



Licensing Committee

Agenda

Part One

Council Chamber - Town Hall

Monday, 13 October 2014 at 7.00 pm

Membership (Quorum – 3)

Councillors

Cllrs Mrs Cohen (Chair), Barrett (Vice-Chair), Mrs Henwood, Mrs Hubbard, Lloyd, Mrs Murphy, Mynott, Dr Naylor, Newberry, Reed, Russell and Tee

Committee Co-ordinator: Jean Sharp (01277 312655)

Additional Information:

Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Substitutes for quasi judicial Committees must be drawn from members who have received training in quasi-judicial decision making. If a casual vacancy occurs on a quasi judicial Committee it will not be filled until the nominated member has been trained.

Rights to attend and speak

Any Member may attend any body to which these Procedure Rules apply.

A Member who is not a member of the committee may speak at the meeting if they have given prior notification by no later than one working day before the meeting to the Chair and advised them of the substance of their proposed contribution.

The member may speak at the Chair's discretion, it being the expectation that a member will be allowed to speak on a ward matter.

Point of Order/Personal explanation/Point of Information

8.3.14 Point of order

A member may raise a point of order at any time. The Chair will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Chair on the point of order will be final.

8.3.15 Personal explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Chair on the admissibility of a personal explanation will be final.

8.3.16 Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Chair. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Chair gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Chair on the admissibility of a point of information or clarification will be final.

Information for Members of the Public

Access to Information and Meetings

You have the right to attend all meetings of the Council and its Boards and Committees. You also have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published. Dates of the meetings are available at www.brentwood.gov.uk or from Democratic Services (01277 312739).

Webcasts

All of the Council's meetings are webcast, except where it is necessary for the items of business to be considered in private session (please see below).

If you are seated in the public area of the Council Chamber, it is likely that your image will be captured by the recording cameras and this will result in your image becoming part of the broadcast. This may infringe your Human Rights and if you wish to avoid this, you can sit in the upper public gallery of the Council Chamber.

Private Sessions

Occasionally meetings will need to discuss some of its business in private. This can only happen on a limited range of issues, which are set by law. When a Board or Committee does so, you will be asked to leave the meeting.

Guidelines on filming, photography, recording and use of social media at council and committee meetings

The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

Where members of the public use a laptop, tablet device, smart phone or similar devices to make recordings these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

If you wish to record the proceedings of a meeting and have any special requirements or are intending to bring in large equipment then please contact the Communications Team before the meeting.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.

Access

There is wheelchair access to the Town Hall from the Main Entrance. There is an induction loop in the Council Chamber.

Evacuation Procedures

Evacuate the building using the nearest available exit and congregate at the assembly point in the North Front Car Park.

Part I

(During consideration of these items the meeting is likely to be open to the press and public)

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3	Hackney Carriage Proposed Tariff Change	All Wards	13 - 26
4	Urgent Business An item of business may only be considered where the Chair is of the opinion that, by reason of special circumstances, which shall be specified in the Minutes, the item should be considered as a matter of urgency.		



Acting Chief Executive

Town Hall
Brentwood, Essex
03.10.2014

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Minutes

Licensing Committee 26 March 2014

Membership/Attendance

- | | |
|-------------------------------|------------------|
| * Cllr McCheyne (Chair) | * Cllr Keeble |
| * Cllr Dr Naylor (Vice-Chair) | * Cllr Morrissey |
| Cllr Mrs Beeston | * Cllr Mynott |
| * Cllr Braid | * Cllr Quirk |
| * Cllr Chilvers | Cllr Russell |
| * Cllr Clarke | * Cllr Sleep |
| * Cllr Mrs Cohen | * Cllr Tee |
| * Cllr Mrs Henwood | |

*present

Substitute Present

Cllr Kerlake (for Cllr Mrs Beeston)
Cllr Parker (for Cllr Tee)

Also Present

Cllr Le-Surf
Cllr Lloyd

Officers Present

Ashley Culverwell – Head of Borough, Health, Safety and Localism
Gary O'Shea – Principal Licensing Officer
Chris Pickering – Principal Solicitor
Leanna McPherson – Governance and Member Support Officer

414. Apologies for Absence

Apologies for absence were received from Cllr Mrs Beeston, Cllr Russell and Cllr Tee.

415. Minutes of the Licensing Committee meeting held on 14 January 2014

The minutes of the meeting held on 14 January 2014 were approved and signed by the Chairman as a correct record.

416. Hackney Carriage and Private Hire Fees and Charges for 2014/15

This report was before Members to advise of a response that had been received to the advertised proposed fees and charges for 2014/15.

The response that had been received did not affect the setting of fees which were now in force in accordance with the provisions of law. However, Members were asked to note the content of the response relating to various licence procedures as outlined in the report before them.

It was MOVED by Cllr McCheyne and SECONDED by Cllr Parker to approve the recommendations as set out in the report.

RESOLVED that Members note that

- i) as no objections were received in respect of the proposed alterations, the fees for the grant of a Private Hire Operators licence came fully into force on 13 March 2014 as advertised; and
- ii) note the objection raised by A2Z licensing over the process employed by the Council in relation to the 'replacement' of a vehicle during the currency of a vehicle licence.

(Cllr Quirk declared a non pecuniary interest under the Councils Code of Conduct by virtue of knowing the owners of Treble Twenty Taxis)

Minutes

Licensing/Appeals Sub-Committee Friday, 22nd August, 2014

Attendance

Cllr Reed (Chair)
Cllr Mrs Murphy
Cllr Newberry

Officers Present

Dave Leonard	Licensing Officer
Gary O'Shea	Principal Licensing Officer
Chris Pickering	Principal Solicitor
Jean Sharp	Governance and Member Support Officer

111. Appointment of Chair

RESOLVED to appoint Cllr Reed to chair this meeting of the Sub-Committee.

112. Quasi-Judicial Function

Members were respectfully reminded that, in determining the matter listed under Minute 114, they were exercising a quasi-judicial function with the civil burden of proof, that the matter would be determined on the facts before the Sub-Committee and the rules of natural justice applied.

113. Application for a Premises License - Licensing Act 2003

The Licensing Act 2003 established a single integrated scheme for licensing premises used for the supply of alcohol, regulated entertainment or provision of late night refreshment.

The purpose of the licensing system was the promotion of four licensing objectives:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety
- Protection of children from harm

The Sub-Committee took those objectives into account in determining the matters before it, together with the following:

- Guidance Notes on the Conduct of Hearings before the Licensing/Appeals Committee
- Brentwood Borough Council's Statement of Licensing Policy
- The statutory guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.

114. NTK Foodstore, 72-74 Ongar Road, Brentwood, CM15 9AX.

An application for a new Premises License had been received in respect of NTK Foodstore, 72-74 Ongar Road, Brentwood, CM15 9AX and was before the Sub-Committee as representation had been received from an interested party relating to the prevention of crime and disorder, also from a Member expressing concern regarding the time alcohol would be on sale but this was withdrawn in view of the conditions proposed by the Essex Police Licensing Officer and accepted by the applicant.

The Sub-Committee had before them the details of the application which was for this minimarket to be able to sell alcohol for consumption off the premises for the following hours;

- 08:00hrs-23:00hrs on Monday to Thursday and
- 08:00hrs-00:00hrs on Friday to Sunday

The Committee was addressed by the Council's Licensing Officer who introduced the application. Members' attention was drawn to the relevant paragraphs of the Council's Licensing Policy and Statutory Guidance.

The Sub-committee was addressed by the applicant's representative Mr Aydemir who spoke in support of the application and addressed the concerns of the objector which were included in the agenda.

No representations had been received from any of the Responsible Authorities but the Police observations and agreed conditions were before the Sub-Committee. Members were advised that the applicant had consented to operate with the conditions proposed by the Essex Police Licensing Officer

and had stated that training programmes were in place and that training records would be retained.

The Sub-Committee had the opportunity to ask questions of the applicant's representative and considered at length the submissions from all parties. Members were satisfied that the conditions listed in the report at paragraphs 5.2 and 5.3 on page 9 of the agenda were sufficient for the promotion of the licensing objectives and therefore RESOLVED to grant the application as applied for (subject to the points at paragraphs 5.2 and 5.3 being conditions on the licence).

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13 October 2014

Licensing Committee

Hackney Carriage Proposed Tariff Change

Report of: Ashley Culverwell – Head of Borough Health, Safety and Localism

Wards Affected: All

This report is: Public

1. Executive Summary

- 1.1 This report is to consider an application received via the Taxi Trade Consultative Group (TTCG) for an increase in the maximum fares permitted to be charged by licensed Hackney Carriage Vehicles within the Borough of Brentwood.

2. Recommendation(s)

- 2.1 **It is recommended that Members consider the proposed increase and either:**
- a) **Agree in principle the increase in the maximum fare/tariff as attached at Appendix A, to be advertised in accordance with the relevant legislative requirements; and that the increased tariff should come into force at the end of a period of 14 days from the first date of advertisement if no objections are received; or be reported back to Licensing Committee for further determination on 11 November 2014 if one or more objections are received; or**
 - b) **Refuse the application to increase the fare tariffs at this time in favour of retaining the current table of maximum fares/tariff as adopted in July 2011.**

3. Introduction and Background

- 3.1 The setting of fare tariffs in respect of Hackney Carriage Vehicles is legislated under provision of section 65 the Local Government (Miscellaneous Provisions) Act 1976 (the Act). There is no provision for the Council to set tariffs in respect of private hire vehicles.
- 3.2 From time to time the fare tariffs may be amended in accordance with the legislation, usually following a request from the Taxi trade and appropriate advertising of the proposals in accordance with the provisions of the Act.
- 3.3 The current fares have been in place since August 2011, meaning that there has been no increase in taxi fares within the Borough of Brentwood for three years.

- 3.4 At TTCG held on 4 August 2014, the trade submitted a request for an increase in tariff as attached at **Appendix A**.
- 3.5 The proposal is a maximum fare/tariff only and it is therefore up to the individual hackney carriage proprietor as to whether they wish to charge the maximum. There is no legal obligation to charge the maximum, although it is unlawful to charge more.

4. Consultation and Legal Requirements

- 4.1 If the TTCG request for an increase to the maximum tariff that may be charged by Brentwood licensed Hackney Carriage vehicles is agreed in principle by Members it must then be advertised in a local newspaper along with an implementation date of not less than 14 days from the date of publication of the notice.
- 4.2 If any written objections to the proposed increase are received by the Council within the 14 day period, these must be considered by the Licensing Committee at a further meeting to be held not later than 2 months after the date that the maximum tariff was scheduled to come into force. At this time the Licensing Committee could either implement the fares as originally advertised or revise them accordingly, in either case having fully considered the objection(s) made.
- 4.3 If following the advertising of any proposed increase to the tariffs there are no objections received, the new fares will come into effect at the end of the 14 day period without further need for consideration by Licensing Committee. A flow chart to illustrate the full process is attached at **Appendix B**.
- 4.4 By way of consultation, all existing drivers, vehicle proprietors and companies were written to on 12 August 2014 with details of the proposed increase in tariff and given opportunity to comment or propose any alternative solution. A copy of the letter is attached as **Appendix C**.
- 4.5 Following consultation, two responses were received both of which fully support the increase in tariff. However, whilst in support, one response in particular proposed an amendment to the level of fee charged for 'extras'. Extras have not been increased for at least 9 years and are a supplementary charge to the metered fare in respect of each additional passenger over one.
- 4.6 The TTCG members were emailed on 16 September 2014, with full details of the consultation responses and asked for any comment in order

to inform the content of this report and to assist to establish the most appropriate recommendation going forward. There were no further comments received other than the matter highlighted in 4.7.

- 4.7 Since sending the email as identified in 4.6, the element of the representation relating to the 'extras' has been withdrawn in writing meaning in essence that all drivers and proprietors are in agreement with the proposed increase in tariff as originally submitted.
- 4.8 Tariffs in Brentwood have not been increased for over three years although clearly the costs to the trade have increased, for example higher fuel prices, increased maintenance costs, increases in insurance premiums, inflation etc.
- 4.9 The trade believe that given the increase in operating costs the proposed increase in tariff represents a modest request, which retains fares in real terms at a lower level that when last increased in August 2011.
- 4.10 The following chart illustrates a comparison between the current and the proposed fares on the basic tariff one charge:

	Start	1 Mile	2 Miles	5 Miles	10 Miles
Current Maximum Tariff	£2.80	£3.80	£6.00	£12.40	£23.00
Proposed Maximum Tariff	£3.00	£4.20	£6.40	£13.00	£24.00

All other elements of the current tariff, such as extras, soiling charges, London Congestion charge etc, are proposed to remain the same.

5. Comparison with other Essex Authorities

- 5.1 Comparing tariffs between different authorities is not straight forward as there are differences not only in the rates charged but also with the distance covered.

For example under the new proposal, a Brentwood meter commences at £3.00 with an addition of 20p after the first 840 yards and a further addition of 20p after each subsequent 189 yards. By comparison, Harlow meters (which also commence at £3.00) increase by 20p after the first 219 yards and by a further 20p with each subsequent 148 yards. This means that the authority with the cheapest initial fare is not necessarily the cheapest over 1 mile, 2 miles etc.

- 5.2 The fares on tariff 1, taking into account the proposed increase will leave Brentwood approximately around the median figure for fares within Essex on journeys of up to 1 mile.
- 5.3 The chart at **Appendix D** highlights that there are four cheaper Essex authorities on journeys of a mile although there are 6 authorities that charge the same as Brentwood.
- 5.4 As shown on the fares comparison Brentwood's position within Essex becomes progressively higher with each additional mile covered. At two miles Brentwood would be the third highest in Essex and at 5 miles Brentwood becomes the highest.
- 5.5 Nationally Brentwood currently sit 98th of 365 authorities when comparing costs for tariff 1 over a distance of 2 miles. Colchester (13), Chelmsford (jt 68), Maldon (jt 68) and Harlow (72) are higher on the National average tables.
- 5.6 It should be noted however; that most Essex authorities have not increased their maximum fares for at least 2 to 3 years and that the above comparisons are likely to change on the basis that a number of the other authorities have indicated that they are looking at a possible increase in the near future.

6. References to Corporate Plan

- 6.1 The proposals contained within this report link directly to the following priorities of the corporate plan:

A prosperous Borough – “Safeguarding public safety through a risk based regulation and licensing service.”

7. Implications

Financial Implications

Name & Title: Jo-Anne Ireland, Acting Chief Executive

Tel & Email 01277 312712 / jo-anne.ireland@brentwood.gov.uk

- 7.1 There are costs involved in advertising the proposals and in dealing with any other matters that may arise from the proposed increase, including the costs associated with printing of new tariff cards and calibration of taxi meters. However, these costs are directly attributable to the taxi trading accounts and recovered by the Council through licence fees. It is not anticipated that there will be any additional or hidden costs relating to any increase in tariffs.

Legal Implications – Monitoring Officer Comment

Name & Title: Christopher Potter, Monitoring Officer and Head of Support Services

Tel & Email 020 8227 3389 / christopher.potter@brentwood.gov.uk

Any decision to increase tariffs may be challenged by way of appeal to the Magistrates Court or by Judicial Review of the decision. It is essential that all procedures are conducted in full accordance with the provisions of section 65 (1) to (7) of the Act as failure to do so may result in heavy cost implications in respect of any successful litigation.

8. Appendices to this report

- **Appendix A** – Current and Proposed Tariff
- **Appendix B** – Process Flow chart
- **Appendix C** - Consultation Letter to Proprietors and Drivers
- **Appendix D** - Essex Comparison Chart

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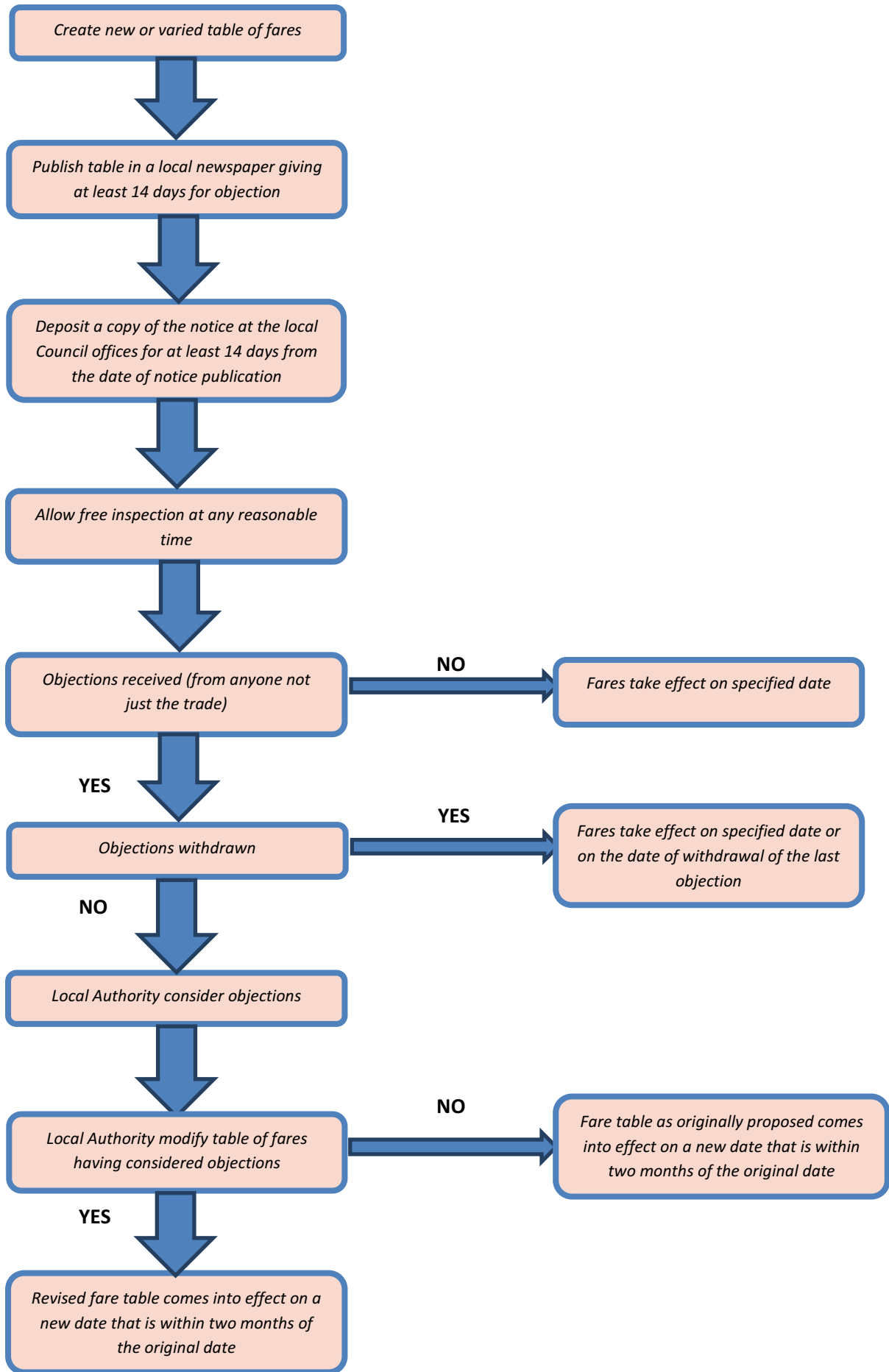
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Current and Proposed tariff

	Current Tariffs August 11				Proposed Tariffs			
	Tariff 1 (6AM to 8PM)	Tariff 2 (8PM to 11PM)	Tariff 3 (11PM to 6AM)	Tariff 4 Christmas and New Year Rate	Tariff 1 (6AM to 8PM)	Tariff 2 (8PM to 11PM)	Tariff 3 (11PM to 6AM)	Tariff 4 Christmas and New Year Rate
% of Tariff 1	100.00%	110.00%	120.00%	200.00%	100.00%	112.50%	125.00%	200.00%
Initial Price	£2.80	£3.10	£3.50	£5.60	£3.00	£3.30	£3.70	£5.90
Unit Price	£0.20	£0.20	£0.20	£0.20	£0.20	£0.20	£0.20	£0.20
Yards to First unit increase	1053	1025	1068	1053	840	790	810	800
Yards per subsequent unit increase	164.00	146.00	131.00	82.00	160.00	142.00	128.00	80.00
Initial Wait (secs)	231	225	228	244	189	178	177	190
Unit Wait (secs)	36	32	28	19	36	32	28	19
1st Mile	£3.80	£4.30	£4.70	£7.40	£4.20	£4.70	£5.30	£8.30
Per Mile	£2.15	£2.41	£2.69	£4.29	£2.20	£2.48	£2.75	£4.40
Waiting Time PH	£20.00	£22.50	£25.71	£37.89	£20.00	£22.50	£25.71	£37.89
Per Mile Increase					2.50%	2.82%	2.34%	2.50%

Current and Proposed tariff

	Sample Fares	Current Tariffs August 11					Proposed Tariffs			
	Mileage	Tariff 1	Tariff 2	Tariff 3	Tariff 4		Tariff 1	Tariff 2	Tariff 3	Tariff 4
	1	£3.80	£4.30	£4.70	£7.40		£4.20	£4.70	£5.30	£8.30
	2	£6.00	£6.70	£7.30	£11.80		£6.40	£7.30	£8.10	£12.70
	3	£8.00	£9.10	£10.10	£16.00		£8.60	£9.70	£10.70	£17.10
	4	£10.20	£11.50	£12.70	£20.40		£10.80	£12.30	£13.50	£21.50
	5	£12.40	£13.90	£15.50	£24.60		£13.00	£14.70	£16.30	£25.90
	6	£14.40	£16.30	£18.10	£28.80		£15.20	£17.10	£19.10	£30.30
	7	£16.60	£18.70	£20.70	£33.20		£17.40	£19.70	£21.70	£34.70
	8	£18.80	£21.10	£23.50	£37.40		£19.60	£22.10	£24.50	£39.10
	9	£21.00	£23.50	£26.10	£41.80		£21.80	£24.50	£27.30	£43.50
	10	£23.00	£25.90	£28.90	£46.00		£24.00	£27.10	£30.10	£47.90



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Date: 12 August 2014

Dear Proprietor/Driver

**Section 65 - Local Government (Miscellaneous Provisions) Act 1976
Fixing of Fares for Hackney Carriages**

I write to you as an interested party in relation to the setting of the maximum tariff in respect of hackney carriage fares under the above provisions.

You may be aware that the last amendment to the hackney carriage tariff was made in September 2011. This means that Brentwood licensed vehicles have operated under the same tariff for the past three years.

A request was received by the Council at the Taxi Trade Consultative Group (TTCG) meeting held on Monday 4 August 2014 for an increase to the current tariff. A copy of the current and proposed tariff is enclosed with this letter for your information.

The procedure for the setting of fares is laid out in section 65 of the Act and requires that the proposal must be advertised in a local newspaper by the Council and that a minimum period of 14 days should be permitted for the receipt of objections. The new fares will come into force at the end of the 14 day period if no objections are received but will be considered by Licensing Committee should one or more objections to the proposed tariff be made.

The first step in the process will be to ask Licensing Committee to agree the increase in principle prior to advertising in the local paper. However, whilst TTCG were in agreement with the proposed tariff I am aware that this has not to date been brought to the notice of the majority of trade members. Therefore, I would like to provide opportunity for the fares to be considered by you and request that any comment or alternative proposal that you wish to make is received by me in writing no later than Friday 12 September 2014.

If alternative proposals and/or comments are received, these will be taken to Licensing Committee for consideration along with the enclosed.

Letter to Proprietors

In view of this consultation there is no opportunity to take the proposals to the Licensing Committee on 9 September. Therefore, I am proposing that a special Licensing Committee be established to consider the proposals in mid October and that any representations received following advertisement of the proposed fares may then be considered at the meeting in November thus permitting time to implement any new fares before Christmas.

For this reason the above deadline of 12 September for any comments will be strictly adhered to in order to ensure that any necessary work can be completed in time for an October meeting of the Licensing Committee.

Please do not hesitate to contact me or one of my team should you have any questions as to the proposals.

Yours faithfully,

Gary O'Shea

Gary O'Shea
Principal Licensing Officer
Email: gary.o'shea@brentwood.gov.uk

Appendix D

Essex Fares Comparison Chart

Essex Authorities Fares Comparison (assumes the increased tariff for Brentwood)

Tariff 1 – Day Time Rate

Authority	Start Tariff	1 Mile	2 Miles	5 Miles
Basildon	£2.20	£3.80	£5.60	£11.60
Braintree	£3.20	£4.20	£5.80	£10.50
Brentwood	£2.80	£4.20	£6.40	£13.00
Castlepoint	£2.80	£4.00	£6.00	£12.00
Chelmsford	£3.10	£4.20	£6.50	£12.60
Colchester	£2.60	£4.70	£6.80	£10.70
Epping	£3.50	£3.50	£5.50	£11.50
Harlow	£3.00	£4.80	£6.20	£10.20
Maldon	£3.10	£4.20	£6.20	£12.60
Rochford	£2.80	£4.20	£6.00	£12.20
Southend	£2.80	£4.20	£6.00	£12.20
Tendring	£2.80	£4.20	£5.95	£11.20
Thurrock	£2.80	£4.40	£6.00	£11.00
Uttlesford	£3.20	£3.70	£5.80	£12.20

Essex Fares Comparison Chart

Tariff 2

Not all authorities have a tariff 2 rate for journeys between 8PM and 11PM and use tariff 1 instead. Where this is the case, tariff 1 figures have been used instead of tariff 2 to illustrate an accurate comparison. For authorities where tariff 2 is used for the same purpose as Brentwood, the hours of operation of that tariff have been entered as these may differ to Brentwood.

Authority	Start Tariff	1 Mile	2 Miles	5 Miles
Basildon As Tariff 1	£2.20	£3.80	£5.60	£11.60
Braintree As Tariff 1	£3.20	£4.20	£5.80	£10.50
Brentwood 8PM to 11PM Mon to Fri 6PM to 11PM Saturday	£3.30	£4.70	£7.30	£14.70
Castlepoint 9pm to Midnight	£3.80	£5.00	£7.00	£13.00
Chelmsford As Tariff 1	£3.10	£4.20	£6.50	£12.60
Colchester As Tariff 1	£2.60	£4.70	£6.80	£10.70
Epping As Tariff 1	£3.50	£3.50	£5.50	£11.50
Harlow As Tariff 1	£3.00	£4.80	£6.20	£10.20
Maldon As Tariff 1	£3.10	£4.20	£6.20	£12.60
Rochford As Tariff 1	£2.80	£4.20	£6.00	£12.20
Southend 9pm to Midnight	£3.80	£5.20	£7.00	£13.20
Tendring As Tariff 1	£2.80	£4.20	£5.95	£11.20
Thurrock As Tariff 1	£2.80	£4.40	£6.00	£11.00
Uttlesford As Tariff 1	£3.20	£3.70	£5.80	£12.20

Members Interests

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, or if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

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Licensing Committee Terms of Reference

General Powers of Committees

This scheme of delegation sets out the functions of the Council to be discharged by its Committees and Sub- Committees and includes the terms of reference of statutory and non statutory bodies set up by the Council.

Each committee or sub committee will have the following general powers and duties:

- (a) To carry out the duties and powers of the Council within current legislation;
- (b) To comply with the Council's standing orders and financial regulations;
- (c) To operate within the budget allocated to the committee by the Council.
- (d) To guide the Council in setting its policy objectives and priorities including new initiatives, and where appropriate make recommendations to Council
- (e) To develop, approve and monitor the relevant policies and strategies relating to the Terms of Reference of the Committee;
- (f) To secure satisfactory standards of service provision and improvement, including monitoring of contracts, Service Level Agreements and partnership arrangements;
- (g) To consider and approve relevant service plans;
- (h) To determine fees and charges relevant to the Committee;

Licensing Committee

- (a) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Licensing Act 2003.
- (b) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Gambling Act 2005.
- (c) To determine all fees and charges relevant to matters disposed by the Licensing Committee.

- (d) To be responsible for all the Council's licensing and registration functions as detailed in Part B of Schedule 1 Local Authorities (Functions and Responsibilities)(England) Regulations 2000 (as amended) in so far as they pertain to matters concerned with:
1. Trading Requirements
 2. All functions relating to hackney carriage drivers and vehicles and private hire drivers vehicles and operators
 3. Animal Welfare and Security
 4. Skin Piercing, Acupuncture, Electrolysis and Tattooing
 5. Sex establishments (including Sex Entertainment Venues (SEV))
 6. Pavement Permits
 7. Charitable Collections
 8. Camping, Caravan Sites and Mobile Homes
 9. Scrap Metal
 10. Game Dealers
- (e) Any other matters relating to licensing as may be referred to the committee for consideration.
- (f) To hear and determine licensing applications and appeals where objections and /or representations have been received in relation to any of the above functions.
- (g) To manage and monitor the budgets in respect of licensing and vehicle licensing