door livery, Criminal Records Bureau fees, postage and advertising. Central and Departmental Support costs are allocated at the end of the years and these cover employee and support costs.

4.6 Although figure 2 is forecasting a net surplus of £36,834 by the end of 2019/2020, the Licensing team intends to make legitimate use of the surplus made in 2014-17 by carrying out the following initiatives:

- Implement a penalty point scheme.
- Undertake an enhanced enforcement role.
- Additional Training – i.e. Child Sexual Exploitation/Safeguarding.
- Continue to resource an additional Specialist Advisor on licensing and enforcement.

4.7 Since the proposed measures outlined in paragraph 4.6 are not accounted for in the figure 2 expenditure, the forecast surplus of £36,834 is likely to be lower by the end of that period. However, the net outcome is not expected to go into deficit, and on that basis **no** increase in fees is proposed for the 3 year period.

2017/18-2019/20.

5.0 Implementation

5.1 The legislation governing this area is the Local Government (Miscellaneous Provisions) Act 1976. Section 70 of that Act imposes a statutory requirement that the authority advertise proposed licence fee increases in the local press so as to give members of the public and the trade an opportunity to object to the proposals within 28 days of the advertisement. As no increase is proposed, no consultation is required.

6.0 Legal Considerations

6.1 Under section 53 Local Government (Miscellaneous Provisions) Act 1976 the Council shall charge such fees for licences to drive a hackney carriage or private hire vehicle as it considers reasonable with a view to recovering the costs of issue and administration.

6.2 Further under section 70 Local Government (Miscellaneous Provisions) Act 1976 the Council may charge such fees for the grant of the vehicle and operator licences as may be sufficient to cover the reasonable costs of inspections, providing for hackney carriage stands and any reasonable administration charges or other costs concerned with control and supervision. If these fees are varied then a notice of the changes must be published in a local newspaper and 28 days given for objections to be raised. As there are no proposed changes to the fees then publication is not necessary.

7.0 Financial & Resource Implications

7.1 The cost of administering the taxi licensing function is met by licence fee income. The objective is to set fees and charges at fair and proportionate levels, so that the income received does not exceed the cost of the function. This ensures that the service is effectively self-financing.

7.2 The Council's Finance Team has been fully consulted and has advised accordingly.

8.0 An Equality and Fairness Analysis

8.1 An Equality and Fairness analysis and scoping report will be carried out.

9.0 Summary

9.1 The report explains the key elements of the procedural requirements required to implement the proposed licence fees for the financial periods 2017-2020.

Background papers

Taxis Licensing Law and Practice 3rd Ed, James Button

Appendices

Appendix 1 – Fees and Charges 2014-2017

Appendix 2 - Full details of the taxi budget

Appendix 3 - Details of the number of licences issued.

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Fees and Charges with effect from 1st April 2014

Driver's Licence

Three year Driver's Licence	£ 315.00
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Plus £44 for your 3 year Disclosure & Barring Service (DBS) check

(* If you have made a DBS check application since 17/6/2013 and subscribe to the DBS Update Service a new DBS check application may not be required. Go to www.gov.uk/db for further information)

Vehicle Licence

Hackney Carriage	150.00
Private Hire	150.00

Vehicle Suitability Test (VST) (including MOT)

Fee to be paid and booking made directly with Contractor See "How to Book Tests"

NEW VEHICLES TO THE TRADE

Before you buy any vehicle, please contact the office at 1 Grove Road to check that the vehicle is approved.

Following purchase, details of the vehicle and insurance must be sent to this office.

New/Replacement External Plate	40.00
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New/Replacement Internal Plate	10.00
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Replacement Door Sign	20.00
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5 year Operator Licence Renewals

Licence for 1 – 2 vehicles	350.00
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Licence for 3 – 4 vehicles	425.00
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Licence for 5 – 10 vehicles	750.00
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Licence for 11 – 15 vehicles	1000.00
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Licence for 16 – 20 vehicles	1250.00
------------------------------------	---------

Licence for 21 – 30 vehicles	1750.00
------------------------------------	---------

Licence for 31 – 40 vehicles	2250.00
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Licence for 41 – 60 vehicles	3500.00
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Licence for 61 – 80 vehicles	4400.00
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Licence for 81 – 100 vehicles	5500.00
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Licence for 101 – and above	7000.00
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New Driver Application

(the DBS fee of £44 and DVLC licence check of £5.00 is included)	143.00
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Knowledge re-test following fail	45.00
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Replacement Driver's Badge	10.50
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Set of Byelaws	10.00
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Change of Vehicle – Transfer of Licence	37.50
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Replacement Copy of Driver/Vehicle Licence	10.50
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Approved Taximeter Agents

Taximeter Plus	max 15.00
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Smith and Humphreys

Radio Relay

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Appendix 2

PRIVATE HIRE VEHICLES

	<u>2013/2014</u>	<u>2014/2015</u>	<u>2015/2016</u>	<u>2016/2017</u>	<u>2017/2018</u>	<u>2018/2019</u>	<u>2019/2020</u>
	<u>ACTUAL</u>	<u>ACTUAL</u>	<u>ACTUAL</u>	<u>PREDICTED</u>	<u>PREDICTED</u>	<u>PREDICTED</u>	<u>PREDICTED</u>
	£	£	£	£	£	£	£
TRAINING	250						
SUPPLIES AND SERVICES	23,213	14,969	20,425	17,689	20,000	20,000	20,000
TAXI SUB TOTAL	23,463	14,969	20,425	17,689	20,000	20,000	20,000
CENTRAL SUPPORT	9,833	16,736	15,840	16,000	17,000	18,000	20,000
DEPARTMENTAL SUPPORT	73,894	84,707	89,540	97,905	108,673	111,173	113,673
SERVICE MANAGEMENT	842						
INTERNAL RECHARGES	18	317	25				
TOTAL EXPEND	108,050	116,728	125,830	131,594	145,673	149,173	153,673
FEES AND CHARGES	-91,468.17	-118,414.21	-131,228.66	-131,229	-131,229	-131,229	-131,229
CRIMINAL RECORD BUREAU FEE	-8,054	-7,088	-7,477	-8,016	-8,016	-8,016	-8,016
TAXI KNOWLEDGE TEST	-1,843	-2,259	-1,575	-630	-630	-630	-630
OTHER INCOME	-388	-1,540	-2,624	-4,000	-4,000	-4,000	-4,000
TOTAL INCOME	-101,753	-129,301	-142,905	-143,875	-143,875	-143,875	-143,875
NET ANNUAL EXPEND/INCOME	6,297	-12,573	-17,074	-12,280	1,798	5,298	9,798
OPENING BALANCE	-18,098	-11,801	-24,374	-41,448	-53,729	-51,930	-46,632
NET CUMULATIVE (SURPLUS)/DEFICIT	-11,801	-24,374	-41,448	-53,729	-51,930	-46,632	-36,834

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Appendix 3

Year	2012/ 2013	2012/ 2013	2013/ 2014	2013/ 2014	2014/ 2015	2014/ 2015	2015/ 2016	2015/ 2016	2016/ 2017
Type of Licence	(whole)	(part*)	(whole)	(Part*)	(whole)	(Part *)	(whole)	(Part*)	(Part*)
Dual DD	234	153	248	139	208	126	224	145	130
PH Vehicle	399	247	268	268	427	279	433	285	299
HC Vehicle	158	94	91	91	130	83	137	84	75
PHO	22	16	20	13	19	10	20	11	11

*Part is the period from 1st April to 14th November. This enables a comparison to be made for 2016/2017.

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