

Borough Council of
**King's Lynn &
West Norfolk**



Joint Meeting of the Regeneration & Development and Environment & Community Panel

Agenda

Wednesday, 28th October, 2015
at 6.00 pm

in the

**Committee Suite
King's Court
Chapel Street
King's Lynn
PE30 1EX**



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King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
Telephone: 01553 616200
Fax: 01553 691663

Tuesday, 20 October 2015

Dear Member

Joint Meeting of the Regeneration & Development and Environment & Community Panel

You are invited to attend a meeting of the above-mentioned Panel which will be held on **Wednesday, 28th October, 2015 at 6.00 pm** in the **Committee Suite, King's Court, Chapel Street, King's Lynn** to discuss the business shown below.

Yours sincerely

Chief Executive

AGENDA

1. Apologies for absence

To receive any apologies for absence.

2. Minutes (Pages 7 - 15)

To approve the minutes of the previous meeting.

3. Declarations of Interest

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the Member should withdraw from the room whilst the matter is discussed.

Those declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

4. Urgent Business

To consider any business which, by reason of special circumstances, the Chairman proposes to accept as urgent under Section 100(b)(4)(b) of the Local Government Act, 1972.

5. Members Present Pursuant to Standing Order 34

Members wishing to speak pursuant to Standing Order 34 should inform the Chairman of their intention to do so and on what items they wish to be heard before the meeting commences. Any Member attending the meeting under Standing Order 34 will only be permitted to speak on those items which have been previously notified to the Chairman.

6. Chairman's Correspondence

If any.

7. Matters referred to the Panel from other Council Bodies and responses made to previous Panel recommendations/requests

None.

8. Cabinet Report - Review of Hackney Carriage and Private Hire Licensing Fees (Pages 16 - 90)

The above report is on the Cabinet Forward Decision List for 3 November 2015 and has been identified by the Chairman for consideration by the Panel.

The Panel are requested to consider the report and make any appropriate recommendations to Cabinet.

9. Cabinet Report - Gambling Act Policies (Pages 91 - 124)

The above report is on the Cabinet Forward Decision List for 3 November 2015 and has been identified by the Chairman for consideration by the Panel.

The Panel are requested to consider the report and make any appropriate recommendations to Cabinet.

10. Cabinet Report - Licensing Act Policies (Pages 125 - 148)

The above report is on the Cabinet Forward Decision List for 3 November 2015 and has been identified by the Chairman for consideration by the Panel.

The Panel are requested to consider the report and make any appropriate recommendations to Cabinet.

11. Riverfront Delivery Plan (To Follow)

The Panel will receive an update on the Riverfront Delivery Plan.

12. Events

The Panel will receive an overview of Events held during 2015.

a) **Hanse Festival** (To Follow)

b) **General Events**

13. Exclusion of Press and Public

To consider passing the following resolution:

“That under Section 100(A)(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1, 2 or 3 of Part 1 of Schedule 12A to the Act”.

14. EXEMPT - Derelict Land and Buildings Group and Townscape Heritage Initiative Update

The Panel will receive an update on the work of the Derelict Land and Buildings Group and the Townscape Heritage Initiative.

RETURN TO OPEN SESSION

15. Work Programme and Forward Decisions List (Pages 149 - 153)

To consider the attached Work Programme for 2015/2016.

In considering the draft Work Programme Members' attention is drawn to the Cabinet Forward Decisions List.

16. Date of the next meeting

To note that the next Joint meeting of the Regeneration & Development and Environment & Community Panel is scheduled to take place on **25th November 2015 at 6.00pm** in the Committee Suite, King's Court, Chapel Street, King's Lynn.

To:

Joint Meeting of the Regeneration & Development and Environment & Community Panel: Councillors Miss L Bambridge, Mrs C Bower, Mrs J Collingham, Mrs S Collop, C Crofts, Mrs S Fraser, G Hipperson, M Hopkins, M Chenery of Horsbrugh, M Howland, P Kunes, Mrs K Mellish, P Rochford, C Sampson, M Shorting, T Smith, Mrs S Squire, J M Tilbury, A Tyler, Mrs E Watson, Mrs J Westrop, D Whitby, Mrs M Wilkinson and Mrs A Wright

Portfolio Holders:

Councillor A Beales, Deputy Leader and Portfolio Holder for Regeneration and Industrial Assets

Councillor R Blunt, Portfolio Holder for Development

Councillor N Daubney, Leader of the Council and Portfolio Holder for Resources
Councillor A Lawrence, Portfolio Holder for Community
Councillor Mrs E Nockolds, Portfolio Holder for Culture, Heritage and Health

Officers:

Chris Bamfield, Executive Director Commercial Services
Martin Chisholm, Business Manager, Leisure and Public Space
Laura Hampshire, Regeneration Project Officer
Ray Harding, Chief Executive
Vicki Hopps, Environmental Health Manager (Commercial)
Cara Jordan, Legal
Ostap Paparega, Regeneration and Economic Development Manager

Executive Directors

Press

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK
JOINT MEETING OF THE REGENERATION & DEVELOPMENT AND
ENVIRONMENT & COMMUNITY PANEL

Minutes from the Meeting of the Joint Meeting of the Regeneration & Development and Environment & Community Panel held on Wednesday, 30th September, 2015 at 6.00 pm in the Committee Suite, King's Court, Chapel Street, King's Lynn

PRESENT:

Councillors L Bambridge, A Bubb, Mrs S Collop, C Crofts, G Hipperson, M Chenery of Horsbrugh, P Kunes, Mrs K Mellish, P Rochford, C Sampson, T Smith, Mrs S Squire, J M Tilbury, A Tyler, Mrs E Watson, Mrs J Westrop, D Whitby, T Wing-Pentelow and Mrs A Wright

Portfolio Holders

Councillor R Blunt, Portfolio Holder for Development
 Councillor A Lawrence, Portfolio Holder for Community
 Councillor D Pope, Portfolio Holder for ICT, Leisure and Public Space

Officers:

Stuart Ashworth, Planning Control Manager
 Chris Bamfield, Executive Director Commercial Services
 Matthew Clarey, Enforcement Team Leader
 Sheila Farley
 Vicki Hopps, Environmental Health Manager (Commercial)

RD&EC54 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors A Beales, Mrs C Bower (Councillor T Wing-Pentelow substituting), Mrs J Collingham (Councillor T Bubb substituting), N Daubney, Mrs S Fraser, M Hopkins, M Howland and B Long.

RD&EC55 **MINUTES**

RESOLVED: The minutes from the meeting held on Wednesday 2 September 2015 were agreed as a correct record and signed by the Chairman.

RD&EC56 **DECLARATIONS OF INTEREST**

There was none.

RD&EC57 **URGENT BUSINESS**

There was none.

RD&EC58 **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

Councillor J Moriarty – RD&EC62 & RC&EC66.

RD&EC59 **CHAIRMAN'S CORRESPONDENCE**

There was none.

RD&EC60 **MATTERS REFERRED TO THE PANEL FROM OTHER COUNCIL BODIES AND RESPONSES MADE TO PREVIOUS PANEL RECOMMENDATIONS/REQUESTS**

The Panel noted the response made by Cabinet to the recommendations from the Joint Panel Meeting on 2nd September 2015 in respect of the following items:

- Nar Ouse Business Park Enterprise Zone
- South Wootton and Brancaster Neighbourhood Plans
- Site Allocations Plan – Proposed Modifications

RD&EC61 **HIGHWAYS WORKS**

This item was deferred.

RD&EC62 **OVERVIEW OF ENFORCEMENT**

The Chairman, Councillor Mrs Mellish, welcomed Councillor Blunt to the meeting as the new Portfolio Holder for Development.

The Planning Control Manager provided an overview of Planning Enforcement. He explained that the department investigated potential breaches of planning control and took the required action. The Planning Control Manager provided information on the main categories of potential breaches of planning control, which included material changes of use of land, operational development and breach of planning conditions.

The Panel was provided with information on the procedure following receipt of a complaint. The complaint would be registered and previous planning history would be researched. A site inspection would then take place within 5 days or within 24 hours if an irreplaceable asset was at risk, such as a Listed Building. Following the inspection investigations would take place and if required the Council could make a formal request for information by serving a Planning Contravention Notice or a requisition for information (s330) notice.

If the breach was considered to be harmful or contrary to the current policy and could not be modified, the Council could consider formal enforcement action and serve the relevant notice. If the land owner or occupier failed to comply with the formal notice the Council could take further action such as prosecution or direct action in default of the notice, which could include entering the land to rectify issues.

The Enforcement Team Leader provided the Panel with details of the Enforcement Team and the areas they covered. He provided information on the case load as at 1 September 2015 and explained that there were currently 325 live cases. 482 cases had been received and 421 cases closed since 1 January 2015. Those present were provided with details of some of the enforcement cases dealt with by the Council.

The Chairman thanked the Planning Control Manager and Enforcement Team Leader for their presentation and invited questions and comments from the Panels, as summarised below.

In response to a question from Councillor Crofts, the Enforcement Team Leader explained that a land charge would be placed on the land so that the Council could be reimbursed if any costs were associated with works where a notice had been defaulted on.

In response to a further question from Councillor Crofts, the Enforcement Team Leader confirmed that high hedge notices did not apply to fences. The Enforcement Team did deal with high hedges and a formula was used to determine if a high hedge was having a detrimental impact, which took into account the orientation of the sun and proximity to neighbours.

Councillor Kunes asked if a section 215 notice could be placed on Agricultural Land. The Enforcement Team Leader explained that a section 215 notice could be served if the condition of land was causing an adverse effect on the amenity of an area. It could be placed on any type of land, however it could not be served if the land was being used lawfully.

In response to a question from Councillor Mrs Bambridge, the Enforcement Team Leader provided detail of the process involved in dealing with high hedges. He explained that the complainant would firstly be advised to make a request to the land owner and try and negotiate informally. If attempts failed the Council could serve a notice on the land owner.

Councillor Moriarty addressed the Panel under Standing Order 34. He referred to retrospective applications. He commented that it had been stated at the Planning Committee that Government Guidance allowed historical breaches to be taken into account as a material consideration when determining planning applications. The Planning Control

Manager explained that this was a new piece of legislation and it would be up to the Planning Committee to determine how much weight they gave to this when determining planning applications.

Councillor Moriarty referred to the Enforcement Team's case load and asked if resources available were having an impact on the amount of cases closed. The Enforcement Team Leader informed those present that a new member of staff was starting in November and he explained that the cases closed did include historical cases. The Planning Control Manager felt that the team were able to manage the cases received, however if there was a huge influx of new cases they could review their processes.

Councillor Baron Chenery of Horsbrugh referred to a Compulsory Purchase Order in East Rudham. The Planning Control Manager explained that this was the first Compulsory Purchase Order they had progressed and was a learning experience. He explained that the Compulsory Purchase Order process was complex and could be challenged. The Secretary of State had to be notified and views sought from the relevant organisations such as English Heritage.

In response to a question from Councillor Bubb, the Planning Control Manager confirmed that the relevant Ward Member was made aware of any enforcement issues as appropriate.

Councillor Mrs Squire referred to Section 215 notices and asked if they went to prosecution could the Council recover costs and what happened if the land owner did not pay. The Enforcement Team Leader explained that court costs would be recovered by the courts. If the land owner defaulted on the notice and the Council had to do the works, it would be a cost to the Council and then placed as a land charge with the Land Registry. The Council could then enforce the sale so that they could recover costs if required.

In response to a question from the Chairman, the Planning Control Manager confirmed that the Council could prosecute if unauthorised works were carried out to a protected tree. The Council would have to take a view on the seriousness of the issue and replanting could be one of the options to remediate.

Councillor Mrs Bambridge referred to a property within her ward that was in a bad state of repair and asked when Compulsory Purchase Order powers could be invoked. The Planning Control Manager agreed to discuss the issue with Councillor Mrs Bambridge outside of the meeting. He reminded those present that the Council had a Derelict Land and Buildings Group.

RESOLVED: The overview was noted.

The Environmental Health Manager (Commercial) provided those present with an overview of the Food Safety Team and the work they carried out. She provided details of the Legal Regulations surrounding the Food Safety processes and statutory duties of the Council.

The Panel was provided with an overview of how Food Hygiene Inspections were carried out and the ratings achieved by premises for 2014/2015. She informed those present that 775 premises were currently rated as very good, one premises did have a zero rating, but issues had now been resolved and the premises was currently rated as generally satisfactory.

The Environmental Health Manager explained that each year the Food Standards Agency promoted a Food Safety week. This year was the Chicken Challenge and promoted steps to protect people and their families when preparing raw chicken.

The Food Safety Team had also been involved in the requirement for all food businesses to provide information about Allergenic Ingredients used in the food sold or provided by them. Training sessions had been made available for businesses and information packs had been created.

The Panel was informed that the Council had a statutory duty to conduct Shellfish Sampling. Classified areas had to be periodically monitored for microbiological quality. Shellfish flesh and water samples needed to be tested for the presence of certain toxins. The Environmental Health Manager confirmed that the Council had to meet the costs of shellfish sampling as it was a statutory duty. Discussions were ongoing to try and reduce the fee charged by external organisations when the only way to access areas was by boat.

The Chairman thanked the Environmental Health Manager for her report and invited questions and comments from the Panels, as summarised below.

In response to a question from Councillor Rochford, the Environmental Health Manager explained that the Council was required to submit ten shellfish samples per year, however they submitted twelve. This was in case one of the samples failed. The Panel was informed that if one of the samples failed the Council could lose its classification and the reclassification process would have to be started again.

Councillor Bubb referred to ship inspections and asked who met the cost of the inspections carried out by the Council. The Environmental Health Manager explained that the Council carried out inspections to all ships in the docks. The individual ships had to pay for the inspection and fees were set nationally.

In response to a question from the Vice Chairman, Councillor Mrs Wright, the Environmental Health Manager explained that high risk premises would receive the most frequent visits from the Food Safety Team. High risk premises could include those who had problems in the past, had complex structures of premises or methods of cooking.

In response to a further question from the Vice Chairman regarding Campylobacter, the Environmental Health Manager explained that the bacteria could not be controlled at source as it was intrinsic in the bird and the slaughter process. There was currently no vaccine which could be provided. The Environmental Health Manager explained that as long as raw meat was prepared and cooked correctly and those who had handled raw meat wash their hands, it should not be an issue.

Councillor Moriarty addressed the Panel under Standing Order 34. He referred to the Allergen information which had to be made available by all food businesses and asked how catering businesses advertised which allergens were present in their food. The Environmental Health Manager explained that she would advise them to have a list available of ingredients and products and place a notice near the food to inform customers that they should contact a member of the catering staff if they had any allergies.

Councillor Mrs Collop referred to the food ratings scheme and the Environmental Health Manager explained that food premises were rated from zero to five. The Food Safety Team had a separate ratings scheme which went from A to E which determined how often premises should be inspected. She referred to the premises which had been previously rated as zero and explained that regular checks were conducted at the premises.

In response to a question regarding the preparation of Game, the Environmental Health Manager explained that the same precautions should be taken when handling any form of raw meat, it should be cooked thoroughly and then you should wash your hands. She explained that raw meat should not be washed as it often spread bacteria.

In response to a question from Councillor Mrs Squire the Environmental Health Manager explained that Food Hygiene ratings were available to view via the Borough Council's website. There was also an app which could be downloaded.

In response to a further question from Councillor Mrs Squire, the Environmental Health Manager explained that the Council would be notified by Public Health England if a food poisoning incident was reported. The Council would then contact the individual to try and determine the cause. Action could then be taken as necessary and would be dependent on the seriousness of the case.

Councillor Hipperson asked if it was safe to eat rare steak and the Environmental Health Manager explained that if the cut of meat was seared on both sides to kill off pathogens and prepared hygienically it should be safe. Precaution should be taken in cases of eating rare minced products unless the meat had been seared first before being minced.

Councillor Smith asked what the process would be if a food premises was taken over by new management. The Environmental Health Manager explained that if it was a change of process, the business would have to re-register as a new business and would be unrated until an inspection took place.

Councillor A Tyler understood that there was a wide range of food premises, and asked if there was a trend to the type of business which was high risk or low rated. The Environmental Health Manager explained that multi-national businesses usually had quite a high hygiene standard. School and care home caterers also had specific hygiene standards that they had to meet so generally were awarded quite a high rating. Inexperienced smaller premises sometimes had problems achieving a decent rating and the Environmental Health Manager explained that officers were available to provide advice and information to new businesses to help them to achieve a good rating.

RESOLVED: The Food Safety update was noted.

RD&EC64 **OVERVIEW OF HANSEATIC ACTIVITIES**

This item of business was deferred until the next meeting.

RD&EC65 **CABINET REPORT - RESIDENTIAL CARAVAN SITE LICENSING**

The Housing Services Operations Manager presented the Cabinet report. She reminded those present that in June 2014 a report had been taken to Cabinet to approve the commencement of a public consultation exercise to the proposed revised residential caravan site licensing conditions.

The report now being considered presented the results of the consultation exercise, the proposed amended residential caravan site licence conditions and a proposed fees policy which would come into effect in April 2016.

The Chairman thanked the Housing Services Operations Manager for her report and invited questions and comments from the Panels, as summarised below.

In response to a question from the Vice Chairman, Councillor Mrs Wright, the Housing Services Operations Manager explained that the interpretation of a mobile home was a home that could be lifted by

sturdy means. The Residential Caravan Site Licences applied to permanent sites, however there were some exemptions such as Norfolk County Council sites and gypsy and traveller sites.

The Chairman, Councillor Mrs Mellish asked if any concerns had been raised through the consultation exercise with regard to the introduction of licence fees. The Housing Services Operations Manager explained that no major concerns had been raised through the consultation process and responses to the consultation were included within the Cabinet report.

In response to a question from Councillor Mrs Bambridge, it was confirmed that if a property was a permanent home it would be subject to Council tax.

Councillor Crofts asked if there was a difference between mobile homes and caravans and the Housing Services Operations Manager explained that for the purpose of the residential caravan site licensing scheme it was considered to be a mobile structure and included park homes.

Councillor Smith asked how the fees had been calculated and the Housing Services Operations Manager explained that Government Guidance had been looked at and comparisons made to what was charged by other Local Authorities. She explained that the fees charged needed to take into account the rurality of the borough and the cost involved in travelling to sites.

Councillor Hipperson referred to planning issues with a caravan park within his ward. The Housing Services Operations Manager explained that caravan parks had certain regulations that had to be adhered to including the distance between caravans etc. and this was a planning consideration.

Councillor Smith referred to page 50 of the agenda, the draft single new conditions which stated that the site owner shall establish whether the site is at risk from flooding by referring to the flood risk information pages on the Borough Council's website. He asked what would happen if people did not have access to the website and asked if there were other places that this information could be found. The Housing Services Operations Manager confirmed that there were other ways to access the information.

RESOLVED: That the Regeneration & Development and Environment & Community Panel support the recommendations to Cabinet as set out below:

1. Members note the report and endorse the approach to dealing with, and enforcement associated with residential caravan sites.
2. Members approve the amendments to the standard residential caravan site licence conditions.

3. Members approve the adoption of the proposed Fees Policy with annual fees commencing in April 2016.
4. It is proposed that the Chief Executive, in consultation with the Portfolio Holder with responsibility for housing be given delegated authority to make minor amendments to the standard conditions to ensure it complies with legislative requirements, Government Guidance and caselaw.

RD&EC66 **WORK PROGRAMME AND FORWARD DECISIONS LIST**

The Chairman invited Members of the Panel to contact her if they had any items which they would like to add to the work programme.

Councillor Moriarty addressed the Panel under Standing Order 34. He referred to the presentation provided to the Resources and Performance Panel the previous evening on Transforming Services. He explained that information had been provided on moving the Customer Information Centre to an appointments only system. He felt that the Environment and Community Panel should consider the impact that this would have on the Local Community.

The Chairman agreed to discuss this at the next Panel sifting meeting. The Panel was informed that a Cabinet report on Customer Services and Channel Shift was due to be considered by Cabinet on 3rd November 2015 and the Chairman of the Panels would discuss how the Panels could have an input into the process.

RESOLVED: (i) The work programme and forward decision list was noted.

(ii) Suggested agenda items to be considered by the Chairmen and added to the work programme as appropriate.

RD&EC67 **DATE OF THE NEXT MEETING**

The next meeting of the Regeneration & Development and Environment & Community Panel was scheduled to take place on Wednesday 28th October 2015 at 6.00pm in the Committee Suite, King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX.

The meeting closed at 7.40 pm

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide	NO	
	Discretionary /	Need to be recommendations to Council	YES	
	Operational	Is it a Key Decision	NO	
Lead Member: Cllr Adrian Lawrence E-mail: cllr.adrian.lawrence@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Vicki Hopps E-mail: Vicki.hopps@west-norfolk.gov.uk Direct Dial:01553 616307		Other Officers consulted: Management Team; Legal Services and Licensing Section		
Financial Implications YES	Policy/Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment YES	Risk Management Implications NO

Date of meeting: 3 November 2015

Review of Hackney Carriage & Private Hire Licensing Fees

Summary

The Deregulation Act 2015 introduces changes to hackney carriage and private hire legislation from 1st October 2015. In addition to this the whole of the fee structure has been reviewed on a cost recovery basis.

Recommendation

1. The Council approves the new fee structure for drivers of hackney carriages and private hire vehicles;
2. The Council approves the new fee structure for private hire operators.
3. The Council approves the new fee structure for vehicles and other sundry matters attached in the fee structure.

Reason for Decision

The Council has to set reasonable fees based on cost recovery for the service provided.

Background

The Deregulation Act 2015 introduces a few changes to hackney carriage and private hire legislation from the 1st October 2015.

These changes are:

- The duration of hackney carriage and private hire driver's licenses will be three years;
- The duration of private hire operator's licenses will be five years; and

- Private hire operators will be able to sub-contract bookings to a private hire operator licensed by another authority.

The introduction of the three year driver's and five year operator's licenses requires a fee to be set. The last review of the fees was in 2011 so it was considered appropriate to review all hackney carriage and private hire fees at the same time.

The proposed fees are set out overleaf.

The proposed fees look to recover the actual processing costs and costs to the Council for providing this service. In the past fees have not been calculated in this way and therefore has resulted in the service being subsidised by other service areas. The table below shows the shortfall between the current costs and the proposed costs.

Summary of the cost of providing the taxi licensing service October

Hackney Carriage & Private Hire Stats October 1st 2011 - 30th September 2015						
	2011- 2012	2012- 2013	2013- 2014	2014- 2015	Total	Cost to Service*
Drivers:						
New	12	42	30	45	129	£ 1,548.00
Renewal	294	261	266	221	1042	£ 13,025.00
PH Vehicles:						
New	25	42	50	55	172	£ 516.00
Renewal	120	114	120	97	451	£ 1,353.00
HC Vehicle						
New WAV	13	23	11	10	57	£ 598.50
New HC	5	8	11	12	36	£ 234
Renewal	77	77	83	66	303	£ 3,333.00
Operator						
New	8	6	11	14	39	£ 117.00
Renewal	48	44	43	35	170	£ 510.00
Special Event Vehicles						
New	3	9	4	0	16	£ 48.00
Renewal	8	1	8	7	24	£ 72.00
						£ 21,354.50

* The actual figures may have been different as the costs for the processing of the fees may have been different in each year.

Options Considered

None

Policy Implications

The legislation requires the fees to be agreed by full Council.

Financial Implications

Failure to set fees correctly could result in the Council not recovering the costs of the service provided.

Additionally if the fees are not agreed through the Council then the Council could be open to challenge on the fees charged.

Personnel Implications

None

Statutory Considerations**Equality Impact Assessment (EIA)**

(Pre screening report template attached)

Risk Management Implications**Declarations of Interest / Dispensations Granted**

None

Background Papers

(Definition : Unpublished work relied on to a material extent in preparing the report that disclose facts or matters on which the report or an important part of the report is based. A copy of all background papers must be supplied to Democratic Services with the report for publishing with the agenda)

Proposed Fees

Hackney Carriage & Private Hire Licence Costs				
	Current Fee	New 1 Year Fee	New 3 Year Fee	New 5 Year Fee
Combined Driver				
Grant	£ 62.00	£ 74.00	£ 125.00	
Renewal	£ 54.50	£ 67.00	£ 118.00	
Hackney Carriage Saloon				
Grant	£ 117.50	£ 124.00		
Renewal	£ 104.00	£ 120.00		
Hackney Carriage WAV				
Grant	£ 122.50	£ 133.00		
Renewal	£ 109.00	£ 115.00		
Private Hire Vehicle				
Grant	£ 115.00	£ 118.00		
Renewal	£ 101.00	£ 104.00		
Special Event Vehicle				
Grant	£ 120.00	£ 123.00		
Renewal	£ 101.00	£ 104.00		
PHO (1 Vehicle)				
Grant	£ 95.00	£ 97.00		£ 180.00
Renewal	£ 85.00	£ 87.00		£ 175.00
PHO (2-10 Vehicles)				
Grant	£ 120.00	£ 123.00		£ 265.00
Renewal	£ 110.00	£ 113.00		£ 260.00
PHO (11 - 20 Vehicles)				
Grant	£ 135.00	£ 138.00		£ 405.00
Renewal	£ 128.00	£ 131.00		£ 400.00
PHO (20+ Vehicles)				
Grant	£ 155.00	£ 159.00		£ 777.00
Renewal	£ 148.00	£ 152.00		£ 772.00
Misc				
Copy of Combined Driver Licence:				
Paper Part:	£ 2.50	£ 5.50		
Card Part:	£ 2.50	£ 5.50		
Copy of Vehicle Licence:				
Paper Part:	£ 2.50	£ 5.50		
Window Sticker:	£ 2.50	£ 5.00		
Copy of Private Hire Operator's Licence:				
Knowledge Test:	£ 20.00	£ 36.00		
Private Hire Door Sticker	£ 17.50	£ 19.00		
DBS	£ 49.00	£ 55.00		
Vehicle Transfer	£ 23.00	£ 27.50		
Licence Plate	£ 13.00	£ 15.00		
Change of Name/Address	£ 6.50	£ 10.50		

Renewal of a Hackney Carriage Saloon is £109.00 not £120.00 as stated in the table.

Pre-Screening Equality Impact Assessment



Name of policy/service/function	Licensing				
Is this a new or existing policy/ service/function?	Existing				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	The Deregulation Act 2015 introduces a few changes to hackney carriage and private hire legislation from the 1st October 2015. The introduction of the three year driver's and five year operator's licenses required a fee to be set. The last review of the fees was in 2011 so it was considered appropriate to review all hackney carriage and private hire fees at the same time..				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			x	
	Disability			x	
	Gender			x	
	Gender Re-assignment			x	
	Marriage/civil partnership			x	
	Pregnancy & maternity			x	
	Race			x	
	Religion or belief			x	
	Sexual orientation			x	
	Other (eg low income)			x	
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No	Applies equally to all taxis and private hire drivers and to private hire operators			
3. Could this policy/service be perceived as impacting on communities differently?	No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No				
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	No	Actions:			
		Actions agreed by EWG member:			
Assessment completed by: Name	Vicki Hopps				
Job title Environmental Health Manager	Date 14/09/2015				

Paul Shurgeon,
Rsp by letter
24/9/15



20/09/2015

PLATE LICENCE NO. 75 HV
DRIVERS LICENCE NO. CD 0304 .
EMAIL ADDRESS.....
PHONE NUMBER..... 07981962956 ,

Dear Mr Gilbraith

Objections to the Review of Hackney Carriage & Private Hire Licencing Fees as follows
General Points..

As you correctly state no review has been made to these fees since 2011, I object to a general increase across the board on every increase you propose on these grounds as follows.

1..GENERAL POINT.. Hackney Carriage metered fares have also had no increase since 2012 so for drivers and operators I think an increase is unfair as it will put extra financial burden on the already depressed financial situation we face in the trade in King's Lynn and west Norfolk as we are unable to pass this increase on as we are restricted to charging the prices set by yourselves at the BCKLWN, therefore I object to your proposals on these grounds.

2..GENERAL POINT..Having studied your proposals and worked out the increases as a percentage rate, these figures seem to have been just plucked out of thin air and there seems to be no rhyme or reason or general percentage rate consistency in the figures you propose to increase our fees by, therefore I object to your proposals on these grounds.

3..The percentage rate that you propose to increase the fees by as a whole ranges between 2.5% and a whopping unjustifed extortionate 120% (see attached working sheet) these sort of increases just cannot be justified especially as I mentioned above we have had no meter increase for three years and are unlikely to get anything near your lowest increase figure of 2.5% any time soon, so for you to propose such a high percentage increase as high as 120% is just totally unfounded extortionate and unacceptable, therefore I object to your proposals on these grounds,

4.. DRIVERS LICENCES.. having studied the local government (miscellaneous provisions) Act 1976 it quite clearly states that you should only charge a reasonable fee with a view to recovering costs of issue and administration therefore the issuing of a 3 year licence would cost you no more than that of issuing a 1 year licence so therefore a licence should be charged at the same price with no increase for a longer period, I also question as to why if this charge is as stated to cover the cost of issue and administration only, why is it as high as it is presently and if we are indeed being charged excessively for this at present and have been paying to much in the past, therefore I object to your proposals on these grounds.

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Hackney Carriage Saloon grant increase by 5.53%

Hackney Carriage WAV grant increase by 8.57%

Private Hire Vehicle grant increase by 2.61%

Hackney Carriage Saloon renewal increase by 15.38%

Hackney Carriage WAV renewal increase by 5.5%

Private Hire Vehicle renewal increase by 2.97%

Having studied the Local Government (miscellaneous provisions) Act 1976 it quite clearly states that the fees chargeable under this section in respect of a vehicle licence should not be more than £25 per Annum the same for each of the three categories, therefore I also question why we are being charged more than this at present and why have we been being over charged for these licences in the past, therefore I object to your proposals on these grounds.

6..MISC ITEM INCREASES.. I again fail to see how again an extortionate percentage increase of up to 120% can be proposed for basically supplying a copy of a lost or destroyed paperwork document as this is surly way below the costs that we are being charged at present as this is only an administration cost after all and therefore should have no increase at all, in fact I think it should be decreased rather than increased, therefore I object to your proposals on these grounds.

7..PLATES and DOOR STICKERS.. I would question the proposed increase on these items doubting that the cost to yourselves has been increased by 15.38% and 8.57% respectively therefore unless this is the case then you are seeking to increase these items to make a profit which I am sure is illegal and also question whether these items also are being charged to us at present for more than they cost you, therefore I object to your proposals on these grounds.



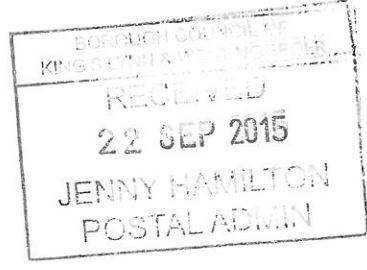
Hackney Carriage & Private Hire Licence Costs

	Current Fee	New 1 Year Fee	New 3 Year Fee	New 5 Year Fee	INCREASE 0/0
Combined Driver					
Grant					
Renewal	£ 62.00	£ 74.00	£ 125.00		19.35
Hackney Carriage Saloon	£ 54.50	£ 67.00	£ 118.00		22.94
Grant					
Renewal	£ 117.50	£ 124.00			5.53
Hackney Carriage WAV	£ 104.00	£ 120.00			15.38
Grant					
Renewal	£ 122.50	£ 133.00			8.57
Private Hire Vehicle	£ 109.00	£ 115.00			5.5
Grant					
Renewal	£ 115.00	£ 118.00			2.61
Special Event Vehicle	£ 101.00	£ 104.00			2.97
Grant					
Renewal	£ 120.00	£ 123.00			2.5
PHO (1 Vehicle)	£ 101.00	£ 104.00			2.97
Grant					
Renewal	£ 95.00	£ 97.00		£ 180.00	2.11
PHO (2-10 Vehicles)	£ 85.00	£ 87.00		£ 175.00	2.35
Grant					
Renewal	£ 120.00	£ 123.00		£ 265.00	2.5
PHO (11 - 20 Vehicles)	£ 110.00	£ 113.00		£ 260.00	2.72
Grant					
Renewal	£ 135.00	£ 138.00		£ 405.00	2.22
PHO (20+ Vehicles)	£ 128.00	£ 131.00		£ 400.00	2.34
Grant					
Renewal	£ 155.00	£ 159.00		£ 777.00	2.58
Misc	£ 148.00	£ 152.00		£ 772.00	2.7
Copy of Combined Driver Licence:					
Paper Part:	£ 2.50	£ 5.50			
Card Part:	£ 2.50	£ 5.50			
Copy of Vehicle Licence:					
Paper Part:	£ 2.50	£ 5.50			120.
Window Sticker:	£ 2.50	£ 5.00			120.
Copy of Private Hire Operator's Licence:	£ 2.50	£ 5.50			120.
Knowledge Test:	£ 20.00	£ 36.00			120.
Private Hire Door Sticker	£ 17.50	£ 19.00			90.00
DBS	£ 49.00	£ 55.00			8.57
Vehicle Transfer	£ 23.00	£ 27.50			12.24
Licence Plate	£ 13.00	£ 15.00			19.57
Change of Name/Address	£ 6.50	£ 10.50			15.38
					61.54

BOROUGH COUNCIL OF
KING'S LYNN & WEST NORFOLK
RECEIVED
22 SEP 2015
JENNY HAMILTON
POSTAL ADMIN

Sharon Hodgkinson

Resp by letter
24/9/15.



20/09/2015

PLATE LICENCE NO...39 HV
DRIVERS LICENCE NO....CD 0254
EMAIL ADDRESS.....
PHONE NUMBER...01553 772616

Dear Mr Gilbraith

Objections to the Review of Hackney Carriage & Private Hire Licencing Fees as follows
General Points..

As you correctly state no review has been made to these fees since 2011, I object to a general increase across the board on every increase you propose on these grounds as follows.

1..GENERAL POINT.. Hackney Carriage metered fares have also had no increase since 2012 so for drivers and operators I think an increase is unfair as it will put extra financial burden on the already depressed financial situation we face in the trade in King's Lynn and west Norfolk as we are unable to pass this increase on as we are restricted to charging the prices set by yourselves at the BCKLWN, therefore I object to your proposals on these grounds.

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4.. DRIVERS LICENCES.. having studied the local government (miscellaneous provisions) Act 1976 it quite clearly states that you should only charge a reasonable fee with a view to recovering costs of issue and administration therefore the issuing of a 3 year licence would cost you no more than that of issuing a 1 year licence so therefore a licence should be charged at the same price with no increase for a longer period, I also question as to why if this charge is as stated to cover the cost of issue and administration only, why is it as high as it is presently and if we are indeed being charged excessively for this at present and have been paying too much in the past, therefore I object to your proposals on these grounds.

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Hackney Carriage Saloon renewal increase by 15.38%

Hackney Carriage WAV renewal increase by 5.5%

Private Hire Vehicle renewal increase by 2.97%

Having studied the Local Government (miscellaneous provisions) Act 1976 it quite clearly states that the fees chargeable under this section in respect of a vehicle licence should not be more than £25 per Annum the same for each of the three categories, therefore I also question why we are being charged more than this at present and why have we been being over charged for these licences in the past, therefore I object to your proposals on these grounds.

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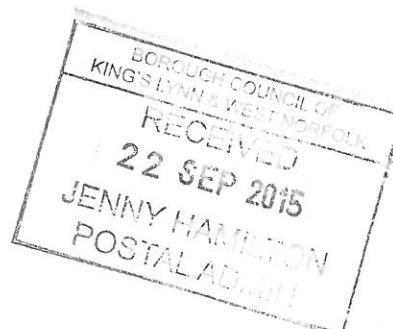
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3/10/15
Sh...



Hackney Carriage & Private Hire Licence Costs

	Current Fee	New 1 Year Fee	New 3 Year Fee	New 5 Year Fee	INCREASE c/o
Combined Driver					
Grant	£ 62.00	£ 74.00	£ 125.00		19.35
Renewal	£ 54.50	£ 67.00	£ 118.00		22.94
Hackney Carriage Saloon					
Grant	£ 117.50	£ 124.00			5.53
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Hackney Carriage WAV					
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Grant	£ 115.00	£ 118.00			2.61
Renewal	£ 101.00	£ 104.00			2.97
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Grant	£ 120.00	£ 123.00			2.5
Renewal	£ 101.00	£ 104.00			2.97
PHO (1 Vehicle)					
Grant	£ 95.00	£ 97.00		£ 180.00	2.11
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Misc					
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Card Part:	£ 2.50	£ 5.50			120.
Copy of Vehicle Licence:					
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Window Sticker:	£ 2.50	£ 5.00			120.
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Knowledge Test:	£ 20.00	£ 36.00			80.00
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DBS	£ 49.00	£ 55.00			12.24
Vehicle Transfer	£ 23.00	£ 27.50			19.57
Licence Plate	£ 13.00	£ 15.00			15.38
Change of Name/Address	£ 6.50	£ 10.50			61.54



Alan Copenman

Rsp by letter

24/9/15



20/09/2015

PLATE LICENCE NO. 49.HV
DRIVERS LICENCE NO. CD 0256
EMAIL ADDRESS.....
PHONE NUMBER. 01553 772616

Dear Mr Gilbraith

Objections to the Review of Hackney Carriage & Private Hire Licencing Fees as follows
General Points..

As you correctly state no review has been made to these fees since 2011, I object to a general increase across the board on every increase you propose on these grounds as follows.

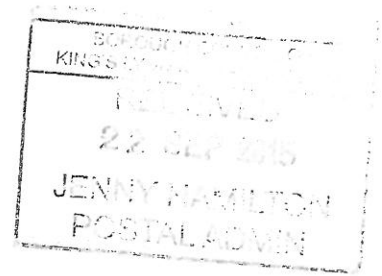
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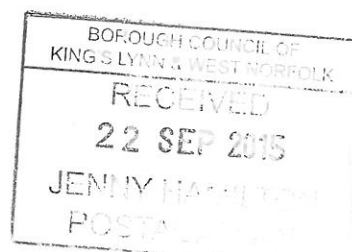
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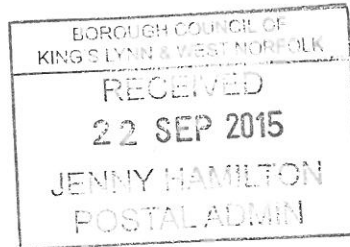
Hackney Carriage & Private Hire Licence Costs

	Current Fee	New 1 Year Fee	New 3 Year Fee	New 5 Year Fee	INCREASE c/o
Combined Driver					
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Misc					
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DBS	£ 49.00	£ 55.00			12.24
Vehicle Transfer	£ 23.00	£ 27.50			19.57
Licence Plate	£ 13.00	£ 15.00			15.38
Change of Name/Address	£ 6.50	£ 10.50			61.54



Shaun Burrell

Resp by
letter 24/9/15.



20/09/2015

PLATE LICENCE NO.....HV 0054
DRIVERS LICENCE NO....CD 0258
EMAIL ADDRESS.....
PHONE NUMBER..... 01788715173

Dear Mr Gilbraith

Objections to the Review of Hackney Carriage & Private Hire Licencing Fees as follows
General Points..

As you correctly state no review has been made to these fees since 2011, I object to a general increase across the board on every increase you propose on these grounds as follows.

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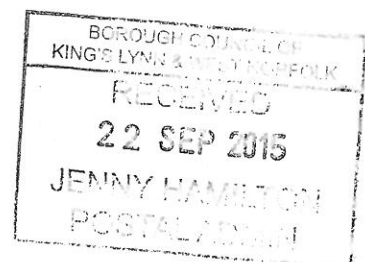
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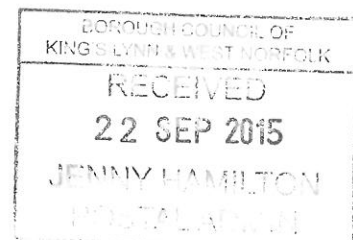
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S. BURRELL

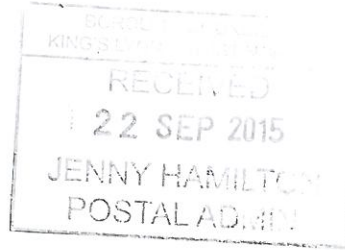


Hackney Carriage & Private Hire Licence Costs

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Grant	£ 122.50	£ 133.00			8.57
Renewal	£ 109.00	£ 115.00			5.5
Private Hire Vehicle					
Grant	£ 115.00	£ 118.00			2.61
Renewal	£ 101.00	£ 104.00			2.97
Special Event Vehicle					
Grant	£ 120.00	£ 123.00			2.5
Renewal	£ 101.00	£ 104.00			2.97
PHO (1 Vehicle)					
Grant	£ 95.00	£ 97.00		£ 180.00	2.11
Renewal	£ 85.00	£ 87.00		£ 175.00	2.35
PHO (2-10 Vehicles)					
Grant	£ 120.00	£ 123.00		£ 265.00	2.5
Renewal	£ 110.00	£ 113.00		£ 260.00	2.72
PHO (11 - 20 Vehicles)					
Grant	£ 135.00	£ 138.00		£ 405.00	2.22
Renewal	£ 128.00	£ 131.00		£ 400.00	2.34
PHO (20+ Vehicles)					
Grant	£ 155.00	£ 159.00		£ 777.00	2.58
Renewal	£ 148.00	£ 152.00		£ 772.00	2.7
Misc					
Copy of Combined Driver Licence:					
Paper Part:	£ 2.50	£ 5.50			120.
Card Part:	£ 2.50	£ 5.50			120.
Copy of Vehicle Licence:					
Paper Part:	£ 2.50	£ 5.50			120.
Window Sticker:	£ 2.50	£ 5.00			120.
Copy of Private Hire Operator's Licence:	£ 2.50	£ 5.50			120.
Knowledge Test:	£ 20.00	£ 36.00			80.00
Private Hire Door Sticker	£ 17.50	£ 19.00			8.57
DBS	£ 49.00	£ 55.00			12.24
Vehicle Transfer	£ 23.00	£ 27.50			19.57
Licence Plate	£ 13.00	£ 15.00			15.38
Change of Name/Address	£ 6.50	£ 10.50			61.54



Ian Calton
resp by letter
24/9/15.



20/09/2015

PLATE LICENCE NO.....HV 22
DRIVERS LICENCE NO....CD 0259
EMAIL ADDRESS.....
PHONE NUMBER...07771690016

Dear Mr Gilbraith

Objections to the Review of Hackney Carriage & Private Hire Licencing Fees as follows
General Points..

As you correctly state no review has been made to these fees since 2011, I object to a general increase across the board on every increase you propose on these grounds as follows.

1..GENERAL POINT.. Hackney Carriage metered fares have also had no increase since 2012 so for drivers and operators I think an increase is unfair as it will put extra financial burden on the already depressed financial situation we face in the trade in King's Lynn and west Norfolk as we are unable to pass this increase on as we are restricted to charging the prices set by yourselves at the BCKLWN, therefore I object to your proposals on these grounds.

2..GENERAL POINT..Having studied your proposals and worked out the increases as a percentage rate, these figures seem to have been just plucked out of thin air and there seems to be no rhyme or reason or general percentage rate consistency in the figures you propose to increase our fees by, therefore I object to your proposals on these grounds.

3..The percentage rate that you propose to increase the fees by as a whole ranges between 2.5% and a whopping unjustified extortionate 120% (see attached working sheet) these sort of increases just cannot be justified especially as I mentioned above we have had no meter increase for three years and are unlikely to get anything near your lowest increase figure of 2.5% any time soon, so for you to propose such a high percentage increase as high as 120% is just totally unfounded extortionate and unacceptable, therefore I object to your proposals on these grounds,

4.. DRIVERS LICENCES.. having studied the local government (miscellaneous provisions) Act 1976 it quite clearly states that you should only charge a reasonable fee with a view to recovering costs of issue and administration therefore the issuing of a 3 year licence would cost you no more than that of issuing a 1 year licence so therefore a licence should be charged at the same price with no increase for a longer period, I also question as to why if this charge is as stated to cover the cost of issue and administration only, why is it as high as it is presently and if we are indeed being charged excessively for this at present and have been paying to much in the past, therefore I object to your proposals on these grounds.

5..VEHICLE LICENCES..Differences between the cost of the three Vehicle categories for issue of a Vehicle licence, Hackney Carriage Saloon, Hackney Carriage WAV and Private Hire Vehicle, surly these 3 category's cost you no more to issue and administer therefore should all be charged out at the same cost, as for the proposed increase I find it hard to see how it can be justified to increase one category by an extortionate 15.38% and another by only 2.97% as per your increase proposals as

follows

Hackney Carriage Saloon grant increase by 5.53%

Hackney Carriage WAV grant increase by 8.57%

Private Hire Vehicle grant increase by 2.61%

Hackney Carriage Saloon renewal increase by 15.38%

Hackney Carriage WAV renewal increase by 5.5%

Private Hire Vehicle renewal increase by 2.97%

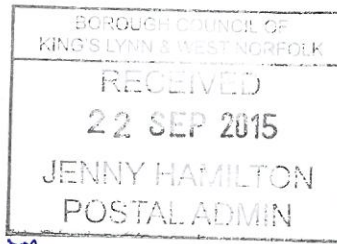
Having studied the Local Government (miscellaneous provisions) Act 1976 it quite clearly states that the fees chargeable under this section in respect of a vehicle licence should not be more than £25 per Annum the same for each of the three categories, therefore I also question why we are being charged more than this at present and why have we been being over charged for these licences in the past, therefore I object to your proposals on these grounds.

6..MISC ITEM INCREASES.. I again fail to see how again an extortionate percentage increase of up to 120% can be proposed for basically supplying a copy of a lost or destroyed paperwork document as this is surly way below the costs that we are being charged at present as this is only an administration cost after all and therefore should have no increase at all, in fact I think it should be decreased rather than increased, therefore I object to your proposals on these grounds.

7..PLATES and DOOR STICKERS.. I would question the proposed increase on these items doubting that the cost to yourselves has been increased by 15.38% and 8.57% respectively therefore unless this is the case then you are seeking to increase these items to make a profit which I am sure is illegal and also question whether these items also are being charged to us at present for more than they cost you, therefore I object to your proposals on these grounds.



Denas Bialovas



20/09/2015

PLATE LICENCE NO. 19...HV
DRIVERS LICENCE NO. CD 0121
EMAIL ADDRESS denasb@gmail.com
PHONE NUMBER 07718607364

Dear Mr Gilbraith

Objections to the Review of Hackney Carriage & Private Hire Licencing Fees as follows
General Points..

As you correctly state no review has been made to these fees since 2011, I object to a general increase across the board on every increase you propose on these grounds as follows.

1..GENERAL POINT.. Hackney Carriage metered fares have also had no increase since 2012 so for drivers and operators I think an increase is unfair as it will put extra financial burden on the already depressed financial situation we face in the trade in King's Lynn and west Norfolk as we are unable to pass this increase on as we are restricted to charging the prices set by yourselves at the BCKLWN, therefore I object to your proposals on these grounds.

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4.. DRIVERS LICENCES.. having studied the local government (miscellaneous provisions) Act 1976 it quite clearly states that you should only charge a reasonable fee with a view to recovering costs of issue and administration therefore the issuing of a 3 year licence would cost you no more than that of issuing a 1 year licence so therefore a licence should be charged at the same price with no increase for a longer period, I also question as to why if this charge is as stated to cover the cost of issue and administration only, why is it as high as it is presently and if we are indeed being charged excessively for this at present and have been paying to much in the past, therefore I object to your proposals on these grounds.

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Hackney Carriage Saloon renewal increase by 15.38%

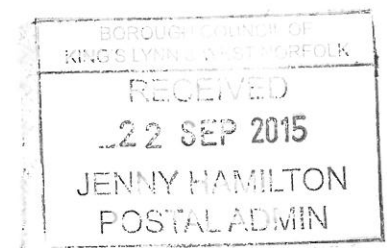
Hackney Carriage WAV renewal increase by 5.5%

Private Hire Vehicle renewal increase by 2.97%

Having studied the Local Government (miscellaneous provisions) Act 1976 it quite clearly states that the fees chargeable under this section in respect of a vehicle licence should not be more than £25 per Annum the same for each of the three categories, therefore I also question why we are being charged more than this at present and why have we been being over charged for these licences in the past, therefore I object to your proposals on these grounds.

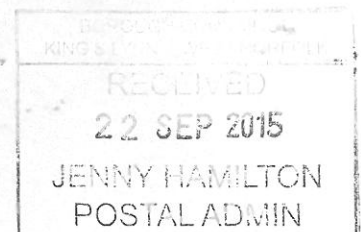
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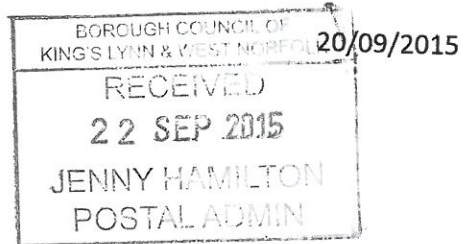
Hackney Carriage & Private Hire Licence Costs

	Current Fee	New 1 Year Fee	New 3 Year Fee	New 5 Year Fee	INCREASE %
Combined Driver					
Grant					
Renewal	£ 62.00	£ 74.00	£ 125.00		19.35
Hackney Carriage Saloon	£ 54.50	£ 67.00	£ 118.00		22.94
Grant					
Renewal	£ 117.50	£ 124.00			5.53
Hackney Carriage WAV	£ 104.00	£ 120.00			15.38
Grant					
Renewal	£ 122.50	£ 133.00			8.57
Private Hire Vehicle	£ 109.00	£ 115.00			5.5
Grant					
Renewal	£ 115.00	£ 118.00			2.61
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PHO (1 Vehicle)	£ 101.00	£ 104.00			2.97
Grant					
Renewal	£ 95.00	£ 97.00		£ 180.00	2.11
PHO (2-10 Vehicles)	£ 85.00	£ 87.00		£ 175.00	2.35
Grant					
Renewal	£ 120.00	£ 123.00		£ 265.00	2.5
PHO (11 - 20 Vehicles)	£ 110.00	£ 113.00		£ 260.00	2.72
Grant					
Renewal	£ 135.00	£ 138.00		£ 405.00	2.22
PHO (20+ Vehicles)	£ 128.00	£ 131.00		£ 400.00	2.34
Grant					
Renewal	£ 155.00	£ 159.00		£ 777.00	2.58
Misc	£ 146.00	£ 152.00		£ 772.00	2.7
Copy of Combined Driver Licence:					
Paper Part:	£ 2.50	£ 5.50			120.
Card Part:	£ 2.50	£ 5.50			120.
Copy of Vehicle Licence:					
Paper Part:	£ 2.50	£ 5.50			120.
Window Sticker:	£ 2.50	£ 5.00			120.
Copy of Private Hire Operator's Licence:	£ 2.50	£ 5.50			120.
Knowledge Test:	£ 20.00	£ 36.00			120.
Private Hire Door Sticker	£ 17.50	£ 19.00			8.57
DBS	£ 49.00	£ 55.00			12.24
Vehicle Transfer	£ 23.00	£ 27.50			19.57
Licence Plate	£ 13.00	£ 15.00			15.38
Change of Name/Address	£ 6.50	£ 10.50			61.54



Jeremy Lomas

PLATE LICENCE NO.....HV 73
DRIVERS LICENCE NO....CD 355
EMAIL ADDRESS..... jez147@yahoo.co.uk
PHONE NUMBER..... 07944944941



Dear Mr Gilbraith

Objections to the Review of Hackney Carriage & Private Hire Licencing Fees as follows
General Points..

As you correctly state no review has been made to these fees since 2011, I object to a general increase across the board on every increase you propose on these grounds as follows.

1..GENERAL POINT.. Hackney Carriage metered fares have also had no increase since 2012 so for drivers and operators I think an increase is unfair as it will put extra financial burden on the already depressed financial situation we face in the trade in King's Lynn and west Norfolk as we are unable to pass this increase on as we are restricted to charging the prices set by yourselves at the BCKLWN, therefore I object to your proposals on these grounds.

2..GENERAL POINT..Having studied your proposals and worked out the increases as a percentage rate, these figures seem to have been just plucked out of thin air and there seems to be no rhyme or reason or general percentage rate consistency in the figures you propose to increase our fees by, therefore I object to your proposals on these grounds.

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follows

Hackney Carriage Saloon grant increase by 5.53%

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Hackney Carriage Saloon renewal increase by 15.38%

Hackney Carriage WAV renewal increase by 5.5%

Private Hire Vehicle renewal increase by 2.97%

Having studied the Local Government (miscellaneous provisions) Act 1976 it quite clearly states that the fees chargeable under this section in respect of a vehicle licence should not be more than £25 per Annum the same for each of the three categories, therefore I also question why we are being charged more than this at present and why have we been being over charged for these licences in the past, therefore I object to your proposals on these grounds.

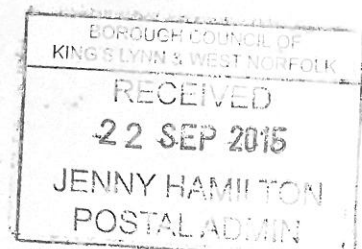
6..MISC ITEM INCREASES.. I again fail to see how again an extortionate percentage increase of up to 120% can be proposed for basically supplying a copy of a lost or destroyed paperwork document as this is surly way below the costs that we are being charged at present as this is only an administration cost after all and therefore should have no increase at all, in fact I think it should be decreased rather than increased, therefore I object to your proposals on these grounds.

7..PLATES and DOOR STICKERS.. I would question the proposed increase on these items doubting that the cost to yourselves has been increased by 15.38% and 8.57% respectively therefore unless this is the case then you are seeking to increase these items to make a profit which I am sure is illegal and also question whether these items also are being charged to us at present for more than they cost you, therefore I object to your proposals on these grounds.



Hackney Carriage & Private Hire Licence Costs

	Current Fee	New 1 Year Fee	New 3 Year Fee	New 5 Year Fee	INCREASE 0/0
Combined Driver					
Grant					
Renewal	£ 62.00	£ 74.00	£ 125.00		19.35
Hackney Carriage Saloon	£ 54.50	£ 67.00	£ 118.00		22.94
Grant					
Renewal	£ 117.50	£ 124.00			5.53
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Licence Plate	£ 13.00	£ 15.00			19.57
Change of Name/Address	£ 6.50	£ 10.50			15.38
					61.54



Robertas Vadapalas

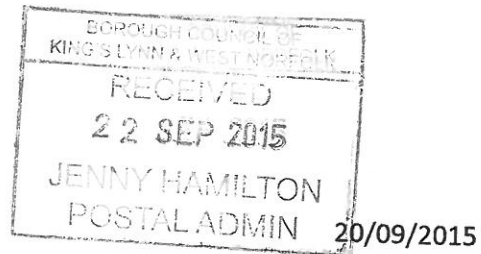


PLATE LICENCE NO...~~37~~..HV
DRIVERS LICENCE NO....CD0028
EMAIL ADDRESS...~~R.O.O.~~ VADAPALAS@gmail.com
PHONE NUMBER...~~04954203498~~

Dear Mr Gilbraith

Objections to the Review of Hackney Carriage & Private Hire Licencing Fees as follows
General Points..

As you correctly state no review has been made to these fees since 2011, I object to a general increase across the board on every increase you propose on these grounds as follows.

1..GENERAL POINT.. Hackney Carriage metered fares have also had no increase since 2012 so for drivers and operators I think an increase is unfair as it will put extra financial burden on the already depressed financial situation we face in the trade in King's Lynn and west Norfolk as we are unable to pass this increase on as we are restricted to charging the prices set by yourselves at the BCKLWN, therefore I object to your proposals on these grounds.

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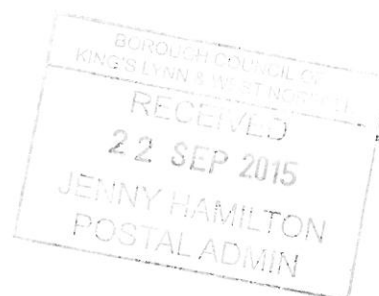
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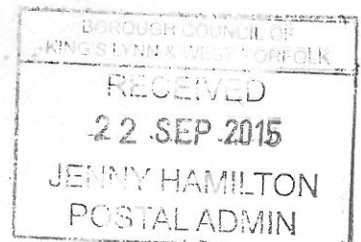
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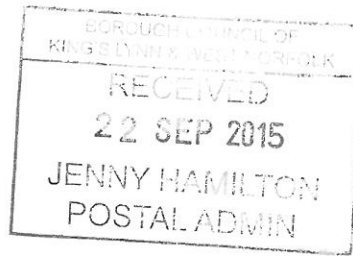
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Hackney Carriage & Private Hire Licence Costs

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Licence Plate	£ 13.00	£ 15.00			19.57
Change of Name/Address	£ 6.50	£ 10.50			15.38
					61.54





20/09/2015

PLATE LICENCE NO.....98
DRIVERS LICENCE NO....CD0147
EMAIL ADDRESS.....dennis.oglesby@Sky.com
PHONE NUMBER.....07717847060

Dear Mr Gilbraith

Objections to the Review of Hackney Carriage & Private Hire Licencing Fees as follows
General Points..

As you correctly state no review has been made to these fees since 2011, I object to a general increase across the board on every increase you propose on these grounds as follows.

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2..GENERAL POINT..Having studied your proposals and worked out the increases as a percentage rate, these figures seem to have been just plucked out of thin air and there seems to be no rhyme or reason or general percentage rate consistency in the figures you propose to increase our fees by, therefore I object to your proposals on these grounds.

3..The percentage rate that you propose to increase the fees by as a whole ranges between 2.5% and a whopping unjustified extortionate 120% (see attached working sheet) these sort of increases just cannot be justified especially as I mentioned above we have had no meter increase for three years and are unlikely to get anything near your lowest increase figure of 2.5% any time soon, so for you to propose such a high percentage increase as high as 120% is just totally unfounded extortionate and unacceptable, therefore I object to your proposals on these grounds,

4.. DRIVERS LICENCES.. having studied the local government (miscellaneous provisions) Act 1976 it quite clearly states that you should only charge a reasonable fee with a view to recovering costs of issue and administration therefore the issuing of a 3 year licence would cost you no more than that of issuing a 1 year licence so therefore a licence should be charged at the same price with no increase for a longer period, I also question as to why if this charge is as stated to cover the cost of issue and administration only, why is it as high as it is presently and if we are indeed being charged excessively for this at present and have been paying too much in the past, therefore I object to your proposals on these grounds.

5..VEHICLE LICENCES..Differences between the cost of the three Vehicle categories for issue of a Vehicle licence, Hackney Carriage Saloon, Hackney Carriage WAV and Private Hire Vehicle, surely these 3 category's cost you no more to issue and administer therefore should all be charged out at the same cost, as for the proposed increase I find it hard to see how it can be justified to increase one category by an extortionate 15.38% and another by only 2.97% as per your increase proposals as

follows

Hackney Carriage Saloon grant increase by 5.53%

Hackney Carriage WAV grant increase by 8.57%

Private Hire Vehicle grant increase by 2.61%

Hackney Carriage Saloon renewal increase by 15.38%

Hackney Carriage WAV renewal increase by 5.5%

Private Hire Vehicle renewal increase by 2.97%

Having studied the Local Government (miscellaneous provisions) Act 1976 it quite clearly states that the fees chargeable under this section in respect of a vehicle licence should not be more than £25 per Annum the same for each of the three categories, therefore I also question why we are being charged more than this at present and why have we been being over charged for these licences in the past, therefore I object to your proposals on these grounds.

6..MISC ITEM INCREASES.. I again fail to see how again an extortionate percentage increase of up to 120% can be proposed for basically supplying a copy of a lost or destroyed paperwork document as this is surly way below the costs that we are being charged at present as this is only an administration cost after all and therefore should have no increase at all, in fact I think it should be decreased rather than increased, therefore I object to your proposals on these grounds.

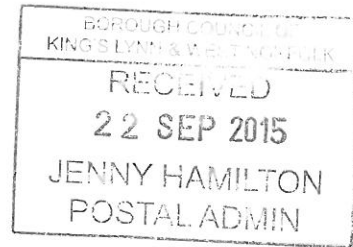
7..PLATES and DOOR STICKERS.. I would question the proposed increase on these items doubting that the cost to yourselves has been increased by 15.38% and 8.57% respectively therefore unless this is the case then you are seeking to increase these items to make a profit which I am sure is illegal and also question whether these items also are being charged to us at present for more than they cost you, therefore I object to your proposals on these grounds.

for Mrs N Oglesby



Hackney Carriage & Private Hire Licence Costs

	Current Fee	New 1 Year Fee	New 3 Year Fee	New 5 Year Fee	INCREASE %/0
Combined Driver					0/0
Grant	£ 62.00	£ 74.00	£ 125.00		19.35
Renewal	£ 54.50	£ 67.00	£ 118.00		22.94
Hackney Carriage Saloon					
Grant	£ 117.50	£ 124.00			5.53
Renewal	£ 104.00	£ 120.00			15.38
Hackney Carriage WAV					
Grant	£ 122.50	£ 133.00			8.57
Renewal	£ 109.00	£ 115.00			5.5
Private Hire Vehicle					
Grant	£ 115.00	£ 118.00			2.61
Renewal	£ 101.00	£ 104.00			2.97
Special Event Vehicle					
Grant	£ 120.00	£ 123.00			2.5
Renewal	£ 101.00	£ 104.00			2.97
PHO (1 Vehicle)					
Grant	£ 95.00	£ 97.00		£ 180.00	2.11
Renewal	£ 85.00	£ 87.00		£ 175.00	2.35
PHO (2-10 Vehicles)					
Grant	£ 120.00	£ 123.00		£ 265.00	2.5
Renewal	£ 110.00	£ 113.00		£ 260.00	2.72
PHO (11 - 20 Vehicles)					
Grant	£ 135.00	£ 138.00		£ 405.00	2.22
Renewal	£ 128.00	£ 131.00		£ 400.00	2.34
PHO (20+ Vehicles)					
Grant	£ 155.00	£ 159.00		£ 777.00	2.58
Renewal	£ 148.00	£ 152.00		£ 772.00	2.7
Misc					
Copy of Combined Driver Licence:					
Paper Part:	£ 2.50	£ 5.50			120.
Card Part:	£ 2.50	£ 5.50			120.
Copy of Vehicle Licence					
Paper Part:	£ 2.50	£ 5.50			120.
Window Sticker:	£ 2.50	£ 5.00			120.
Copy of Private Hire Operator's Licence:	£ 2.50	£ 5.50			120.
Knowledge Test:	£ 20.00	£ 36.00			80.00
Private Hire Door Sticker	£ 17.50	£ 19.00			8.57
DBS	£ 49.00	£ 55.00			12.24
Vehicle Transfer	£ 23.00	£ 27.50			19.57
Licence Plate	£ 13.00	£ 15.00			15.38
Change of Name/Address	£ 6.50	£ 10.50			61.54



20/09/2015

Mr D Oglesby

PLATE LICENCE NO.....45
DRIVERS LICENCE NO....CD098
EMAIL ADDRESS.....dennis.oglesby@Sky.com
PHONE NUMBER.....07717847060

Dear Mr Gilbraith

Objections to the Review of Hackney Carriage & Private Hire Licencing Fees as follows
General Points..

As you correctly state no review has been made to these fees since 2011, I object to a general increase across the board on every increase you propose on these grounds as follows.

1..GENERAL POINT.. Hackney Carriage metered fares have also had no increase since 2012 so for drivers and operators I think an increase is unfair as it will put extra financial burden on the already depressed financial situation we face in the trade in King's Lynn and west Norfolk as we are unable to pass this increase on as we are restricted to charging the prices set by yourselves at the BCKLWN, therefore I object to your proposals on these grounds.

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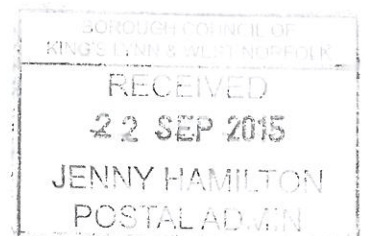
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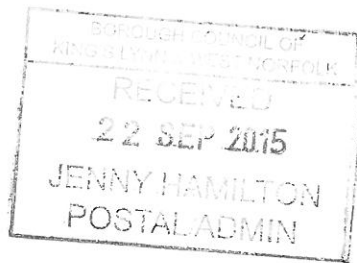
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Licence Plate:	£ 13.00	£ 15.00			15.38
Change of Name/Address:	£ 6.50	£ 10.50			61.54





20/09/2015

PLATE LICENCE NO.....69
DRIVERS LICENCE NO....CD0144
EMAIL ADDRESS.....derrickholmes212@btinternet.com
PHONE NUMBER.....01553 400911 / 07810488098

Mr D Holmes

Dear Mr Gilbraith

Objections to the Review of Hackney Carriage & Private Hire Licencing Fees as follows
General Points..

As you correctly state no review has been made to these fees since 2011, I object to a general increase across the board on every increase you propose on these grounds as follows.

1..GENERAL POINT.. Hackney Carriage metered fares have also had no increase since 2012 so for drivers and operators I think an increase is unfair as it will put extra financial burden on the already depressed financial situation we face in the trade in King's Lynn and west Norfolk as we are unable to pass this increase on as we are restricted to charging the prices set by yourselves at the BCKLWN, therefore I object to your proposals on these grounds.

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Mark Anthony Hanks

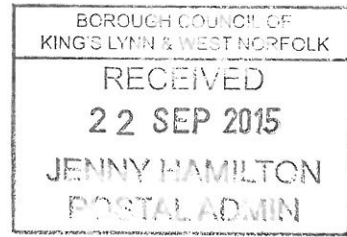


PLATE LICENCE NO...29.HV
DRIVERS LICENCE NO....CD 0324
EMAIL ADDRESS..... MAHANKS75@AOL.COM
PHONE NUMBER..... 07784385845

20/09/2015

Dear Mr Gilbraith

Objections to the Review of Hackney Carriage & Private Hire Licencing Fees as follows
General Points..

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- Hackney Carriage WAV grant increase by 8.57%
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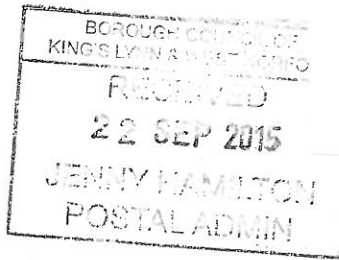
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Hackney Carriage & Private Hire Licence Costs

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Combined Driver					
Grant					
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Hackney Carriage Saloon					
Grant					
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Change of Name/Address	£ 6.50	£ 10.50			15.38
					61.54

BOROUGH COUNCIL OF
KING'S LYNN & WEST NORFOLK
✓RECEIVED
22 SEP 2018
JENNY HAMILTON
POSTAL ADMIN



20/09/2015

PLATE LICENCE NO.....¹⁵HV
DRIVERS LICENCE NO....CD 02 68
EMAIL ADDRESS.....KRISTAPS 2611@GMAIL.COM
PHONE NUMBER.....07814919590

Dear Mr Gilbraith

Objections to the Review of Hackney Carriage & Private Hire Licencing Fees as follows
General Points..

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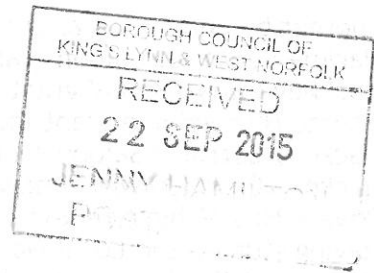
KRISTA



Hackney Carriage & Private Hire Licence Costs

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Renewal	£ 104.00	£ 120.00			15.38
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Grant	£ 122.50	£ 133.00			8.57
Renewal	£ 109.00	£ 115.00			5.5
Private Hire Vehicle					
Grant	£ 115.00	£ 118.00			2.61
Renewal	£ 101.00	£ 104.00			2.97
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PHO (1 Vehicle)					
Grant	£ 95.00	£ 97.00		£ 180.00	2.11
Renewal	£ 85.00	£ 87.00		£ 175.00	2.35
PHO (2-10 Vehicles)					
Grant	£ 120.00	£ 123.00		£ 265.00	2.5
Renewal	£ 110.00	£ 113.00		£ 260.00	2.72
PHO (11 - 20 Vehicles)					
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Misc					
Copy of Combined Driver Licence:					
Paper Part:	£ 2.50	£ 5.50			120.
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Paper Part:	£ 2.50	£ 5.50			120.
Window Sticker:	£ 2.50	£ 5.00			120.
Copy of Private Hire Operator's Licence:	£ 2.50	£ 5.50			120.
Knowledge Test:	£ 20.00	£ 36.00			80.00
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OBS	£ 49.00	£ 53.00			12.24
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BROUGH COUNCIL OF
SISLYNN & WEST NORFOLK
RECEIVED
22 SEP 2015
JENNY HAMILTON
POSTAL ADMIN



20/09/2015
PLATE LICENCE NO.....HV
DRIVERS LICENCE NO....CD0065
EMAIL ADDRESS..... daniel_west6@hotmail.co.uk
PHONE NUMBER..... 07525119692

Dear Mr Gilbraith

Objections to the Review of Hackney Carriage & Private Hire Licencing Fees as follows
General Points..

As you correctly state no review has been made to these fees since 2011, I object to a general increase across the board on every increase you propose on these grounds as follows.

1..GENERAL POINT.. Hackney Carriage metered fares have also had no increase since 2012 so for drivers and operators I think an increase is unfair as it will put extra financial burden on the already depressed financial situation we face in the trade in King's Lynn and west Norfolk as we are unable to pass this increase on as we are restricted to charging the prices set by yourselves at the BCKLWN, therefore I object to your proposals on these grounds.

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3..The percentage rate that you propose to increase the fees by as a whole ranges between 2.5% and a whopping unjustified extortionate 120% (see attached working sheet) these sort of increases just cannot be justified especially as I mentioned above we have had no meter increase for three years and are unlikely to get anything near your lowest increase figure of 2.5% any time soon, so for you to propose such a high percentage increase as high as 120% is just totally unfounded extortionate and unacceptable, therefore I object to your proposals on these grounds,

4.. DRIVERS LICENCES.. having studied the local government (miscellaneous provisions) Act 1976 it quite clearly states that you should only charge a reasonable fee with a view to recovering costs of issue and administration therefore the issuing of a 3 year licence would cost you no more than that of issuing a 1 year licence so therefore a licence should be charged at the same price with no increase for a longer period, I also question as to why if this charge is as stated to cover the cost of issue and administration only, why is it as high as it is presently and if we are indeed being charged excessively for this at present and have been paying too much in the past, therefore I object to your proposals on these grounds.

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another by only 2.97% as per your increase proposals as follows

Hackney Carriage Saloon grant increase by 5.53%

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Private Hire Vehicle grant increase by 2.61%

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Hackney Carriage WAV renewal increase by 5.5%

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Having studied the Local Government (miscellaneous provisions) Act 1976 it quite clearly states that the fees chargeable under this section in respect of a vehicle licence should not be more than £25 per Annum the same for each of the three categories, therefore I also question why we are being charged more than this at present and why have we been being over charged for these licences in the past, therefore I object to your proposals on these grounds.

6..MISC ITEM INCREASES.. I again fail to see how again an extortionate percentage increase of up to 120% can be proposed for basically supplying a copy of a lost or destroyed paperwork document as this is surly way below the costs that we are being charged at present as this is only an administration cost after all and therefore should have no increase at all, in fact I think it should be decreased rather than increased, therefore I object to your proposals on these grounds.

7..PLATES and DOOR STICKERS.. I would question the proposed increase on these items doubting that the cost to yourselves has been increased by 15.38% and 8.57% respectively therefore unless this is the case then you are seeking to increase these items to make a profit which I am sure is illegal and also question whether these items also are being charged to us at present for more than they cost you, therefore I object to your proposals on these grounds.

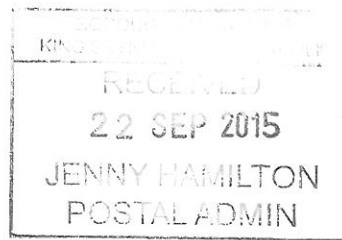
We would be happy to meet up to discuss further with BCKLWN if required.

Yours faithfully

Daniel Westwood



PLATE LICENCE NO.....HV0040
DRIVERS LICENCE NO....CD0284
EMAIL ADDRESS.....jztaxi@gmail.com
PHONE NUMBER.....07900 100396



20/09/2015

Dear Mr Gilbraith

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General Points..

As you correctly state no review has been made to these fees since 2011, I object to a general increase across the board on every increase you propose on these grounds as follows.

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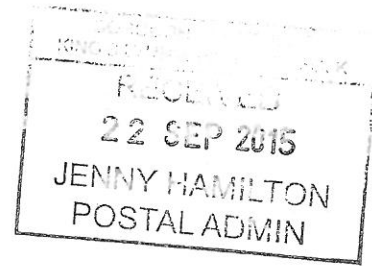
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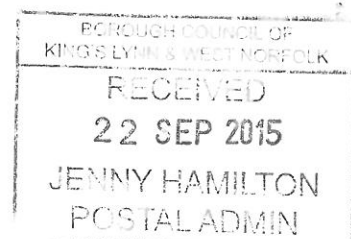
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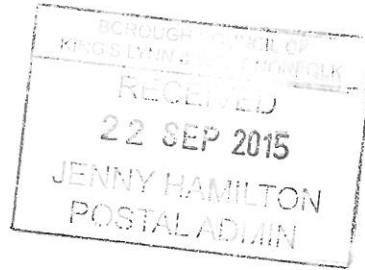
Jason Smith

Hackney Carriage & Private Hire Licence Costs

	Current Fee	New 1 Year Fee	New 3 Year Fee	New 5 Year Fee	INCREASE c/o
Combined Driver					
Grant	£ 62.00	£ 74.00	£ 125.00		19.35
Renewal	£ 54.50	£ 67.00	£ 118.00		22.94
Hackney Carriage Saloon					
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Suzy Smith.



20/09/2015

PLATE LICENCE NO.....HV 00 40

DRIVERS LICENCE NO....CD

EMAIL ADDRESS.....tbeautybogbysuzysmith@gmail.com

PHONE NUMBER.....

Dear Mr Gilbraith

Objections to the Review of Hackney Carriage & Private Hire Licencing Fees as follows
General Points..

As you correctly state no review has been made to these fees since 2011, I object to a general increase across the board on every increase you propose on these grounds as follows.

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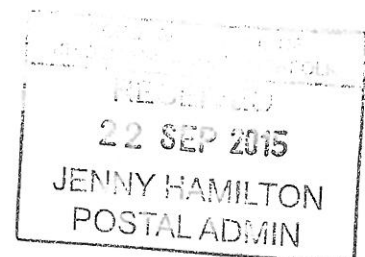
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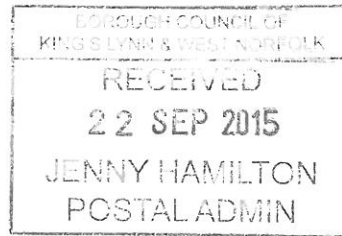
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Hackney Carriage & Private Hire Licence Costs

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Combined Driver					
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BOROUGH OF KING'S LYNN & WEST NORFOLK
 RECEIVED
 22 SEP 2015
 JENNY HAMILTON
 POSTAL ADMIN



20/09/2015

PLATE LICENCE NO.....HV 7
DRIVERS LICENCE NO....CD0263
EMAIL ADDRESS.....gary@greenacre3085.fsnet.co.uk
PHONE NUMBER.....07909698050

Dear Mr Gilbraith

Objections to the Review of Hackney Carriage & Private Hire Licencing Fees as follows
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As you correctly state no review has been made to these fees since 2011, I object to a general increase across the board on every increase you propose on these grounds as follows.

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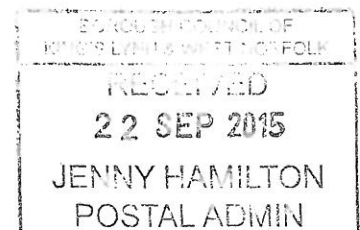
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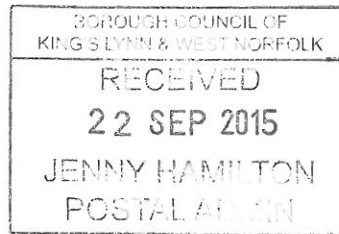


Hackney Carriage & Private Hire Licence Costs

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Mr James Roberts



20/09/2015

PLATE LICENCE NO.....HV10
DRIVERS LICENCE NO....CD0279
EMAIL ADDRESS.....jamesvr46@hotmail.co.uk
PHONE NUMBER.....07789308536

Dear Mr Gilbraith

Objections to the Review of Hackney Carriage & Private Hire Licencing Fees as follows
General Points..

As you correctly state no review has been made to these fees since 2011, I object to a general increase across the board on every increase you propose on these grounds as follows.

1..GENERAL POINT.. Hackney Carriage metered fares have also had no increase since 2012 so for drivers and operators I think an increase is unfair as it will put extra financial burden on the already depressed financial situation we face in the trade in King's Lynn and west Norfolk as we are unable to pass this increase on as we are restricted to charging the prices set by yourselves at the BCKLWN, therefore I object to your proposals on these grounds.

2..GENERAL POINT..Having studied your proposals and worked out the increases as a percentage rate, these figures seem to have been just plucked out of thin air and there seems to be no rhyme or reason or general percentage rate consistency in the figures you propose to increase our fees by, therefore I object to your proposals on these grounds.

3..The percentage rate that you propose to increase the fees by as a whole ranges between 2.5% and a whopping unjustified extortionate 120% (see attached working sheet) these sort of increases just cannot be justified especially as I mentioned above we have had no meter increase for three years and are unlikely to get anything near your lowest increase figure of 2.5% any time soon, so for you to propose such a high percentage increase as high as 120% is just totally unfounded extortionate and unacceptable, therefore I object to your proposals on these grounds,

4.. DRIVERS LICENCES.. having studied the local government (miscellaneous provisions) Act 1976 it quite clearly states that you should only charge a reasonable fee with a view to recovering costs of issue and administration therefore the issuing of a 3 year licence would cost you no more than that of issuing a 1 year licence so therefore a licence should be charged at the same price with no increase for a longer period, I also question as to why if this charge is as stated to cover the cost of issue and administration only, why is it as high as it is presently and if we are indeed being charged excessively for this at present and have been paying too much in the past, therefore I object to your proposals on these grounds.

5..VEHICLE LICENCES..Differences between the cost of the three Vehicle categories for issue of a Vehicle licence, Hackney Carriage Saloon, Hackney Carriage WAV and Private Hire Vehicle, surly these 3 category's cost you no more to issue and administer therefore should all be charged out at the same cost, as for the proposed increase I find it hard to see how it can be justified to increase one category by an extortionate 15.38% and another by only 2.97% as per your increase proposals as follows

Hackney Carriage Saloon grant increase by 5.53%

Hackney Carriage WAV grant increase by 8.57%

Private Hire Vehicle grant increase by 2.61%

Hackney Carriage Saloon renewal increase by 15.38%

Hackney Carriage WAV renewal increase by 5.5%

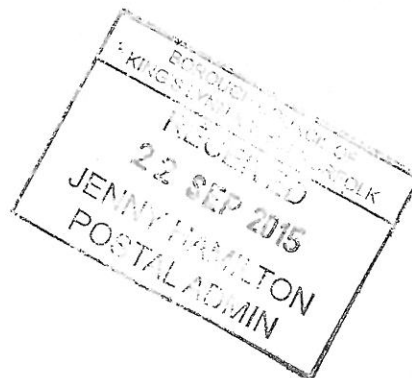
Private Hire Vehicle renewal increase by 2.97%

Having studied the Local Government (miscellaneous provisions) Act 1976 it quite clearly states that the fees chargeable under this section in respect of a vehicle licence should not be more than £25 per Annum the same for each of the three categories, therefore I also question why we are being charged more than this at present and why have we been being over charged for these licences in the past, therefore I object to your proposals on these grounds.

6..MISC ITEM INCREASES.. I again fail to see how again an extortionate percentage increase of up to 120% can be proposed for basically supplying a copy of a lost or destroyed paperwork document as this is surly way below the costs that we are being charged at present as this is only an administration cost after all and therefore should have no increase at all, in fact I think it should be decreased rather than increased, therefore I object to your proposals on these grounds.

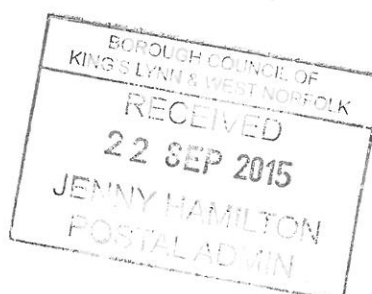
7..PLATES and DOOR STICKERS.. I would question the proposed increase on these items doubting that the cost to yourselves has been increased by 15.38% and 8.57% respectively therefore unless this is the case then you are seeking to increase these items to make a profit which I am sure is illegal and also question whether these items also are being charged to us at present for more than they cost you, therefore I object to your proposals on these grounds.

Yours Sincerely
Mr James Roberts



Hackney Carriage & Private Hire Licence Costs

	Current Fee	New 1 Year Fee	New 3 Year Fee	New 5 Year Fee	INCREASE C/o
Combined Driver					
Grant	£ 62.00	£ 74.00	£ 125.00		19.35
Renewal	£ 54.50	£ 67.00	£ 118.00		22.94
Hackney Carriage Saloon					
Grant	£ 117.50	£ 124.00			5.53
Renewal	£ 104.00	£ 120.00			15.38
Hackney Carriage WAV					
Grant	£ 122.50	£ 133.00			8.57
Renewal	£ 109.00	£ 115.00			5.5
Private Hire Vehicle					
Grant	£ 115.00	£ 118.00			2.61
Renewal	£ 101.00	£ 104.00			2.97
Special Event Vehicle					
Grant	£ 120.00	£ 123.00			2.5
Renewal	£ 101.00	£ 104.00			2.97
PHO (1 Vehicle)					
Grant	£ 95.00	£ 97.00		£ 180.00	2.11
Renewal	£ 85.00	£ 87.00		£ 175.00	2.35
PHO (2-10 Vehicles)					
Grant	£ 120.00	£ 123.00		£ 265.00	2.5
Renewal	£ 110.00	£ 113.00		£ 260.00	2.72
PHO (11 - 20 Vehicles)					
Grant	£ 135.00	£ 138.00		£ 405.00	2.22
Renewal	£ 128.00	£ 131.00		£ 400.00	2.34
PHO (20+ Vehicles)					
Grant	£ 155.00	£ 159.00		£ 777.00	2.58
Renewal	£ 148.00	£ 152.00		£ 772.00	2.7
Misc					
Copy of Combined Driver Licence:					
Paper Part:	£ 2.50	£ 5.50			120.
Card Part:	£ 2.50	£ 5.50			120.
Copy of Vehicle Licence:					
Paper Part:	£ 2.50	£ 5.50			120.
Window Sticker:	£ 2.50	£ 5.00			120.
Copy of Private Hire Operator's Licence:	£ 2.50	£ 5.50			120.
Knowledge Test:	£ 20.00	£ 36.00			80.00
Private Hire Door Sticker	£ 17.50	£ 19.00			8.57
DBS	£ 49.00	£ 55.00			12.24
Vehicle Transfer	£ 23.00	£ 27.50			19.57
Licence Plate	£ 13.00	£ 15.00			15.38
Change of Name/Address	£ 6.50	£ 10.50			61.54



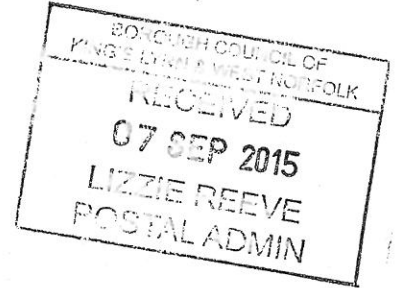
Paul Hewer

J

Mr John Gilbraith
Licensing Manager
Environmental Health- Licensing
Kings Lynn & West Norfolk Borough Council
Kings Court
Chapel Street
Kings Lynn PE30 1EX

2nd September 2015

Cc Tony White



Dear Mr Gilbraith,

I write in reference to the proposed increases in fees with regard to Hackney Carriage and Private Hire Licensing.

I am concerned by the increase shown with regard to the Combined Driver badge and the charge set out for the new three year fee. Bearing in mind that the council can only charge the cost of this function , and not make a profit.

An 18% increase in the annual fee would on the surface appear to be exceptional. As is the rise for the renewal of a Hackney Carriage WAV. I would therefore wish to make a freedom of information request as to how these costings are achieved.

I await your reply with interest and reserve the right to place the matter before the Obudsman should I feel this to be required.

Yours sincerely

Paul Hewer

Your ref:
Our ref:
Please ask for: Marie Malt
Direct dial: (01553) 616496
E-mail: marie.malt@west-norfolk.gov.uk

Borough Council of
**King's Lynn &
West Norfolk**



Geoff Hall
Executive Director

Environment and Planning

Mr P Hewer

15th September 2015

Dear Mr Hewer,

Re: Licensing Fees

Thank you for your letter of the 2nd September 2015 regarding taxi licensing fees which was received on the 7th September 2015.

Throughout 2013 and 2014 a detailed process mapping exercise was conducted to establish how long each taxi licensing process takes. It is from these processes that the appropriate fee has been calculated.

I attach for your information an overview of how the fees for both a combined driver's licence and hackney carriage wheelchair accessible vehicle were calculated. I hope you find these useful.

If you would like to discuss this further then please contact Mrs Marie Malt on the above number. Ordinarily, I would invite you to contact me but unfortunately I am going to be away after today for a while recuperating.

Yours sincerely

J Gilbraith
Licensing Manager
Environmental Health - Licensing

Encls

King's Court, Chapel Street, King's Lynn, Norfolk PE30 1EX
Tel: (01553) 616200; fax: (01553) 691663
DX 57825 KING'S LYNN

Steve's



Taxi Service

01485 540019

07983 556306

info@stevestaxiservice.co.uk

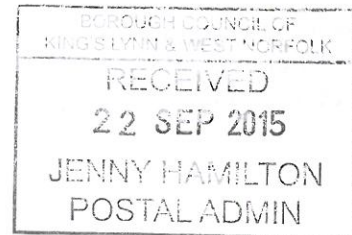
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www.stevestaxiservice.co.uk

Meeting 25/9/15

Your ref: HC & PH
Our ref: RI2015

Mr John Gilbraith
Licensing Manager, Environmental Health - Licensing
Borough of King's Lynn & West Norfolk
King's Court
Chapel Street
King's Lynn
Norfolk PE30 1EX



18th September 2015

Dear Mr Gilbraith

Review of Hackney Carriage & Private Hire Licensing Fees

Further to your letter of 20th August 2015 announcing proposed changes to the above licensing fees, we welcome the legislative changes outlined that introduce efficiencies and flexibility for the HC & PH industry.

We also acknowledge that there should be some increment to the HC & PH Licence costs given that the last review was in 2011. We do however feel that some of the increases are excessive given that there has been a very low UK inflation rate since 2011 (2.8% in 2012, 2.5% in 2013, 1.5% in 2014 and currently running at 0% in August 2015). In some cases you are proposing raising fees by over 100%, and we would therefore like to receive further justification on some specific items.

Firstly, the **Knowledge Test** has a proposed increase of 80% (from £20 to £36) - what additional costs are BCKLWN incurring to justify such a high increment?

Similarly, in an age of online data entry and storage, how can the processing cost of a change in name and address rise by 69% (from £6.50 to £10.50)?

If you could clarify these 2 excessive increases in particular and perhaps revise the proposed fees to a more reasonable level in line with the inflation rate we, and the industry as a whole, would be very grateful.

PTO.

We would be happy to meet up to discuss further with BCKLWN if required.

Yours faithfully

Steven O'Donnell
Managing Director
Steve's Taxi Service Limited

Steve's



Taxi Service

01485 540019

07983 556306

info@stevestaxiservice.co.uk

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www.stevestaxiservice.co.uk

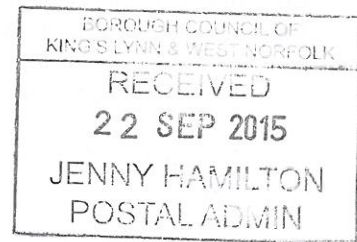
20/09/2015

PLATE LICENCE NO.....HV099

DRIVERS LICENCE NO....CD0108

EMAIL ADDRESS..... steve@stevestaxiservice.co.uk

PHONE NUMBER..... 01485540019



Dear Mr Gilbraith

Objections to the Review of Hackney Carriage & Private Hire Licencing Fees as follows
General Points..

As you correctly state no review has been made to these fees since 2011, I object to a general increase across the board on every increase you propose on these grounds as follows.

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We would be happy to meet up to discuss further with BCKLWN if required.

Yours faithfully

Stev
Managing Director
Steve's Taxi Service Limited



Marie Malt

From: Marie Malt
Sent: 24 September 2015 11:10
To: Marie Malt
Cc: EH and H Licensing
Subject: FW: Response
Attachments: Fee Response.pdf; Explanation of how Misc Fees Calculated.docx; Explanation of how HC Saloon Fees Calculated.docx; Explanation of how CD Fees Calculated.docx; Explanation of how Private Hire Vehicle Fees Calculated.docx; Explanation of how WAV Fees Calculated.docx

Dear Sir/Madam,

Please find a response to your letter regarding fee increases, from Environmental Health Manager Vicki Hopps, in the attached documents.

Regards, Marie

Marie Malt
Senior Licensing Enforcement Officer
Borough Council of King's Lynn & West Norfolk
Marie.malt@west-norfolk.gov.uk
Tel: 01553 616496

From: Vicki Hopps
Sent: 24 September 2015 09:56
To: Marie Malt
Subject: Response

Vicki Hopps
Environmental Health Manager (Commercial)
Borough Council of King's Lynn and West Norfolk
King's Court
Chapel Street
King's Lynn
Norfolk
PE30 1EX

Telephone: 01553 616307

Copy, sent 24/9/15.

Your ref:
Our ref:
Please ask for: Vicki Hopps
Direct dial: (01553) 616307
Direct fax: (01553) 775142
E-mail: vicki.hopps@west-norfolk.gov.uk

Borough Council of
**King's Lynn &
West Norfolk**



Geoffrey Hall
Executive Director, Environment and Planning

Environmental Health – Licensing

Dear

Review of Hackney Carriage and Private Hire Licensing Fees

Thank you for your letter in relation to the above, your comments are noted and I will answer your points in the order that you have set them out.

1. The fees are calculated on a cost recovery basis this is why there are different percentage increase amounts for each fee.
2. In terms of the meter rate, you should have now received a letter which has been sent to all the Hackney Carriage trade requesting comments in relation to a fare increase. Once again your comments would be most welcome.
3. I have attached a breakdown of how the figures were calculated for a combined drivers licence. As you will see from this with a three year licence there is on-going administration costs of £51.00 which would not be incurred on a one year licence which is why the three year licence is more.
4. With regards to the vehicle licences I have attached the calculations for Wheelchair Accessible Hackney Carriages, Saloon Vehicles and Private Hire Vehicles. The WAV vehicles have additional costs to the other vehicles which include, rank inspections, compliance tests and hackney carriage fares. Clearly private hire vehicles would not be subject to these charges.
5. You are correct in identifying that the Local Government (Miscellaneous Provisions) Act 1976 states that fees of £25 should not be charged, however it goes on to state that fees above this amount are allowed provided that the fee is advertised. I have attached a copy of the advert relating to this.
6. I have included a breakdown of the fees in relation to replacement licences. Although you suggest it is 'only' an administrative cost what you are being charged is actually less than the full costs.
7. Plates and door stickers, the fees for this include officer time and the cost of the plate / sticker, please see attached.

I trust that answers your queries, however please do not hesitate to contact me if you have further comments.

Yours sincerely,

Vicki Hopps
Environmental Health Manager (Commercial)

King's Court, Chapel Street, King's Lynn, Norfolk PE30 1EX
Tel: (01553) 616200; fax: (01553) 691663
Minicom: (01553) 616705; DX 57825 KING'S LYNN

Copy of Paperwork / Licence

<u>Function</u>	Cost
<p><u>Process Application</u></p> <p>Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it cost the Borough Council to employ that person.</p> <p>The process of the application has been mapped using an average time it takes to process the application to printing the licence.</p>	£11.20
	£11.20

Plates

<u>Function</u>	Cost
<p><u>Process Application</u></p> <p>Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it cost the Borough Council to employ that person.</p> <p>The process of the application has been mapped using an average time it takes to process the application to printing the plate.</p>	£8.34
<p><u>Material Costs</u></p> <p>Cost of plate from supplier, printer and ink.</p>	£6.73
	£15.07

Door Sticker

<u>Function</u>	Cost
<p><u>Process Application</u></p> <p>Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it cost the Borough Council to employ that person.</p> <p>The process of the application has been mapped using an average time it takes to process the application to the production of the sign.</p>	£5.58
<p><u>Material Costs</u></p> <p>Cost of sticker from supplier</p>	£14.40
	£19.98

Hackney Carriage Saloon – Fee Calculations

<u>Function</u>	<u>Cost</u>
<p><u>Process Application</u></p> <p>Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it cost the Borough Council to employ that person.</p> <p>The process of the application has been mapped using an average time it takes to process the application to printing the licence. It does not include the plate which is paid for separately.</p>	£42.00
<p><u>On-Going Administration</u></p> <p>Includes a contribution to the time spent by staff on maintaining and updating the Conditions & Procedures booklet, conducting research into taxi legislation, time spent calculating fees, dealing with complaints and reports to Licensing & Appeals Board. Also includes the processing of accident notification forms and sending reminder letters for insurance documents and 6-monthly compliance test.</p>	£44.00
<p><u>Training & Meetings</u></p> <p>A contribution to the time spent by staff attending taxi related training and meetings.</p>	£2.00
<p><u>Hackney Carriage Ranks</u></p> <p>Includes a contribution to the time spent by staff on the administration and inspection of hackney carriage ranks.</p>	£6.00
<p><u>Compliance</u></p> <p>A contribution to the time spent by staff on routine inspection of vehicles.</p>	£16.00
<p><u>Enquiries</u></p> <p>A contribution to the time spent by staff dealing with routine enquires</p>	£10.00
<p><u>Hackney Carriage Fares</u></p> <p>A contribution to the time spent by staff researching, setting, consulting and publishing hackney carriage fares.</p>	£4.00
Total for New Hackney Carriage:	£124.00
<p><u>Renewal</u></p> <p>The renewal fee is the 'grant' fee with an adjustment for the process, as some of the details remain the same.</p>	
Total for Renewal of a Hackney Carriage:	£120.00

Combined Driver – Fee Calculation

<u>Function</u>	Cost
<p><u>Process Application</u></p> <p>Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it cost the Borough Council to employ that person.</p> <p>Also includes a contribution to the cost of time spent by staff making follow up enquiries in connection with driver applications.</p> <p>The process of the application has been mapped using an average time it takes to process the application to printing the licence.</p>	£65.00
<p><u>On-Going Administration</u></p> <p>The only on-going costs added to a three-year licence is for issuing reminders for when medicals and DBS are required, including on-line DBS checks and DVLA enquiries.</p>	£51.00
<p><u>Training & Meetings</u></p> <p>A contribution to the time spent by staff attending taxi related training and meetings.</p>	£0.00
<p><u>Hearings Before Panel of Licensing & Appeals Board</u></p> <p>A contribution of the cost of putting a new applicant before a Panel of the Licensing & Appeals Board. Time spent by staff writing report and attending the hearing.</p>	£9.00
<p><u>Compliance</u></p> <p>No costs have been added to an application for a driver's licence for time spent on compliance or for dealing with complaints.</p>	£0.00
<p><u>Enquiries</u></p> <p>No costs have been added to the application fee for time spent by staff dealing with routine enquires</p>	£0.00
Total for new 3-year Driver's Licence:	£125.00
Total new 1-year Driver's Licence:	£74.00
<p><u>Renewal</u></p> <p>The renewal fee is the 'grant' fee with an adjustment for the process, as some of the details remain the same.</p>	
Total for renewal of 3-year Driver's Licence:	£118.00
Total for renewal of 1-year Driver's Licence:	£67.00

Private Hire Vehicle – Fee Calculations

<u>Function</u>	<u>Cost</u>
<p><u>Process Application</u></p> <p>Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it cost the Borough Council to employ that person.</p> <p>The process of the application has been mapped using an average time it takes to process the application to printing the licence. It does not include the plate which is paid for separately.</p>	£45.00
<p><u>On-Going Administration</u></p> <p>Includes a contribution to the time spent by staff on maintaining and updating the Conditions & Procedures booklet, conducting research into taxi legislation, time spent calculating fees, dealing with complaints and reports to Licensing & Appeals Board. Also includes the processing of accident notification forms, sending reminder letters for insurance documents and 6-monthly compliance test and change of private hire operator</p>	£45.00
<p><u>Training & Meetings</u></p> <p>A contribution to the time spent by staff attending taxi related training and meetings.</p>	£2.00
<p><u>Compliance</u></p> <p>A contribution to the time spent by staff on routine inspection of vehicles.</p>	£16.00
<p><u>Enquiries</u></p> <p>A contribution to the time spent by staff dealing with routine enquires</p>	£10.00
Total for New Private Hire Vehicle:	£118.00
<p><u>Renewal</u></p> <p>The renewal fee is the 'grant' fee with an adjustment for the process, as some of the details remain the same.</p>	
Total for Renewal of a Private Hire Vehicle:	£104.00

Wheelchair Accessible Hackney Carriage – Fee Calculations

<u>Function</u>	<u>Cost</u>
<p><u>Process Application</u></p> <p>Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it cost the Borough Council to employ that person.</p> <p>The process of the application has been mapped using an average time it takes to process the application to printing the licence. It does not include the plate which is paid for separately.</p>	£42.00
<p><u>On-Going Administration</u></p> <p>Includes a contribution to the time spent by staff on maintaining and updating the Conditions & Procedures booklet, conducting research into taxi legislation, time spent calculating fees, dealing with complaints and reports to Licensing & Appeals Board. Also includes the processing of accident notification forms and sending reminder letters for insurance documents and 6-monthly compliance test.</p>	£44.00
<p><u>Training & Meetings</u></p> <p>A contribution to the time spent by staff attending taxi related training and meetings.</p>	£2.00
<p><u>Hackney Carriage Ranks</u></p> <p>Includes a contribution to the time spent by staff on the administration and inspection of hackney carriage ranks.</p>	£6.00
<p><u>Compliance</u></p> <p>A contribution to the time spent by staff on routine inspection of WAVs and wheelchair test for new vehicles.</p>	£25.00
<p><u>Enquiries</u></p> <p>A contribution to the time spent by staff dealing with routine enquires</p>	£10.00
<p><u>Hackney Carriage Fares</u></p> <p>A contribution to the time spent by staff researching, setting, consulting and publishing hackney carriage fares.</p>	£4.00
Total for New Hackney Carriage WAV:	£133.00
<p><u>Renewal</u></p> <p>The renewal fee is the 'grant' fee with an adjustment for the process, as some of the details remain the same and that a WAV test is not required.</p>	
Total for Renewal of a Hackney Carriage WAV:	£115.00

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PUBLIC NOTICES

PUBLIC NOTICES

NOTICE OF APPLICATION FOR A PREMISES LICENCE UNDER THE GAMBLING ACT 2005

Notice is hereby given that Casino Gaming Limited of Seaback House, 1a Seaback Place, Knowhill, Milton Keynes, MK5 8R, is applying for a Family Entertainment Centre Premises Licence under Section 139 of the Gambling Act 2005. The application relates to Thomas's Showboat, 1822 Norfolk PE36 5A. The premises are in the Borough of King's Lynn & West Norfolk Licensing Department, King's Court, Chapel Street, King's Lynn, Norfolk PE30 1EX. Information about the licensing authority, including the arrangements for viewing the details of the application. Any of the following persons may make representations in writing to the licensing authority about the application: A person who has sufficient cause to be prescribed in relation to the premises; A person who is a member of the public; A person who has business interests that might be affected by the authorised activities; A person who represents someone in any of the above two categories. Any representations must be made by the following date 15th September 2015. It is an offence under section 347 of the Gambling Act 2005 if a person, without reasonable excuse, gives to a licensing authority for a purpose which is false or misleading information, false or misleading statements, or false or misleading documents. 64 Frat Lane Nottingham, NG1 6ED

Looking for that little bargain?



Section 70

Local Government

(Miscellaneous Provisions) Act 1976

The Borough Council of King's Lynn & West Norfolk hereby give notice of the intention to vary hackney carriage proprietors, private hire vehicle and private hire operator licence fees as follows:

Licence Type	One Year Licence		Five Year Licence	
	Grant	Renewal	Grant	Renewal
Hackney Carriage Vehicle	£124.00	£120.00	n/a	n/a
Wheelchair Accessible Hackney Carriage Vehicle	£133.00	£115.00	n/a	n/a
Private Hire Vehicle	£118.00	£104.00	n/a	n/a
Private Hire Vehicle (Special Event)	£123.00	£104.00	n/a	n/a
Private Hire Operator (1 vehicle)	£ 97.00	£ 87.00	£180.00	£175.00
Private Hire Operator (2-10 vehicles)	£123.00	£113.00	£265.00	£260.00
Private Hire Operator (11-20 vehicles)	£138.00	£131.00	£405.00	£400.00
Private Hire Operator (20+ vehicles)	£159.00	£152.00	£777.00	£772.00

Anyone wishing to object to this proposal should do so, in writing with reasons by the 22nd September 2015 to Environmental Health - Licensing, BCKLWN, King's Court, Chapel Street, King's Lynn, PE30 1EX

Applicant: Borough Council of King's Lynn & West Norfolk
Date: 25th August 2015

Goods vehicle Operators Licence

W. Harris trading as All Asphalt and Surfacing Ltd of 40 Old Church Road, Terrington St John, Wisbech, Cambridgeshire, PE14 7XA is applying for a licence to use Terrington Park, Old Church Road, Terrington St John, Wisbech, Cambridgeshire, PE14 7XA as an operating centre for 2 goods vehicles and 0 trailers. Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF stating their reasons, within 21 days of this notice. Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.

Need a plumber's services fast?



NOTICE OF APPLICATION FOR A PREMISES LICENCE UNDER THE GAMBLING ACT 2005

Notice is hereby given that Casino Gaming Limited of Seaback House, 1a Seaback Place, Knowhill, Milton Keynes, MK5 8R, is applying for a Family Entertainment Centre Premises Licence under Section 139 of the

INSOLVENCY ACT 1986

IN BANKRUPTCY

KINGS LYNN COUNTY COURT

NO 102 of 2008 RE: CARL JULIAN WHITBY

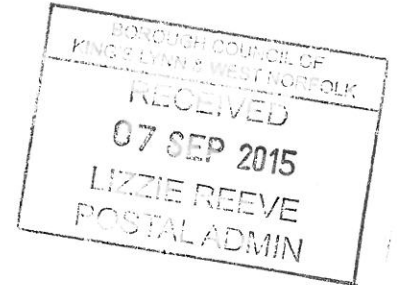
A Taxi Driver, who at the date of the bankruptcy order, 23 April 2008, resided at 35 Millway Friday Bridge, Wisbech,



Mr John Gilbraith
Licensing Manager
Environmental Health- Licensing
Kings Lynn & West Norfolk Borough Council
Kings Court
Chapel Street
Kings Lynn PE30 1EX

2nd September 2015

Cc Tony White



Dear Mr Gilbraith,

I write in reference to the proposed increases in fees with regard to Hackney Carriage and Private Hire Licensing.

I am concerned by the increase shown with regard to the Combined Driver badge and the charge set out for the new three year fee. Bearing in mind that the council can only charge the cost of this function , and not make a profit.

An 18% increase in the annual fee would on the surface appear to be exceptional. As is the rise for the renewal of a Hackney Carriage WAV. I would therefore wish to make a freedom of information request as to how these costings are achieved.

I await your reply with interest and reserve the right to place the matter before the Obudsman should I feel this to be required.

Yours sincerely

Paul Hewer

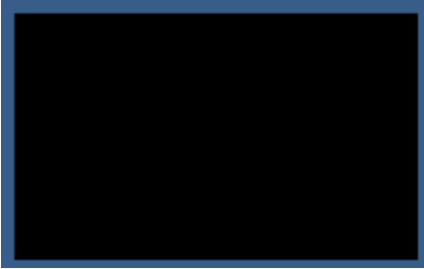
Your ref:
Our ref:
Please ask for: Marie Malt
Direct dial: (01553) 616496
E-mail: marie.malt@west-norfolk.gov.uk

Borough Council of
**King's Lynn &
West Norfolk**



Geoff Hall
Executive Director

Environment and Planning



15th September 2015

Dear Mr Hewer,

Re: Licensing Fees

Thank you for your letter of the 2nd September 2015 regarding taxi licensing fees which was received on the 7th September 2015.

Throughout 2013 and 2014 a detailed process mapping exercise was conducted to establish how long each taxi licensing process takes. It is from these processes that the appropriate fee has been calculated.

I attach for your information an overview of how the fees for both a combined driver's licence and hackney carriage wheelchair accessible vehicle were calculated. I hope you find these useful.

If you would like to discuss this further then please contact Mrs Marie Malt on the above number. Ordinarily, I would invite you to contact me but unfortunately I am going to be away after today for a while recuperating.

Yours sincerely

J Gilbraith
Licensing Manager
Environmental Health - Licensing

Encls

Marie Malt

From: Marie Malt
Sent: 01 October 2015 16:13
To: 'Paul Hewer'
Cc: Vicki Hopps
Subject: RE: Licensing Fees

Dear Mr Hewer,

Thank you for your email.

Further to our telephone conversation today, Environmental Health Manager Vicki Hopps and I have been to see John Gilbraith and have talked through the figures.

I provided you with a verbal explanation of why the £25.50 per year charge is being made to the drivers licence, which I hope you understood. This consists of an annual convictions disclaimer and an annual DVA check and the administration, postage, computer inputting associated with those processes.

Regarding the other points raised I can provide the following:

'When looking at the difference between first application and renewals there would appear to be some discrepancy in that with the combined driver the £9 contribution of putting a new applicant before the Board is dropped, this should therefore give a renewal fee of £116 and not £118.'

The hearings element of £9.00 is for new driver applicants and the element for renewal applications is £2.00. This is because we have more hearings for new drivers than hearings in respect of renewal applications.

'With regard to WAHC fees, on renewal the £25 contribution for wheelchair test for new vehicles when taken out for renewals leaves £108 and not £115.'

There is a £7.00 fee added onto renewal WAV applications as WAV spot checks are carried out on WAV at HC Stands throughout the year, whereas a new WAV HC has a wheelchair test upon initial application. The WAV check being £20.00 and the routine inspection £5.00.

'It also makes no logic that the renewal of a Hackney carriage saloon is £120 and Hackney WAV is £115 as I fail to see what administrative function is different.'

You are absolutely right. The HC Saloon renewal fee should be £109.00 and not £120.00 as stated. The routine inspection cost is not £16.00. It should be £5.00.

Please do not hesitate to contact Vicki Hopps or I should you wish to discuss this further.

Regards, Marie

Marie Malt
Senior Licensing Enforcement Officer
Borough Council of King's Lynn & West Norfolk Marie.malt@west-norfolk.gov.uk
Tel: 01553 616496

-----Original Message-----

From: Paul Hewer [<mailto:paul.hewer@btinternet.com>]

Sent: 29 September 2015 10:45

To: Marie Malt

Subject: Licensing Fees

Dear Marie,

Following my letter to John with regard to Licensing fees, in his reply he stated he would be away recuperating for a while and that if I wished to discuss this further to contact yourself.

I have taken some time to evaluate the information sent with regard to the fee calculation for the Combined Driver and Wheelchair Accessible Hackney Carriage and I still have some concerns with regard to these increases.

The costs lumped together within the process application section of the breakdown cover such generalised areas as to make it difficult to conclude if the charges are excessive. It must be reasonable to make some assumptions however. Salary awards within the Council have been kept to one per cent, if one allows for employer contributions we can assume six per cent aggregate. In the case of 'combined Driver, this would mean that other costs have risen by some 10% over the period.

I am sure the council would meet a great deal of resistance to this level of increase within the council tax banding.

The charge for the On-Going Administration of £25.50 per year also seems high, does this assume all three checks will fall within this two year period, this clearly would not be the case, in my case for instance only a DBS check would be needed within the two year period, and in most cases it would be a maximum of two reminders or checks within a two year period.

When looking at the difference between first application and renewals there would appear to be some discrepancy in that with the combined driver the £9 contribution of putting a new applicant before the Board is dropped, this should therefore give a renewal fee of £116 and not £118.

With regard to WAHC fees, on renewal the £25 contribution for wheelchair test for new vehicles when taken out for renewals leaves £108 and not £115.

It also makes no logic that the renewal of a Hackney carriage saloon is £120 and Hackney WAV is £115 as I fail to see what administrative function is different.

It may well be I am missing something here and I hope you can put my mind at rest that these are fair and reasonable increases.

If you would like to discuss the issues I have raised I would be happy to meet with you, or if you would rather reply in writing that's also fine.

Kind regards
Paul Hewer
01366 385904

REPORT TO CABINET

Open	Would any decisions proposed :		
Any especially affected Wards	(a) Be entirely within cabinet's powers to decide NO		
	(b) Need to be recommendations to Council YES		
	(c) Be partly for recommendations to Council NO and partly within Cabinets powers –		
Lead Member: Adrian Lawrence E-mail: adrian.lawrence@west-norfolk.gov.uk		Other Cabinet Members consulted:	
		Other Members consulted: Licensing Committee	
Lead Officer: Vicki Hopps E-mail: vicki.hopps@west-norfolk.gov.uk Direct Dial: 01553 616307		Other Officers consulted: Geoff Hall, Licensing Team, Legal Services	
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications (incl S.17) YES	Risk Management Implications NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)			

Date of meeting: 26th November 2015

TITLE: Gambling Act 2005 - Statement of Principles

Summary

The Gambling Act 2005 requires every local authority to agree a Statement of Principles (previously referred to as 'Statement of Licensing Policy) in accordance with the Statutory Guidance issued under the Act. The policy has been drawn up in accordance with the guidelines issued by the Gambling Commission and has been subject to consultation.

Recommendation

That the Council be invited to adopt the Statement of Principles in accordance with the requirements of the Gambling Act 2005.

Reason for Report

It is a Statutory requirement that the Council adopts a Statement of Principles

1.0 Background

1.1 The Gambling Act 2005 (the 'Act') requires all local authorities to publish a Statement of Principles each three-year period. Our current policy was approved by Full Council on the 29th November 2012.

1.2 Regulations require that local authorities have their statement of principles in place by the 31st January 2016.

2.0 Consultation

2.1 The Guidance to Licensing Authorities issued by the Gambling Commission advises on how the policy is to be formulated and the consultation process to which it will be subjected. The Act requires that the following parties are consulted:

- The Chief Officer of Police
- One or more persons who appear to the authority represent the interests of persons carrying on gambling businesses in the authority's area
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005

2.2 A list of persons we consulted can be found at Annex A to the Draft Statement of Principles (attached). In addition, the consultation has been open to the public on the Borough Council's website.

2.3 The changes proposed are highlighted in yellow in the attached document, Appendix 1.

2.4 A summary of the changes are:

- 15.0 –Local Profiling: Identification of any “high risk areas” through carrying out a risk assessment
- 36.0 – Small Society Lotteries: In determining whether the Society is non-commercial the Borough Council may require applicants to provide copies of the society's constitution or terms of reference.

2.5 The consultation ends on 9th October and any comments received will be appended to the report.

3.0 Review

3.1 Regulations issued under the Act require that the statement of principles be formally reviewed every three years although it can be reviewed and changed at any time if required.

4.0 Delegation of Functions

4.1 The Act delegates the Licensing Authority's functions to the same Licensing Committee established under the Licensing Act 2003 with the exception of the Authority's function to publish a three-year statement of principles and the power to resolve not to grant casino licences. These two matters can only be dealt with by Full Council.

5.0 FINANCIAL IMPLICATIONS

5.1 There are no direct financial implications.

6.0 STATUTORY CONSIDERATION

- 6.1 It is a statutory requirement that we review our statement of principles at least every 3-year period.

7.0 RISK ASSESSMENT

- 7.1 The risk of not adopting the statement of principles means that the Borough Council will not be able to conduct any of its statutory functions (issue licences and permits and enforcement) under the Gambling Act 2005 after the 31st January 2016.

8.0 EQUALITY IMPLICATIONS

- 8.1 There are no equality implications.

Attached Papers

1. Gambling Act 2005 - Draft Statement of Principles (DRAFT)

Background papers

1. The Gambling Act 2005
2. The Gambling Commission's Guidance to Licensing Authorities (4th Edition) dated February 2013.



Gambling Act 2005

Statement of Principles

DRAFT

Approved by Cabinet on: _____ 2015
Approved by Full Council on: _____ 2015
Effective from: 31st January 2016

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PART A

1.0 The Licensing Objectives

1.1 In exercising their functions under the Gambling Act 2005, (hereafter referred to as the 'Act') the Borough Council of King's Lynn & West Norfolk (hereafter referred to as the 'Borough Council') must have regard to the licensing objectives as set out in section 1 of the Act. These licensing objectives are:

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

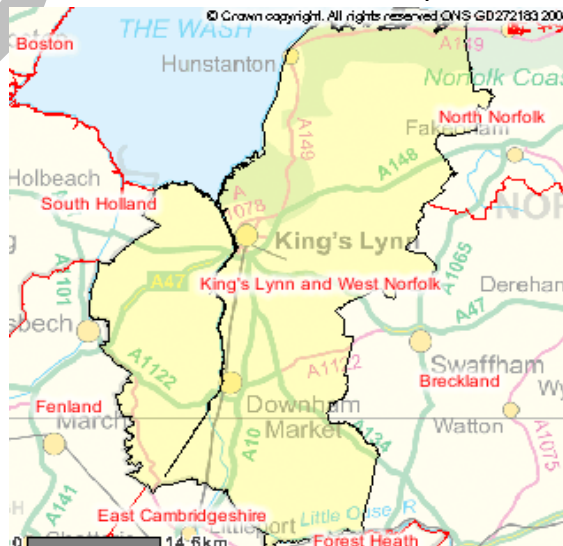
1.2 It should be noted that the requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling.

1.3 The Borough Council is aware that, in accordance with Section 153 of the Act, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with the Borough Council's Statement of Principles.

2.0 Introduction

2.1 The Borough Council is situated in the County of Norfolk and has a population of 147,451 (2011 Census). In terms of area it is the largest, covering 1428.76 square kilometres (551 square miles). The area is mainly rural with urban areas of King's Lynn, Downham Market and Hunstanton. These areas are shown in the map below:



- 2.2 The Borough Council is required by the Act to publish a statement of the principles (policy) which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement may also be reviewed from “time to time” and then any amended parts re-consulted upon. The statement must be then re-published.
- 2.3 The Borough Council will consult widely upon this statement of principles before finalising and publishing. A list of the persons who have been consulted is provided at Annex A.
- 2.4 The Act requires that the following parties must be consulted:
- The Chief Officer of Police;
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area; and
 - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Act.
- 2.5 Our consultation took place between the 2015 and the 2015 and followed HM Government Consultation Principles (published July 2012), which is available at:
<https://www.gov.uk/government/publications/consultation-principles-guidance>
- 2.6 The full list of any comments made and the consideration by the Borough Council of those comments will be available by request to the Licensing Manager at the Borough Council.
- 2.7 The policy was approved at a meeting of the Full Council on the and was published via the Borough Council’s website on the.
- 2.8 Should you have any comments as regards this statement of principles please send them via e-mail or letter to:
The Licensing Manager
Environmental Health - Licensing
Borough Council of King’s Lynn & West Norfolk
King’s Court
Chapel Street
King’s Lynn
Norfolk
PE30 1EX
E-mail: ehlicensing@west-norfolk.gov.uk
- 2.9 It should be noted that this statement of principles will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Act.

3.0 Declaration

3.1 In producing the final statement, the Borough Council declares that it has had regard to the licensing objectives of the Act, the Guidance to Local Authorities issued by the Gambling Commission, and any responses from those consulted on the statement.

4.0 Responsible Authorities

4.1 The Borough Council is required to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

4.2 The Borough Council designates the Norfolk Safeguarding Children Board for this purpose (<http://www.norfolkscb.org/>)

4.3 The contact details of all the Responsible Authorities under the Act are attached to this Statement of Principles at Annex B.

5.0 Interested Parties

5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in Section 158 of the Act as follows:

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

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,*
- b) has business interests that might be affected by the authorised activities, or*
- c) represents persons who satisfy paragraph (a) or (b)"*

5.2 In determining whether a person is an interested party, the Borough Council will apply the following principles. The first principle is that each case will be decided upon its own merits. The Borough Council will not apply a rigid rule to its decision making and will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities. "Business interests" is given the widest possible interpretation and includes partnerships, charities, faith groups and medical practices.

5.3 Interested parties can be persons who are democratically elected such as councillors and members of parliament. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish

councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

- 5.4 If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Sub-Committee dealing with the licence application. If there are any doubts then please contact the licensing team.

6.0 Exchange of Information

- 6.1 The Borough Council is required to include in our statement the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

- 6.2 The principle that the Borough Council will apply is that we will act in accordance with the provisions of the Act in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The Borough Council will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Act.

7.0 Inspections & Criminal Proceedings

- 7.1 Licensing authorities are required by regulation under the Act to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

- 7.2 The Borough Council's principles are that it will be guided by the Gambling Commission's Guidance for local authorities and its own enforcement police and will endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

- 7.3 The Borough Council will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 7.4 The Borough Council inspection programme will be risk-based and take into account;
- The licensing objectives;
 - Relevant codes of practice;
 - Guidance issued by the Gambling Commission, in particular at Part 36;
 - This statement of principles.
- 7.5 The main enforcement and compliance role for the Borough Council in terms of the Act is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the Borough Council but should be notified to the Gambling Commission.

8.0 Licensing Authority Functions

- 8.1 The Borough Council, as the Licensing Authority is required under the Act to:
- be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*;
 - issue *Provisional Statements*;
 - regulate *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits;
 - issue *Club Machine Permits* to *Commercial Clubs*;
 - grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*;
 - receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines;
 - issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines;
 - register *small society lotteries* below prescribed thresholds;
 - issue *Prize Gaming Permits*;
 - receive and Endorse *Temporary Use Notices*;
 - receive *Occasional Use Notices*;
 - provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange'); and
 - maintain registers of the permits and licences that are issued under these functions
- 8.2 It should be noted that local licensing authorities are not involved in the licensing of remote gambling, which is regulated by the Gambling Commission via operating licences.

PART B
PREMISES LICENCES: CONSIDERATION OF APPLICATIONS

9.0 General Principles

9.1 Premises licences are subject to the requirements set-out in the Act and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

10.0 Decision Making

10.1 The Borough Council is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:

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

10.2 It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral and ethical objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution' - see section on Casinos at paragraph 21) and also that demand is not a criterion for a licensing authority.

11.0 Definition of "premises"

11.1 In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, the Borough Council shall pay particular attention if there are issues about subdivisions of a single building or plot and shall ensure that mandatory conditions relating to access between premises are observed.

11.2 The Gambling Commission states in its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the

operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.”

11.3 The Borough Council takes note of the Gambling Commission’s Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

11.4 The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates?
- Is the premises’ neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

11.5 The Borough Council will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

12.0 The Gambling Commission’s relevant access provisions for each premises type are reproduced below:

12.1 Casinos

- The principal access entrance to the premises must be from a street;
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons;
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence.

12.2 Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises.

12.3 Betting Shops

- Access must be from a street or from another premises with a betting premises licence;
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

12.4 Tracks

- No customer should be able to access the premises directly from:
 - a casino
 - an adult gaming centre

12.5 Bingo Premises

- No customer must be able to access the premise directly from:
 - a casino;
 - an adult gaming centre; or
 - a betting premises, other than a track.

12.6 Family Entertainment Centres

- No customer must be able to access the premises directly from:
 - a casino;
 - an adult gaming centre; or
 - a betting premises, other than a track.

12.7 The Gambling Commission's Guidance contains further advice on this issue, which the Borough Council will also take into account in its decision-making.

13.0 Premises "Ready for Gambling"

13.1 The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

13.2 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

13.3 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, the Borough Council will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling;

- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

14.0 Location

14.1 The Borough Council is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision-making. This authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

15.0 Local Area Profiling

15.1 The Social responsibility Code (10.1.1), which comes into effect on the 6th April 2016 requires licensees to assess the local risks to the licensing objectives posed by their gambling operations at each of their premises, and have policies, procedures and control measures to mitigate those risks. Additionally, applicants will have to undertake a local assessment when applying for a new or variation of a premises licence, to take account of significant changes in the local circumstances or when there are significant changes at the licensee's premises.

15.2 The Borough Council is aware that there is no mandatory requirement to have a local area profile but recognises that that one may offer a number of benefits. Should evidence be obtained to identify local risk areas then these will be reflected in a separate document and made available from Environmental Health – Licensing and on the Borough Council's website.

15.3 Enquiries with relevant organisations have not revealed any data to suggest that there are any areas with the Borough that could be identified as a risk. *[However, should the consultation reveal such data then this paragraph will be updated].*

16.0 Planning Permission & Building Regulations

16.1 In determining applications, the Borough Council will not take into consideration matters that are not related to gambling and the licensing objectives. One example would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.

16.2 The Borough Council is aware that a premises licence, once it comes into effect, authorises premises to be used for gambling. Accordingly, a licence to use premises for gambling should only be issued in relation to premises

that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use. (Equally, licences should only be issued where they are expected to be used for the gambling activity named on the licence).

17.0 Duplication with other Regulatory Regimes

17.1 The Borough Council will aim to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it.

18.0 Licensing Objectives

18.1 Premises licences granted must be reasonably consistent with the licensing objectives. With regard to this the Borough Council has considered the Gambling Commission's Guidance to local authorities and some comments are made below.

18.2 **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.** The Borough Council is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. The Borough Council is aware of the distinction between disorder and nuisance and will consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see it) so as to make that distinction.

18.3 **Ensuring that gambling is conducted in a fair and open way.** The Borough Council has noted that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. The only exception to this is for tracks which is covered in paragraph 24 below.

18.4 **Protecting children and other vulnerable persons from being harmed or exploited by gambling.** The Borough Council has noted the Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The Borough Council will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

As regards the term “vulnerable persons” it is noted that the Gambling Commission does not seek to offer a definition but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” This licensing authority will consider this licensing objective on a case by case basis.

19.0 Conditions

- 19.1 Any conditions attached to licences will be proportionate and will be:
- relevant to the need to make the proposed building suitable as a gambling facility;
 - directly related to the premises and the type of licence applied for;
 - fairly and reasonably related to the scale and type of premises; and
 - reasonable in all other respects.

19.2 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures the Borough Council will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. The Borough Council will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively.

19.3 The Borough Council will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives.

- 19.4 It is noted that the Borough Council cannot attach conditions to premises licences which:
- makes it impossible to comply with an operating licence condition;
 - relate to gaming machine categories, numbers, or method of operation;
 - provide that membership of a club or body be required (the Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
 - relate to stakes, fees, winnings or prizes.

19.5 Door Supervisors

If the Borough Council is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor.

20.0 Adult Gaming Centres

20.1 The Borough Council will have regard to the need to protect children and

vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that children and young persons do not have access to the premises.

20.3 The Borough Council may consider measures to meet the licensing objectives such as:

- Proof of age schemes;
- CCTV;
- Supervision of entrances / machine areas;
- Physical separation of areas;
- Location of entry;
- Notices / signage;
- Specific opening hours;
- Self-exclusion schemes; and
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

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

21.0 (Licensed) Family Entertainment Centres (FEC):

21.1 The Borough Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under children and young persons do not have access to the adult only gaming machine areas.

21.2 The Borough Council may consider measures to meet the licensing objectives such as:

- CCTV;
- Supervision of entrances / machine areas;
- Physical separation of areas;
- Location of entry;
- Notices / signage;
- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare; and
- Measures / training for staff on how to deal with suspected truant school children on the premises

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

22.0 Casinos

22.1 There are currently no casinos operating within the borough.

22.2 The Borough Council has not passed a 'no casino' resolution under Section 166 of the Act, but is aware that it has the power to do so. Should

the Borough Council decide in the future to pass such a resolution, it will update this statement of principles with details of that resolution.

23.0 Bingo premises

23.1 Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

24.0 Betting premises

24.1 Betting machines – A 'betting machine' is not a gaming machine and the Borough Council is aware that it can attach a condition to restrict the number of betting machines. The Borough Council will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of these machines when considering the number/nature/circumstances of betting machines an operator wants to offer.

25.0 Tracks

25.1 The Borough Council is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track.

25.2 The Borough Council expects a premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

25.3 The Borough Council may consider measures to meet the licensing objectives such as:

- Proof of age schemes;
- CCTV;
- Supervision of entrances / machine areas;
- Physical separation of areas;
- Location of entry;
- Notices / signage;
- Specific opening hours;
- Self-exclusion schemes; and
- Provision of information leaflets / helpline numbers for organisations such as GamCare

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

25.4 *Gaming machines* - Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas

from which children are excluded.

- 25.5 *Betting machines* - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/ nature/ circumstances of betting machines an operator proposes to offer.

26.0 Applications and plans

- 26.1 Section 51 of the Act requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling.
- 26.2 Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations.
- 26.3 Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises.
- 26.4 In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.
- 26.5 The Borough Council appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the "five times rule" (commonly known as betting rings) must be indicated on the plan.

27.0 Travelling Fairs

- 27.1 The Borough Council is responsible for deciding whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 27.2 The Borough Council will also consider whether the applicant falls within

the statutory definition of a travelling fair.

- 27.3 It is noted that the 27-day statutory maximum for the land being used as a fair applies on a per calendar year basis, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Borough Council will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

28.0 Provisional Statements

- 28.1 Developers may wish to apply for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.
- 28.7.2 Section 204 of the Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:
- expects to be constructed;
 - expects to be altered; or
 - expects to acquire a right to occupy.
- 28.3 The process for considering an application for a provisional statement is the same as that for a premises licence application in that the applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.
- 28.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.
- 28.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:
- they concern matters which could not have been addressed at the provisional statement stage, or
 - they reflect a change in the applicant's circumstances.
- 28.6 In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- which could not have been raised by objectors at the provisional statement stage;

- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

29.0 Reviews:

- 29.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the Borough Council to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below;
- in accordance with any relevant code of practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and
 - in accordance with the authority's statement of principles.
- 29.2 The request for the review will also be subject to the consideration by the Borough Council as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.
- 29.3 The Borough Council, as the licensing authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.
- 29.4 Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day consultation period. This period begins 7 days after the application was received by the Borough Council, who will publish notice of the application within 7 days of receipt.
- 29.5 The Borough Council must carry out the review as soon as possible after the 28 day period for making representations has passed.
- 29.6 The purpose of the review will be to determine whether the Borough Council should take any action in relation to the licence. If action is justified, the options open to the Licensing Sub-Committee are:-
- add, remove or amend a licence condition imposed by the licensing authority;
 - exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
 - suspend the premises licence for a period not exceeding three months; and
 - revoke the premises licence.
- 29.7 In determining what action, if any, should be taken following a review, the

Borough Council must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

- 29.8 In particular, the Borough Council, acting as the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
- 29.9 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:
- the licence holder;
 - the applicant for review (if any);
 - the Commission;
 - any person who made representations;
 - the chief officer of police or chief constable; and
 - Her Majesty's Commissioners for Revenue and Customs.

PART C
PERMITS / TEMPORARY & OCCASIONAL USE NOTICE

30.0 Unlicensed Family Entertainment Centre (FEC) gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

- 30.1 Where a premise does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for a Family Entertainment Centre permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).
- 30.2 The Act states that a licensing authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25.
- 30.3 The Borough Council is aware that it cannot add conditions to this type of permit.
- 30.4 The Borough Council has adopted the following Statement of Principles, in respect of unlicensed FECs:
- 30.5 The Borough Council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Such policies/procedures will be considered on their merits; however, they may include appropriate measures on staff training on how to deal with suspected truancy, how to deal with unsupervised very young children being on the premises and children causing problems around the premises.
- 30.6 The Borough Council will also expect the applicant to demonstrate a full

understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs and that staff are trained to have a full understanding of the maximum stakes and prizes.

30.7 The Borough Council will require the following to be submitted in addition to the application form and fee:

- (1) Proof of the applicant's identity and age;
- (2) Proof of the applicant's right to occupy the premises for which the permit is sought;
- (3) (Where the applicant is an individual) a 'basic' Disclosure & Barring Service (BDS) disclosure dated no earlier than one calendar month on the day the application is received by the Borough Council. Holders of operating licences issued by the Gambling Commission are exempt this requirement.
- (4) An insurance certificate (or certified copy) confirming the availability of public liability insurance covering the proposed activity.
- (5) A plan scale 1:100 of the premises showing:
 - a. The boundary of the premises including any internal and external walls, entrances, exits, doorways and windows, and indicating the points of access available to the public.
 - b. The location of any fixed or temporary structures.
 - c. The location of any counters, booths, offices or other locations from which staff may monitor the activities of persons on the premises.
 - d. The location of any public toilets within the boundary of the premises.
 - e. The location of CCTV cameras.
 - f. The location of any ATM or other cash/change machines.
 - g. The proposed location of the Category 'D' machines.
 - h. Details of non category 'D' machines (e.g. skill with prizes machines).

31.0 (Alcohol) Licensed premises gaming machine permits – (Schedule 13 paragraph 4(1))

31.1 Automatic entitlement: 2 machines

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have 2 gaming machines, of categories C and/or D.

31.2 The Borough Council can remove the automatic authorisation in respect of any particular premises if:

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

31.3 Permit: 3 or more machines

If a premises wishes to have more than 2 machines, then the premises licence holder needs to apply for a permit and the Borough Council must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Act and “*such matters as they think relevant.*”

31.4 The Borough Council considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines (category ‘C’ machines). Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

31.5 It should be noted that the Borough Council can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

31.6 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission

32.0 Prize Gaming Permits

32.1 The Act states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit”.

32.2 The Borough Council has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- that the gaming offered is within the law;
- clear policies that outline the steps to be taken to protect children from harm.

32.3 The Borough Council shall also require (where the applicant is an individual) a ‘basic’ Disclosure & Barring Service (BDS) disclosure dated no earlier than one calendar month on the day the application is received by the Borough Council. Holders of operating licences issued by the Gambling Commission are exempt this requirement.

32.4 In making its decision on an application for this permit the licensing

authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance. (Gambling Act 2005, Schedule 14 paragraph 8(3))

32.5 It should be noted that there are conditions in the Act which the permit holder must comply, but that the Borough Council cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

33.0 Club Gaming and Club Machines Permits

33.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Machines Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in regulations. A Club Machine Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

33.2 The Borough Council may only refuse an application on the grounds that:

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

33.3 There is a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced. Grounds on which an application under this process may be refused are:

- that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- that in addition to the prescribed gaming, the applicant provides

facilities for other gaming; or

- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

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

34.0 Temporary Use Notices

34.1 Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a temporary use notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

34.2 The Borough Council is aware that it can only grant a temporary use notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

35.0 Occasional Use Notices:

35.1 The Borough Council has little discretion as regards occasional use notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded.

36.0 Small Society Lotteries

36.1 The Borough Council will register and administer smaller non-commercial lotteries and applicants for lottery licences must apply to the licensing authority in the area where their principal office is located.

36.2 The Borough Council must be satisfied that the 'society' is established and conducted:

- for charitable purposes (as defined in S2 of the Charities Act 2006);
- for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural nature activity; or
- for any other non-commercial purpose other than private gain.

In determining whether the Society is non-commercial the Borough Council may require applicants to provide copies of the society's constitution or terms of reference.

36.3 For new applications or change of promoter, the Borough Council shall require the promoter of the lottery to produce a statement declaring that they have no relevant convictions that would prevent them from running a lottery. A list of 'relevant' offences is listed at Schedule 7 of the Act.

36.4 The Borough Council may refuse an application for registration if in their opinion:

- The applicant is not a non-commercial society;
- A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence; or
- Information provided in or with the application for registration is false or misleading.

36.5 Where the Borough Council intends to refuse registration of a Society, it will give the Society an opportunity to make representations and will inform the Society of the reasons why it is minded to refuse registration. It will also supply evidence on which it has reached that preliminary conclusion.

36.6 The Borough Council may revoke the registered status of a society if it thinks that they would have had to, or would be entitled to; refuse an application for registration if it were being made at that time. However, no revocations will take place unless the Society has been given the opportunity to make representations. The Borough Council will inform the society of the reasons why it is minded to revoke the registration and will provide an outline of the evidence on which it has reached that preliminary conclusion.

PART D COMMITTEE, OFFICER DELEGATION AND CONTACTS

37.0 Committee Decisions & Scheme of Delegation

37.1 The Borough Council is involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them.

37.2 Licensing Sub-Committees made up of three Councillors from the main Licensing Committee will sit to hear applications where representations have been received from interested parties and responsible authorities. Ward Councillors will not sit on a Sub-Committee involving an application within their ward.

37.3 Where a Councillor who is a member of the Licensing Committee is making or has made representations regarding a licence on behalf of an interested party, in the interests of good governance they will disqualify themselves from any involvement in the decision making process affecting the licence in question.

37.4 The Borough Council's Licensing Officers will deal with all other licensing applications where either no representation have been received, or where representations have been received and it is agreed by the parties that a hearing is not necessary.

37.5 Decisions as to whether representations are irrelevant, frivolous or vexatious will be made by Borough Council Officers, who will make the decisions on whether representations or applications for licence reviews should be referred to the Licensing Committee or Sub-Committee. Where representations are rejected, the person making that representation will be given written reason as to why that is the case. There is no right of appeal

against a determination that representations are not admissible.

- 37.6 The table shown at Annex C sets out the agreed delegation of decisions and functions to Licensing Committee, Sub-Committee and Officers.
- 37.7 This form of delegation is without prejudice to Officers referring an application to a Sub-Committee or Full Committee if considered appropriate in the circumstances of any particular case.

DRAFT

38.0 Contacts

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

Environmental Health – Licensing
Borough Council of King's Lynn & West Norfolk
King's Court
Chapel Street
King's Lynn
Norfolk
PE30 1EX

Tel: 01553 616200
Fax: 01553 691663
E-mail: ehicensing@west-norfolk.gov.uk
www: www.west-norfolk.gov.uk

38.2 Information is also available from:-

Gambling Commission
4th floor
Victoria Square House
Birmingham
B2 4BP

Tel: 01212 331096
Website: www.gamblingcommission.gov.uk

List of Persons Consulted

Borough Council of King's Lynn & West Norfolk

Gambling Commission

Norfolk Constabulary

Norfolk Fire Service

Norfolk Safeguarding Children Board

Norfolk County Council

HM Revenue & Customs

Norfolk Trading Standards

Association of British Bookmakers

Gamcare

British Amusement Catering Trade Association (BACTA)

NORCAS

Housing Associations:

- ◆ Broadland Housing Association
- ◆ Co-Op Homes
- ◆ Cotman Housing Association
- ◆ Freebridge House
- ◆ Guinness Trust
- ◆ Hastoe Housing Association
- ◆ Housing 21
- ◆ Longhurst Housing Association Limited
- ◆ Minster General Housing Association Limited
- ◆ Orbit Housing Association
- ◆ Peddars Way Housing Association
- ◆ Sanctuary Housing Association
- ◆ Wherry Housing Association

Parish Clerks

All holders of Gambling Act 2005 Premises Licences issued by the BCKLWN

All holders of Gambling Act 2005 permits issued by the BCKLWN

All promoters of Small Society Lottery Registrations issued by the BCKLWN

Annex B to the
Borough Council of King's Lynn & West Norfolk
Gambling Act 2005 - Statement of Principles
Dated

Responsible Authorities	
<p>The Licensing Authority:</p> <p>Environmental Health - Licensing Borough Council of King's Lynn & West Norfolk King's Court Chapel Street King's Lynn PE30 1EX</p> <p>Tel: 01553 616200 E-mail: EHLicensing@west-norfolk.gov.uk</p>	<p>The Gambling Commission:</p> <p>4th floor Victoria Square House Birmingham B2 4BP</p> <p>Telephone: 01212 306576 Fax: 01212 331096</p>
<p>The Chief Officer of Police:</p> <p>Norfolk Constabulary Licensing Team Bethel Street Norwich Norfolk NR2 1NN</p> <p>Tel: 01603 275729 Email: licensingteam@norfolk.pnn.police.uk</p>	<p>The Fire Authority:</p> <p>Fire Safety Office Norfolk Fire Service – Western Area Kilhams Way King's Lynn PE30 2HY</p> <p>Tel: 01603 812261</p>
<p>Planning Authority:</p> <p>Development Services Borough Council of King's Lynn & West Norfolk King's Court Chapel Street King's Lynn PE30 1EX</p> <p>Tel: 01553 616200</p>	<p>Environmental Health:</p> <p>Environmental Health Borough Council of King's Lynn & West Norfolk King's Court Chapel Street King's Lynn PE30 1EX</p> <p>Tel: 01553 616200</p>
<p>Norfolk Safeguarding Children Board:</p> <p>Room 60 Lower Ground Floor County Hall Martineau Lane Norwich NR1 2UG</p>	<p>HM Revenue and Customs:</p> <p>National Registration Unit Portcullis House 21 India House Glasgow G2 4PZ</p>

Annex C to the
Borough Council of King's Lynn & West Norfolk
Gambling Act 2005 - Statement of Principles
Dated

Table of Delegations of Licensing Functions

Matter to be dealt with	Full Council	Licensing Committee/ Sub-Committee	Officers
Final approval of Statement of Principles	X		
Policy to permit casino	X		
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence		X	
Application for club gaming /club machine permits		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits		X	
Applications for other permits			X
Cancellation of licensed premise gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

The Licensing Manager
Environmental Health - Licensing
Borough Council of King's Lynn & West Norfolk
King's Court
Chapel Street
King's Lynn
Norfolk
PE30 1EX

7th October 2015

Dear Sir,

Consultation on Borough Council of King's Lynn & West Norfolk Statement of Principles – Gambling Act 2005

Coral Racing Limited is most grateful to be given the opportunity to respond to this consultation exercise. Coral was one of the first national bookmakers to be licensed under the Betting and Gaming Act of 1960, and so has been operating the length and breadth of the UK for over 50 years. Its premises comprise locations in the inner city, on the high street, in suburbs and in rural areas, and in areas of both high and low deprivation. It now operates 1850 betting offices across Great Britain, which comprise about 20% of all licensed betting offices. It is, therefore, a highly experienced operator.

Coral Racing Limited are supportive of the document. It again notes that the Board when considering applications are still required to 'aim to permit gambling' where this is 'reasonably consistent with the licensing objectives', additionally noting that it should not take into account of any moral objections to gambling.

Coral Racing Limited recognise the requirement to supply risk assessments with future applications & variations following the consultation completion (requirement is from 6th April 2016) and are pleased to see this detail included within the Draft Statement from Section 15 onwards.

Coral's experience is that through all it does, it achieves an exemplary degree of compliance already, and attracts negligible evidence of regulatory harm. Through the additional local risk assessment to be introduced, Coral believe that these should be a) to assess specific risks to the licensing objectives in the local area, and b) to assess whether control measures going beyond standard control measures are needed. In our opinion your guidance is appropriate with no long lists of definitive locations which by their very inclusion, could (incorrectly in our view) infer that a location of a gambling premise nearby, causes risk to the gambling objectives.

If we can provide any further information, we would be pleased to do so.

Yours faithfully,



John Liddle
Director of Development – Coral Retail



Coral Racing Limited
One Stratford Place, Montfichet Road, London E20 1EJ
Registered Office: New Castle House, Castle Boulevard, Nottingham NG7 1FT
Registered in England No. 541600
Tel: 020 3288 7000 Fax: 020 3288 7050

REPORT TO CABINET

Open/Exempt	Would any decisions proposed :			
Any especially affected Wards	(a) Be entirely within cabinet's powers to decide YES/NO			
	(b) Need to be recommendations to Council YES/NO			
	(c) Be partly for recommendations to Council YES/NO and partly within Cabinets powers –			
Lead Member: Cllr Adrian Lawrence E-mail: cllr.adrian.lawrence@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted: Licensing Committee		
Lead Officer: Vicki Hopps E-mail: vicki.hopps@west-norfolk.gov.uk Direct Dial: 01553 616307		Other Officers consulted: Geoff Hall, Licensing Team, Legal Services		
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications (incl S.17) YES	Equal Opportunities Implications NO	Risk Management Implications NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)				

Date of meeting: 26th November 2015

Licensing Act 2003 – Statement of Licensing Policy

Summary

The current 'Statement of Licensing Policy' was approved by Full Council on the 25th November 2010 with a minor amendment approved on the 28th January 2010. Regulations require that the policy is reviewed every five years and a replacement for our current policy must be in place by the 7th January 2016. The policy has been drawn up in accordance with guidance issued under Section 182 of the Licensing Act 2003 and best practice issued by Local Government Regulation (the new name for LACORS).

Recommendation

That the Council be invited to adopt the revised Statement of Licensing Policy in accordance with the requirements of the Licensing Act 2003.

Reason for Decision

It is a statutory requirement that the Council adopts a Statement of Licensing Policy and review and publish that policy each five year period.

1.0 Introduction

1.1 Section 5 of the Licensing Act 2003 requires a licensing authority to prepare and publish a statement of licensing policy every five years. Such a policy must be published before the authority carries out any function in respect of individual applications made under the terms of

the Act. Regulations require that we have the new policy be in place by the 7th January 2016.

- 1.2 In reviewing this policy statement, the Borough Council has taken account of new revised Guidance issued by the Secretary of State for the Department for Culture, Media and Sport (DCMS) and guidance issued by Local Government Regulation (the new name for LACORS).
- 1.3 Proposed changes to the policy are shown in red in the attached document, Appendix 1.
- 1.4 A summary of the main changes are listed below:
 - 3.3 – Explanation of a “relevant” representation.
 - 3.5 & 4.4 – Responsibility dealing with to anti-social behaviour of the premises.
 - 7.2 – Removal of clause where Licensing Officer cannot review a Council premises.
 - 8.0 – Police are the main source of advice on crime prevention.
 - 9.0 – Public Safety: Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act
 - 11.4 & 11.5 – Removal of examples of where there would be particular concern for children.
 - 13.1 – Removal of clause in respect to monitoring cultural activities.
 - 14.0 – Removal of clauses in relation to Tourism and Employment.
 - 16.0 – New clause on Equality.
 - 18.2 – Removal of clause relating to blanket standard conditions.
 - 22.4 & 22.5 – Addition of clause for routine checks on the display of notices and suspension of licences due to non-payment of fees.
 - 23.0 – Addition of description of Responsible Authorities.
 - 24.3 & 24.4 – Addition of clauses in relation to hearings and representations.
 - 25.0 – Addition of other relevant matters, including adult entertainment and gaming machines.

2.0 Consultation

- 2.1 Before determining our policy for any five year period Section 5(3) of the Act states that we must consult with the following:
 - Police
 - Fire Authority
 - Persons/bodies representative of premises Licence holders
 - Persons/bodies representative of club premises certificate holders
 - Persons/bodies representative of personal Licence holders
 - Persons/bodies representative of business and residents
 - Any other persons or bodies the Council deems appropriate
- 2.2 The views of all these persons/bodies should be give appropriate weight when the policy is determined.

2.3 The proposed amendments to our Statement of Licensing Policy specified above were consulted upon between the 17th August 2015 and the 9th October 2015. These proposals and a request for comments and suggestions on our current policy were widely circulated which included to the following:

- Norfolk Constabulary
- Norfolk Fire Service
- Norfolk Trading Standards
- HM Revenue & Customs
- Norfolk Children's Safeguarding Board
- Norfolk Chamber of Commerce
- Association of Licensed Multiple Retailers
- British Beer & Pub Association
- 14 Neighbourhood/Housing Trusts
- 2 Residents Associations
- Norfolk County Council
- Downham Market Town Council
- Hunstanton Town Council
- Vancouver/Town Centre Managers
- All holders of licences issued under the Act
- All Parish Clerks
- All County Councillors (based in West Norfolk)
- All Borough Council of King's Lynn & West Norfolk Councillors
- Development Services
- Community Safety & Neighbourhood Nuisance

2.4 In addition, to the above details of our review were published on the Borough Council's website.

2.5 The consultation ends on 9th October and any comments received will be appended to the report.

3.0 Policy Implications

3.1 The proposals to our current policy do not impact on any other Council Policies.

4.0 Financial Implications

4.0 None

5.0 Statutory Considerations

5.1 The Licensing Act 2003 has clear implications for Crime and Disorder and the policy is drafted in such a way, so far as the Guidance permits to take account of these issues. The Norfolk Constabulary have not made any comments in relation to the proposed amendment or the current policy.

6.0 Risk Assessment

- 6.1 Unless the statement of policy is in place by the 7th January 2016 we will be unable to carry out our statutory functions under the Licensing Act 2003.

7.0 Access to Information

- 7.1 Guidance issued under Section 182 of the Licensing Act 2003 (March 2015)
- 7.2 Borough Council of King's Lynn & West Norfolk Statement of Licensing Policy – approved by Full Council 25th November 2010.

8.0 Appendixes

- 8.1 Proposed Statement of Licensing Policy



Licensing Act 2003

Statement of Licensing Policy

Approved by Full Council: _____ 2015

Commences: _____ 2016

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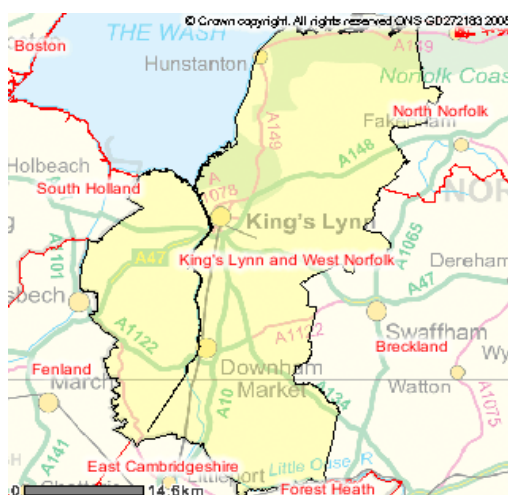
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1.0 Summary

- 1.1 The Borough Council of King's Lynn & West Norfolk (hereafter referred to as the Borough Council) is the licensing authority under the Licensing Act 2003 and is responsible for the licensing of licensable activities as defined under the Act. These are:
- The sale by retail of alcohol;
 - The supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
 - The provision of regulated entertainment;
 - The provision of late night refreshment (i.e. the supply of hot food or hot drink between 11pm & 5am).
- 1.2 Regulated entertainment is where the entertainment takes place in the presence of an audience and is provided for the purpose of entertaining that audience. The descriptions of entertainment are:
- a performance of a play,
 - an exhibition of a film,
 - an indoor sporting event,
 - a boxing or wrestling entertainment,
 - a performance of live music,
 - any playing of recorded music,
 - a performance of dance,
 - entertainment of a similar description to a performance of live music, recorded music or performance of dance.
- 1.3 This policy shall apply to all applications and notices given under the Act in respect of the following:
- Premises licences;
 - Club Premises Certificates;
 - Personal Licences;
 - Temporary Event Notices;
- 1.4 This policy statement will not seek to regulate matters which are provided for in other legislation e.g. planning, health & safety, fire safety etc.

2.0 Introduction

2.1 The Borough Council of King's Lynn & West Norfolk is situated in the County of Norfolk. The Council area has a population of 147,451 (2011 Census) making it the largest in the County in terms of population. In terms of area it is also the largest, covering 1429 square kilometres (552 square miles). The Council area is mainly rural with urban areas of King's Lynn, Downham Market and Hunstanton. These areas are shown in the map below.



2.2 In accordance with the Act the Borough Council will prepare and publish a statement of its licensing policy every five years. During the five year period the policy will be kept under review and The Borough Council may make such revisions as considered appropriate, for instance in the light of feedback from the local community on whether the statutory objectives are being met.

2.3 Before determining its policy for any ~~three~~ five year period, the Borough Council will consult the community and in particular:

- (a) the chief officer of police for the area (Norfolk Constabulary);
- (b) the fire authority for the area (Norfolk Fire Service);
- (c) persons/bodies representative of local holders of premises licences;
- (d) persons/bodies representative of local holders of club premises certificates;
- (e) persons/bodies representative of local holders of personal licences; and
- (f) persons/bodies representative of businesses and residents in its area.

2.4 The views of all these persons/bodies listed will be given appropriate weight when the policy is determined. It is recognised that it may be difficult to identify persons or bodies representative for all parts of industry affected by the

provisions of the 2003 Act, but the Borough Council will make reasonable efforts to identify persons or bodies concerned.

- 2.5 In determining its policy, the Borough Council will have regard to the guidance issued under Section 182 of the Licensing Act 2003 and give appropriate weight to the views of those it has consulted.

3.0 Fundamental principles

- 3.1 The 2003 Act requires that the Council carries out its various licensing functions so as to promote the following four licensing objectives:

- the prevention of crime and disorder,
- public safety,
- the prevention of public nuisance, and
- the protection of children from harm.

- 3.2 Nothing in this 'Statement of Policy' will:

3.2.1 Undermine the right of any individual to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its own merits;

3.2.2 Override the right of any person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act.

- 3.3 Every application will be dealt with impartially and on its individual merits. The Borough Council will not refuse to grant or vary an application unless it has received a representation from a responsible authority, such as the police or an environmental health officer, or ~~other persons an interested party~~, such as a local resident or local business, which is a relevant representation. A representation is "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives.

- 3.4 Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Act, and any conditions that are attached to premises licences or club premises certificates will be focused on matters which are within the control of the individual licensee or club, i.e. the premises and its vicinity.

- 3.5 Whether or not incidents can be regarded as being "in the vicinity" of licensed premises is a question of fact and will depend on the particular circumstances of the case. In cases of dispute, the question will ultimately be decided by the courts. The Borough Council, in addressing this matter, will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

- 3.6 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or

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business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy throughout the borough.

4.0 Cumulative Impact

4.1 There can be confusion about the difference between “need” and the “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub or restaurant or hotel. This is not a matter for the licensing authority in discharging its licensing functions or for its statement of licensing policy. “Need” is a matter for the market.

4.2 “Cumulative impact” is not mentioned in the 2003 Act. The guidance issued under Section 182 describes it as the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. For instance, the potential impact on crime and disorder or public nuisance on a town centre of a large concentration of licensed premises in that area.

4.3 Where, after considering the available evidence and consulting those individuals and organisations listed in Section 5(3) of the Act and any others, the Borough Council is satisfied that it is appropriate and necessary to include an approach to cumulative impact. It may adopt a special policy of refusing new licences whenever relevant representations are received about the cumulative impact on the licensing objectives.

~~4.4 Once away from licensed premises, a minority of consumers may behave badly and unlawfully. In addition to the powers contained within the Act, the Borough Council will use a range of other mechanisms such as planning controls, CCTV and Anti Social Behaviour Orders to address these problems.~~

-4.4 Once away from the licensed premises, a minority of consumers will behave badly and unlawfully. To enable the general public to appreciate the breadth of the strategy for addressing these problems, the Borough Council encourages the use of other mechanisms both within and outside the licensing regime that are available for addressing such issues. Such as:

- planning control;
- CCTV;
- powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
- the confiscation of alcohol from adults and children in designated areas;
- police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale);
- police powers to close down instantly for up to 24 hours (extendable to 48 hours) any licensed premises in respect of which a TEN has effect on

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grounds of disorder, the likelihood of disorder, or noise emanating from the premises causing a nuisance; and

- the power of the police, other responsible authorities or other persons to seek a review of a licence or certificate.

5.0 Licensing Hours

- 5.1 With regard to licensing hours, due consideration which will be given to the individual merits of an application. The Borough Council recognises that, in some circumstances, flexible licensing hours for the sale of alcohol can help to ensure that the concentrations of customers leaving premises simultaneously are avoided. This can help to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which could lead to disorder and disturbance.
- 5.2 The Borough Council wants to ensure that licensing hours do not inhibit the development of thriving and safe night-time local economies. This is important for investment, local employment and attractive to domestic and international tourists. Providing consumers with greater choice and flexibility is an important consideration, but should always be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.
- 5.3 With regard to shops, stores and supermarkets, it is the policy of the Borough Council that such premises should be free to provided sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are very good reasons for restricting those hours.
- 5.4 It is important to note that “opening hours”, the times when premises are open to the public, are not necessarily identical to the hours during which licensable activities may take place.

6.0 Portman Group Code of Practice

- 6.1 The Portman Group operates, on behalf of the alcohol industry, a Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Borough Council commends the Code. Further details of the Portman Group Code of Practice can be found at Annex A.

7.0 Review Process

- 7.1 The review process represents a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence. At any stage, following the grant of a premises licence, a responsible authority, or an interested party other persons, may apply to the Borough Council ~~ask the licensing authority~~ to review the

licence because of a matter arising at the premises in connection with any of the four licensing objectives.

~~7.2 Licensing officers may not initiate their own reviews of premises licences, but elected members of the licensing authority may request reviews if they are concerned about licensed activities at a premises or such matters are brought to their attention. Officers of the local authority who are specified as responsible authorities under the 2003 Act, such as environmental health or planning officers, may also request reviews on any matter which relates to the promotion of one or more of the licensing objectives.~~

7.3 In every case, the representation must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of the licensing objectives. After a licence or certificate has been granted or varied, a complaint relating to a general (crime and disorder) situation in a town centre should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.

7.4 The Borough Council recognises that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised persons, ~~interested parties other persons~~ and responsible authorities in pursuit of common aims. It is therefore equally important that reviews are not used to drive a wedge between these groups in a way that would undermine the benefits of co-operation. ~~The Borough Council encourages the~~ It is good practice for authorised persons and responsible authorities to give licence holders early warning of their concerns about problems identified at the premises concerned and of the need for improvement. A failure to respond to such warnings is expected to lead to a decision to request a review.

7.5 Where the request originates ~~with an interested party from other persons~~ – e.g. a local resident, residents' association, local business or trade association – the Borough Council will first consider whether the complaint made is relevant, vexatious, frivolous or repetitious.

8.0 Crime Prevention

~~8.1 The Borough Council acknowledges that the Police are the main source of advice on crime and disorder.~~

8.2¹ Licensed premises, especially those open late night/early morning can be a source of crime and disorder problems. The Borough Council expects operating schedules to satisfactorily address these issues, as appropriate from the design of the premises to the daily operation of the business.

~~8.2 Where relevant representations are received the Borough Council will consider attaching conditions to deter and prevent crime and disorder both inside and~~

~~immediately outside the premises. These may include conditions drawn from the Model Pool of Conditions relating to Crime & Disorder (see Annex D to the Guidance issued under Section 182 of the Licensing Act 2003).~~

9.0 Public Safety

~~9.1 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning.~~

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~~9.2 A number of matters should be considered in relation to public safety. These could include:~~

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- ~~• Fire safety;~~
- ~~• Ensuring appropriate access for emergency services such as ambulances;~~
- ~~• Good communication with emergency services;~~
- ~~• Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;~~
- ~~• Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);~~
- ~~• Ensuring appropriate and frequent waste disposal, particularly of glass bottles;~~
- ~~• Ensuring appropriate limits on the maximum capacity of the premises; and~~
- ~~• Considering the use of CCTV.~~

~~9.3 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. The Borough Council expects applicants to consider these when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they will achieve that.~~

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~~9.1 The Act covers a wide range of premises that require a licence which includes pubs, clubs, cinemas, village halls, restaurants and takeaways. Each of these different types of premises present a variety of risks to public safety with many common to most premises and others unique to specific operations. The Borough Council expect operating schedules to satisfactorily address these issues, as appropriate.~~

~~9.2 Where relevant representations are received the Borough Council will consider attaching conditions to deter and prevent crime and disorder both inside and immediately outside the premises. These may include conditions drawn from the Model Pool of Conditions relating to Public Safety (see Annex D to the Guidance issued under Section 182 of the Licensing Act 2003).~~

10.0 Prevention of Public Nuisance

10.1 Licensed premises, especially those operating late at night and early in the morning can cause a range of nuisances which impact on people or businesses in the vicinity. The concerns will mainly relate to noise but could also include light pollution and noxious smells. The Borough Council expect operating schedules to satisfactorily address these issues, as appropriate.

~~10.2 Where relevant representations are received the Borough Council will consider attaching conditions to deter and prevent crime and disorder both inside and immediately outside the premises. These may include conditions drawn from the Model Pool of Conditions relating to Public Nuisance (see Annex D to the Guidance issued under Section 182 of the Licensing Act 2003).~~

11.0 Children

11.1 It is an offence under the 2003 Act to permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or where that activity is carried on under the authority of a temporary event notice.

11.2 In addition, it is an offence to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at other premises supplying alcohol for consumption on the premises under the authority of any premises licence, club premises certificate or temporary event notice. Outside of these hours, the offence does not prevent the admission of unaccompanied children under 16 to the wide variety of premises where the consumption of alcohol is not the exclusive or primary activity. Between 5am and midnight the offence would not necessarily apply to many restaurants, hotels, cinemas and even many pubs where the main business activity is the consumption of both food and drink. This does not mean that children should automatically be admitted to such premises.

11.3 It is not intended that the definition “exclusively or primarily” in relation to the consumption of alcohol should be applied in a particular way by reference to turnover, floor space or any similar measure. The expression should be given its ordinary and natural meaning in the context of the particular circumstances. It will normally be quite clear that the business being operated at the premises is predominantly the sale and consumption of alcohol. Mixed businesses may be harder to pigeonhole and we would advise operators to consult with enforcement agencies where necessary about their respective interpretations of the activities taking place on the premises before any moves are taken which might lead to prosecution.

11.4 The Borough Council will support all measures that protect children from harm but will not seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm to them.
~~The following list whilst, not exhaustive are areas that will give rise to particular concern in respect of children:~~

~~11.4.1 where entertainment or services of an adult nature are commonly provided (for example, topless bar staff, striptease, lap dancing, table dancing or pole~~

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~~dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong or offensive language);~~

~~11.4.2 where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking;~~

~~11.4.3 premises with a known association with drug taking and dealing;~~

~~11.4.4 where there is a strong element of gambling on the premises (but not, for example, the simple presence of a small number of cash prize gaming machines); and~~

~~11.4.5 where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.~~

~~11.5 The Borough Council will consider a range of alternatives for limiting the access of children that is necessary to promote the licensing objective for the prevention of children from harm. These, which may be adopted in combination and attached to a licence, include:~~

~~11.5.1 limitations on the hours when children may be present;~~

~~11.5.2 limitations on the exclusion of the presence of children under certain ages when particular specified activities are taking place;~~

~~11.5.3 limitations on the parts of premises to which children might be given access;~~

~~11.5.4 age limitations (below age 18);~~

~~11.5.5 requirements for accompanying adults (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and~~

~~11.5.6 full exclusion of those people under 18 from the premises when any licensable activities are taking place.~~

11.56 Conditions requiring the admission of children to any premises cannot be justified and will not be attached to licences or certificates. Where no licensing restriction is necessary, this will remain a matter for the discretion of the individual licensee or club or person who has given a temporary event notice. Venue operators seeking premises licences and club premises certificates may also volunteer such prohibitions and restrictions in their operating schedules because their own risk assessments have determined that the presence of children is undesirable or inappropriate. Where no relevant representations are made, these volunteered prohibitions and restrictions will become conditions attaching to the licence or certificate and will be enforceable as such. No other conditions concerning the presence of children on premises will be imposed by the Borough Council in these circumstances.

11.6 The Borough Council recognises the Norfolk Safeguarding Children's Board as the lead responsible authority in relation to the protection of children from harm.

12.0 Children and Cinemas

12.1 In the case of premises giving film exhibitions, the Borough Council will expect licensees or clubs to include in their operating schedules arrangements for

restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification.

13.0 Cultural Activities

~~13.1 The Borough Council will monitor the impact of licensing on the provision of regulated entertainment, and particularly live music and dancing. All reasonable care will be taken to ensure that only necessary, proportionate and reasonable licensing conditions impose any restrictions on such events. Where there are indications that such events are being deterred by licensing requirements, the statement of policy will be re-visited with a view to investigating how the situation might be reversed.~~

13.12 The Borough Council recognises the need to encourage and promote a broad range of entertainment, ~~particularly live music, dancing and theatre, including the performance of a wide range of traditional and historic plays,~~ for the wider cultural benefit of communities. A natural concern to prevent disturbance in neighbourhoods will always be carefully balanced with these wider cultural benefits, particularly the cultural benefits for young people. In determining what conditions should be attached to licence and certificates as a matter of necessity for the promotion of the licensing objectives, the Borough Council is aware of the need to avoid measures which deter ~~live music, dancing and theatre regulated entertainment~~ by imposing indirect costs of a disproportionate nature.

~~14.0 Tourism & Employment~~

~~14.1 The Borough Council will ensure that the Licensing Committee receive, when appropriate, reports on the needs of the local tourist economy to ensure that these are reflected in their considerations.~~

~~14.2 The Borough Council will ensure that the Licensing Committee are apprised of the employment situation in the area and the need for new investment and employment where appropriate.~~

15.0 Planning & Building Control

15.1 Planning, Building Control and licensing are separated and consider different (albeit related) matters. For instance, licensing considers public nuisance whereas planning considers amenity. As such licensing applications will not be a re-run of the planning application and will not cut across decisions taken by the planning committee or following appeals against decisions taken by that committee. Licensing Committees are not bound by decisions made by a planning committee, and vice versa.

15.2 Applications for premises licences should normally be from businesses with planning consent for the property concerned. However, applications for licences may be made before any relevant planning permission is sought or granted by the planning authority.

- 15.2 The granting by the licensing committee of any variation of a licence which involves a material alteration to a building would not relieve the applicant of the need to apply for planning permission or building control where appropriate.
- 15.3 There may be circumstances when as a condition of planning permission a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission could be liable to enforcement action under planning laws.

16.0 Promotion of **Racial** Equality

16.1 ~~The Borough Council recognise that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.~~

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16.2 ~~Information on the Borough Council's approach and compliance with the Equality Act 2010 can be found on the Borough Council's website on the following link: <http://www.west-norfolk.gov.uk/default.aspx?page=26570>~~

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~~The Borough Council recognise that the Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000, places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination; and to promote equality of opportunity and good relations between persons of different racial groups.~~

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17.0 Duplication

17.1 The Borough Council has a firm commitment to avoid duplication with other regulatory regimes so far as possible. For example, legislation governing health and safety at work and fire safety will place a range of general duties on the self-employed, employers and operators of venues both in respect of employees and of the general public when on the premises in question. Similarly, many aspects of fire safety will be covered by existing and future legislation. Conditions in respect of public safety will only be attached to premises licences and club premises certificates that are “necessary” for the promotion of that licensing objective and if already provided for in other legislation, they cannot be considered as necessary in the context of licensing law. Such regulations will not however always cover the unique circumstances that arise in connection with licensable activities, particularly regulated entertainment, at specific premises and tailored conditions may be necessary.

18.0 Conditions

18.1 The Borough Council will not impose conditions unless it has received a representation from a responsible authority, such as the police or an environmental health officer, or ~~an interested party other persons~~, such as a local resident or local business, which is a relevant representation, or is offered

in the applicant's Operating Schedule. Any conditions will be proportional and necessary appropriate to achieve the Licensing Objectives.

~~18.2 The Borough Council cannot impose 'blanket' standard conditions on premises licences or club premises certificates. The Borough Council will, however draw on the pool of conditions (published at Annex D to the Guidance issued under Section 182 of the Act) when it is considered appropriate to suit the specific needs of an individual operation.~~

19.0 Enforcement

- 19.1 The Borough Council recognises that most licence, certificate and notice holders seek to comply with the law. Notwithstanding, any enforcement action will take a graduated approach and in the first instance will include education and guidance. Where holders of authorisations continue to flout the law or act irresponsibly then firm action, including prosecution will be taken.
- 19.2 The Borough Council has established an enforcement protocol which has been agreed with all seven Norfolk authorities, Norfolk Constabulary, Norfolk Fire Service, Customs & Excise and Trading Standards. This should provide for a more efficient deployment of staff and police officers who are commonly engaged in enforcing licensing law and the inspection of licensed premises”.
- 19.3 In particular, these protocols should also provide for the targeting of agreed problem and high-risk premises, which require greater attention, while providing a lighter touch in respect of low risk premises, which are well run. The 2003 Act does not require inspections to take place save at the discretion of those charged with this role. The principal of risk assessment and targeting will prevail and inspections will not be taken routinely but if and when they are judged necessary. This should ensure that resources are more effectively concentrated on problem premises.

20.0 Temporary Event Notices

- 20.1 The Act requires that a minimum of 10-working days notice must be given for a standard temporary event notice and a minimum of 5-working days notice for a late temporary event notice. Section 193 of the Act defines “working day” as any day other than a Saturday, a Sunday, Christmas Day, Good Friday, or a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in England and Wales. ~~“Ten-w~~ “Working days” notice means ~~ten~~ working days exclusive of the day on which the event is to start, and exclusive of the day on which the notice is given.
- 20.2 There is no discretion to relax either the 10-working days notice or the five-working days notice so the Borough Council encourage notice givers to provide the earliest possible notice within 12 months of events likely to take place. The maximum notice of 12 months should enable the Norfolk Constabulary and the Borough Council's Community Safety team to make a sensible assessment as notices made too far in advance could lead to objections that could be otherwise avoided.

21.0 Personal Licences

21.1 An application for a personal licence and 'disclosure of convictions & declaration' form should be dated by the applicant within one calendar month of the application been received by the Borough Council. This is to ensure that the information on the application is as current as the basic disclosure.

22.0 Premises Licence/Club Premises Certificate Applications

22.1 Applications for the grant or variation of a premises licence or club premises certificate should be accompanied by two sets of plans, one of which will be endorsed and issued with the premises licence/club premises certificate.

22.2 Applications for the grant or variation of a premises licence or club premises certificate should be accompanied by a 'certificate of display'. This acknowledges the applicants understanding for the displaying notices and should avoid any undue delay in the application process.

22.3 Applications for the grant or variation of a premises licence or club premises certificate should be accompanied by a 'certificate of service'. This acknowledges the applicants understanding for giving a copy of the application to the responsible authorities and should avoid any undue delay in the application process.

22.4 Where applications have to be advertised, licensing officers will routinely check that public notices are displayed at the premises and in a local newspaper as part of the application validation process.

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22.5 The Borough Council is required under the Act to suspend premises licenses and club premises certificates where the annual fee has not been paid. The Borough Council will invoice each licence holder/club when the annual fee is due setting out the fee that is due. Where the fee has not been paid or there has been no claim of administrative error, the Borough Council will serve a notice to suspend the licence.

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23.0 Responsible Authorities and Other Persons

23.1 Responsible authorities are public bodies that are statutory consultees that must be notified of licensing applications. A list of the responsible authorities I respect of applications and notices made to the Borough Council can be found on the following link:
<http://www.west-norfolk.gov.uk/pdf/Responsible%20Authorities%20SEP%202012.pdf>

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23.2 When dealing with licensing applications for premises licences and club premises certificates the Borough Council is obliged to consider representations from two categories of persons, referred to as 'responsible authorities' and 'other persons'. This allows for a broad range of comment to be received both for and against licensing applications.

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23.3 The Borough Council has carefully considered its role as the Licensing Authority as a Responsible Authority under the Act. It will achieve a separation of responsibilities through procedures and approved delegations within the authority to ensure procedural fairness and eliminate conflicts of interest. A separation is achieved by allocating distinct functions (i.e. those of Licensing Authority and Responsible Authority) to different officers within the licensing team. The Borough Council does not expect to act as a Responsible Authority on behalf of third parties but accepts that there may be exceptional circumstances where this approach may be required.

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24.3.0 Administration, Exercise & Delegation of Functions

24.1 The Borough Council appreciates the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process. The Borough Council will delegate certain decisions and functions and has appointed officers and established sub-committees to deal with them.

24.2 Where under the provisions of the Act, there are no relevant representations on an application for the grant of a premises licence or club premises certificate or police objection to an application for a personal licence or to an activity taking place under the authority of a temporary event notice, these matters will be dealt with by officers to speed matters through the system. The Borough Council accepts the Secretary of State's recommendation and delegation will be achieved as set out at Annex B.

24.3 Regulation 24 of the Licensing Act 2003 (Hearings) Regulations requires the Borough Council to give all parties at licensing hearings an equal maximum period of time to present their case. For the purpose of this regulation it is the Borough Council's policy that a maximum of 15 minutes will be allowed.

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24.4 Copies of applications and letters of representation will be included within the Licensing Manager's report and distributed prior to hearings before a Licensing Sub-Committee. Applicants, responsible authorities and other persons wishing to present additional evidence in support of their application/representation should do so at least 3-working days before the hearing starts. Failure to do, may result in the Licensing Sub-Committee disregarding this additional evidence.

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25.0 Other Relevant Matters

25.1 Adult entertainment. The Licensing Authority has adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and premises offering regular entertainment of a sexual nature must be licensed as a sex establishment under those provisions. The Borough Council acknowledges that there is an exemption which allows sexual entertainment to be provided at premises licensed under the Licensing Act 2003, as long as it is provided on no more than 11 occasions within 12 months and with at least 1 month between each occasion. Premises using this exemption should ensure that procedures are in place to exclude children when entertainment of this nature is offered.

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25.2 Gaming machines in licensed premises - Automatic entitlement. There is provision in the Gambling Act 2005 (GA2005) for premises licensed to sell alcohol for consumption on the premises to automatically have two gaming machines of category C and/or D.

25.3 Gaming Machine Permit – If a premises wishes to have more than 2 machines of categories C and/or D, then it needs to apply for a permit and the Borough Council will consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission under section 25 of the Act, and such matters as licensing officers consider relevant.

25.4 Exempt Gaming. Premises licensed under the Licensing Act 2003 may offer gaming such as poker and bingo provided the stakes and prizes do not exceed permitted levels. Details of these limits are available from the Borough Council or the Gambling Commission.

264.0 Further Advice

264.1 Information and advice on all aspects of licensing can be obtained by either:

- Visiting the website on www.west-norfolk.gov.uk, or
- Telephoning the Borough Council's Information Centre on (01553) 616200, or
- By email to EhLicensing@west-norfolk.gov.uk or
- By writing to:
Licensing
Environmental Health - Licensing
& Housing
King's Court
Chapel Street
King's Lynn
PE30 1EX
- In person at King's Court

264.2 The Licensing Act 2003 and Guidance issued under Section 182 can be viewed on the Home Office website at <http://www.homeoffice.gov.uk/>

Annex A To
The Borough Council of King's Lynn & West Norfolk
Statement of Licensing Policy
Dated 25 November 2010

The Portman Group Code of Practice

The Portman Group operates, on behalf of the alcohol industry, a Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or over. Complaints about products under the Code are considered by an Independent Complaints Panel and the Panel's decisions are published on the Portman Group's website (www.portman-group.org.uk), in the trade press and in an annual report. If a product's packaging or point-of-sale advertising is found to be in a breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display such point-of-sale material, until the decision has been complied with. The Code is an important weapon in protecting children from harm because it addresses the naming, marketing and promotion of alcohol products sold in licensed premises in a manner, which may appeal to or attract minors. The Borough Council commends the Code.

Annex B To the
Borough Council of King's Lynn & West Norfolk
Statement of Licensing Policy
Dated ~~25 November 2010~~

Table of Delegations of Licensing Functions

Matter to be Dealt With	Licensing Sub-Committee	Officers
Application for personal licence	If an a police objection made	If no objection made
Application for personal licence, with unspent convictions	All cases	
Application for premises licence/ club premises Certificate	If a relevant representation made	If no relevant representation made
Application for provisional statement	If a relevant representation made	If no relevant representation made
Application to vary premises licence/club registration Certificate	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection	All other cases
Application for Interim Authorities	If a police objection	All other cases
Application to review premises licence/club premises Certificate	All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc		All cases
Decision to object when local authority is a consultee and not the lead authority	All cases	
Determination of an police objection to a temporary event notice	All cases	
Minor Variation to a Premises License / Club Premises Certificate		All Cases
Disapplication of certain Mandatory Conditions for Community Premises Determination of application to vary premises licence at community premises to include alternative licence condition	If Police Objection	All other Cases

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Borough Council of King's Lynn & West Norfolk –
Licensing Act 2003 – Draft Statement of Licensing Policy – 2015

<u>Decision whether to consult other responsible authorities on minor variation application.</u>		<u>All Cases</u>
<u>Determination of minor variation application</u>		<u>All cases</u>

REGENERATION & DEVELOPMENT AND ENVIRONMENT & COMMUNITY JOINT WORK PROGRAMME 2015/2016

3 June 2015

- Nominations to Outside Bodies
- Membership of Informal Working Groups
- Update on Black Bin Recycling – Dale Gagen
- Presentation on Internal Drainage Board Boundary Changes – Phil Camamile
- Cabinet Report – Fields in Trust
- Cabinet Report – Compulsory Purchase Order - Lynnsport
- EXEMPT Cabinet Report – Acquisition of Morston Assets Sites at NORA

24 June 2015

- Flood and Emergency Planning Update – Dave Robson
- South Quay Area Delivery Plan – Ostap Paparega

22 July 2015

- Leisure Trust Update
- Recycling Funding – Ian Burbidge
- Cabinet Report – HLF – The Green, Hunstanton – Ostap Paparega

2 September 2015

- Update on the work of the Norfolk Coast Partnership – Tim Venes
- Cabinet Report – Brancaster and South Wootton Parish Neighbourhood Plan
- Cabinet Report – Site Allocations Plan – Proposed Modifications
- Cabinet Report – Nar Ouse Business Park Enterprise Zone

30 September 2015

- Food Safety Team Annual Update – last went to Panel March 2014
- Overview of Enforcement – Stuart Ashworth
- Cabinet Report – Residential Caravan Site Licensing.

28 October 2015

- Cabinet Report – Review of Hackney Carriage and Private Hire Licensing Fees
- Cabinet Report - Gambling Act Policies
- Cabinet Report - Licensing Act Policies
- Derelict Land and Buildings Group and Townscape Heritage Initiative Update – 6 monthly update
- Riverfront Delivery Plan
- Events

25 November 2015 – Meeting to be held at the Wembley Room, Lynnsport.

Meeting to be preceded by a tour of Lynnsport – time to be confirmed.

- Leisure Trust Update
- Air Quality Annual update – Dave Robson
- Destination Management Plan – Tim Humphries
- Norfolk Rural Development Strategy Update and Local Strategy for the West Norfolk LEADER Programme – Vince Muspratt and Eliska Cheeseman – Norfolk County Council
- Environmental Statement (last considered October 2014) – Melvin Harrison
- Cabinet Report - Hackney Carriage and Private Hire Licensing Conditions Review

6 January 2016 – Venue – Town Hall

Meeting will be preceded by a tour of the Town Hall – time to be confirmed.

- Norfolk Museums Service Update – last considered Jan 2015 – Robin Hanley
- Pay to use toilets
- West Norfolk Disability Forum

27 January 2016

- Capital Programme

- Budget
- Update on Homelessness – last considered on 7th January 2015
- Recycling Project Update – Ian Burbidge
- Joint working with Norfolk Constabulary and SNAP updates – John Greenhalgh – invite KLACC
- Hunstanton Heritage Gardens HLF Stage 2 submission – Laura Hampshire

24 February 2016

23 March 2016

- Annual Feedback Reports from Outside Bodies
- Food safety team Annual Update – last considered March 2014.

20 April 2016

To be confirmed

- Tour of the NORA Housing site and King's Lynn Innovation Centre.
- Effect of wind turbines on the fishing industry
- Visit to the air raid shelter
- Redevelopment of Arts Centre Site
- Highways works – Quentin Brogdale – Norfolk County Council
- Events

FORWARD DECISIONS LIST

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
3 November 2015	Customer Services and Channel Shift		Non	Cabinet	Leader Exec Dir – D Gates		Public
	Treasury Management – Mid Year Report		Non	Cabinet	Leader Asst Director – L Gore		Public
	Licensing Act Review of Policies		Non	Council	Housing and Community Exec Director – G Hall		Public
	Gambling Act Review of Policies		Non	Council	Housing and Community Exec Director – G Hall		Public
	Review of Hackney Carriage & Private Hire Licensing Fees		Non	Council	Housing and Community Exec Director – G Hall		Public
	Polling District and Polling Place Review		Non	Council	Leader Chief Executive		Public
152	Residential Caravan Site Licensing		Non	Council	Housing and Community Chief Executive		Public

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
1 December 2015	Electoral Review		Key	Council	Leader Chief Executive		Public
	Corporate Business Plan 2015-19		Key	Council	Chief Executive		Public
	Hackney Carriage & Private Hire Licensing Conditions & Procedures Review		Non	Council	Community Exec Director – G Hall		Public
	Smoke and Carbon Monoxide Alarm Regulations 2015		Non	Cabinet	Housing and Community Chief Executive		Public
	Community Infrastructure Levy		Key	Council	Housing and Community Exec Director – G Hall		Public
	The Statement of		Non	Cabinet	Development		Public

	Community Involvement				Exec Director G Hall		
	Affordable Housing Company		Non	Cabinet	Housing & Community		Public
	Freebridge/Council Liaison Board		Non	Cabinet	Housing and Community Chief Executive		Public

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
12 January 2016	Final Council Tax Support Scheme 2016/17		Key	Council	Leader Asst Exec Dir – L Gore		Public
	Council Tax Support Discretionary Hardship Fund 1016/17		Key	Council	Leader Asst Exec Dir – L Gore		Public

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
2 February 2016	Budget 2016/17		Key	Council	Leader Asst Exec Dir – L Gore		Public