

Licensing Committee

Thursday 8 November 2012 at 10.00 am

**To be held at at the Town Hall,
Pinstone Street, Sheffield, S1 2HH**

The Press and Public are Welcome to Attend

Membership

Councillors John Robson (Chair), David Barker, Nikki Bond, Jillian Creasy, Neale Gibson, George Lindars-Hammond, Vickie Priestley, Ian Saunders, Nikki Sharpe, Clive Skelton (Deputy Chair), Geoff Smith, Stuart Wattam and Philip Wood

PUBLIC ACCESS TO THE MEETING

The Licensing Committee carries out a statutory licensing role, including licensing for taxis and public entertainment.

As a lot of the work of this Committee deals with individual cases, some meetings may not be open to members of the public.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday, or you can ring on telephone no. 2734552.

You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

If you would like to attend the meeting please report to the First Point Reception desk where you will be directed to the meeting room.

If you require any further information please contact Harry Clarke on 0114 273 6183 or email harry.clarke@sheffield.gov.uk.

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**LICENSING COMMITTEE AGENDA
8 NOVEMBER 2012**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting.
- 5. Minutes of Previous Meetings**
To approve the minutes of the meetings held on:-

10 September 2012
13 September 2012
17 September 2012
25 September 2012
2 October 2012
4 October 2012
- 6. Local Government (Miscellaneous Provisions) Act 1982 - Street Trading Policy Approval**
Report of the Chief Licensing Officer
- 7. Private Hire and Hackney Carriage Licensing - Hackney Carriage Fares Review (Determination of Fees)**
Report of the Chief Licensing Officer
- 8. Private Hire and Hackney Carriage Licensing - Taxi Enforcement Review**
Report of the Chief Licensing Officer

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

New standards arrangements were introduced by the Localism Act 2011. The new regime made changes to the way that members' interests are registered and declared.

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest** (DPI) relating to any business that 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.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.
- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) -
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Under the Council's Code of Conduct, members must act in accordance with the Seven Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership), including the principle of honesty, which says that 'holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest'.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life.

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously, and has been published on the Council's website as a downloadable document at [-http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests](http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests)

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Lynne Bird, Director of Legal Services on 0114 2734018 or email lynne.bird@sheffield.gov.uk

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MEETING OF THE LICENSING SUB-COMMITTEE

held Monday 10th September 2012

PRESENT: Councillors John Robson (Chair), David Barker and Geoff Smith

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1. **WELCOME AND HOUSEKEEPING ARRANGEMENTS**

1.1 The Chair welcomed attendees to the meeting and outlined basic housekeeping and fire safety arrangements.

2. **APOLOGIES FOR ABSENCE**

2.1 No apologies for absence were received. Councillor Philip Wood attended the meeting as a reserve Member, but was not required to stay.

3. **DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

4. **EXCLUSION OF THE PUBLIC AND PRESS**

4.1 **RESOLVED:** That the public and press be excluded from the meeting before discussion takes place on the main item of business to be considered (agenda item 5), on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

5. **HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING**

5.1 The Chief Licensing Officer submitted details in respect of three cases relating to Hackney Carriage and Private Hire Licensing.

5.2 In case number 61/12, the applicant did not attend the hearing,

5.3 In case number 62/12, the applicant attended the hearing and addressed the Sub-Committee.

5.4 In case number 63/12, the applicant attended the hearing, accompanied by a representative, and they both addressed the Sub-Committee.

5.5 **RESOLVED:** That the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
61/12	Review of a Private	Revoke the licence under Section

Hire/Hackney Carriage Driver's Licence 61 of the Local Government (Miscellaneous Provisions) Act 1976, on the basis of the offences and convictions now reported, and accordingly, the Sub-Committee's view that there were reasonable grounds to revoke the licence, but the licensee did not pose an immediate threat to public safety, due to the fact that he was currently serving an eight year prison sentence, having been found guilty of two accounts of sexual assaults and two accounts of false imprisonment on female passengers in his vehicle.

The Chair wished to add the following comment; 'in light of the information contained within the report now submitted, the Chair will write to the Magistrate's Association, to offer the possibility of them undertaking a training exercise in conjunction with the Licensing Sub-Committee.'

- 62/12 Application for a Private Hire Vehicle Licence (a) Grant a longer term licence, to expire on 31st August 2013, due to the exceptional circumstances outlined to the Sub-Committee by the applicant, (b) the vehicle is to be tested twice a year, and (c) in the event of a failed vehicle test, the licence be referred back to the Sub-Committee.
- 63/12 Application for a Private Hire Vehicle Licence Grant a licence for the normal term of 12 months, due to the exceptional circumstances outlined to the Sub-Committee by the applicant.

MEETING OF THE LICENSING SUB-COMMITTEE

held 13th September 2012

PRESENT: Councillors John Robson (Chair), Jillian Creasy
and George Lindars-Hammond

1. WELCOME AND HOUSEKEEPING ARRANGEMENTS

1.1 The Chair welcomed attendees to the meeting and outlined basic housekeeping and fire safety arrangements.

2. APOLOGIES FOR ABSENCE

2.1 No apologies for absence were received. Councillor Geoff Smith attended the meeting as a reserve Member, but was not required to stay.

3. EXCLUSION OF THE PUBLIC AND PRESS

3.1 No items were identified where resolutions may be moved to exclude the public and press.

4. DECLARATIONS OF INTEREST

4.1 There were no declarations of interest.

5. LICENSING ACT 2003 – MOSBOROUGH OFF LICENCE, 56 HIGH STREET, SHEFFIELD, S20 5AE

5.1 The Chief Licensing Officer submitted a report to consider an application by South Yorkshire Police for the review of a Premises Licence, made under Section 51 of the Licensing Act 2003, in respect of the premises known as Mosborough Off Licence, 56 High Street, Sheffield, S20 5AE.

5.2 Present at the meeting were Inspector Jason Booth and Lizzie Payne (South Yorkshire Police, for the Applicants), Julie Hague (Sheffield Safeguarding Children Board), Richard Martin (Joint Premises Licence Holder), Peter Thompson (Joint Premises Licence Holder and Designated Premises Supervisor), Andy Ruston (Licensing Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee) and John Turner (Democratic Services).

5.3 The Solicitor to the Sub-Committee outlined the procedure which would be followed during the hearing.

5.4 Andy Ruston presented the report to the Sub-Committee and it was noted that representations had been received from the Sheffield Safeguarding

Children Board and were attached at Appendix 'C' to the report.

- 5.5 Inspector Jason Booth, Safer Neighbourhood Inspector for the South East area of the City, stated that during the past few years, there had been a disproportionate amount of anti-social behaviour (ASB) in this area of the City. Part of his role in the prevention of ASB was monitoring levels of underage drinking and carrying out test purchases at off licences and other licensed premises in the area. The first test purchase had been carried out at the premises on 25th May 2011, which involved a bottle of lager being sold to a police volunteer, aged 15 years old, which had resulted in the issue of a Fixed Penalty Notice. Four consequent test purchases were undertaken, which were all passed. A further test purchase was carried out 16th November 2011, which resulted in a bottle of wine being sold to a female police volunteer, aged 15 years old, which again, resulted in the issue of a Fixed Penalty Notice of £80. Police Licensing Officers visited the premises on 22nd November 2011, and discussed the issues following the failed test purchase on 16th November 2011. Information relating to Safeguarding Children, Trading Standards and potential Police action was passed to the member of staff. A letter was also sent to Mr Thompson, Designated Premises Supervisor, informing him of the visit and the information passed on, with a request that it be circulated to all members of staff working at the premises. Following a test purchase that was passed on 23rd March 2012, a further test purchase on 30th May 2012 was failed, which involved the sale of a bottle of cider to a male volunteer, aged 16. Again, a Fixed Penalty Notice of £80 was issued. Following a misunderstanding on 20th June 2012, when Lizzie Payne and Julie Hague attended the premises with the aim of meeting with Mr Martin and Mr Thompson, a further meeting was arranged at the premises on 25th June 2012. The test purchase failures were discussed and offers were made in terms of providing further support, training advice and guidance. On 23rd June 2012, the premises failed a further test purchase when a bottle of cider was sold to two volunteers, aged 16 and 17, by Richard Martin, Premises Licence Holder. A Fixed Penalty Notice of £80 was issued to Mr Martin and he was offered the opportunity to attend the Fixed Penalty Notice Waiver Training Course. On 25th June 2012, Lizzie Payne and Julie Hague visited the premises again to meet with Mr Martin and Mr Thompson to discuss the test purchase failures and to inform them that an application for a review of the Premises Licence would be submitted by South Yorkshire Police, as well as the fact that they would also be looking to serve a Voluntary Closure Notice. Further advice in terms of training records, the checking of ID, Refusals Logs and the use of signage in the premises was provided. An offer of two places on the Multi-Agency Training Course was also made and a duplicate training pack, similar to the one left at the premises on a previous occasion, was left. On 27th June 2012, a Voluntary Closure Notice for a period of 96 hours (08:00 hours 13th July to 22:30 hours 15th July 2012) was served on the premises and written acceptance of the closure was received by e-mail on 1st July 2012. The closure was adhered to. Inspector Booth stated that in view of the failed test purchases and the discussions held at the meetings with Mr Martin

and Mr Thompson, it was believed that there was no regular system of age related checks or challenge, thereby leading to a presumption that alcohol was regularly traded to persons underage with little or no regard to the law or the licensing objectives. The concerns were further compounded when the premises failed a further test purchase, despite the fact that intervention had been made by the Police, Sheffield Children's Safeguarding Board and Trading Standards.

5.6 In response to questions from Members of the Sub-Committee, it was stated that generally, the Police would seek a review of a Premises Licence if there had been three failed test purchases during a period of 12 months. The Police and other responsible authorities would also work with the premises in an attempt to resolve any problems. In the light of the fact that the majority of ASB in the area over the last few years had been committed by young people, the Police had a very tough approach in terms of under-aged drinking and carried out regular test purchases at off licences and other licensed premises. Whilst it was not possible to confirm that the ASB had been caused as a direct result of young people purchasing alcohol from the premises, the Police were convinced that the actions of young people who had purchased alcohol from the premises had contributed to the ASB in the area. The Police ensured that the volunteers used for the test purchases acted as natural as possible as it was not a case of trying to catch the management of the premises out. Further to the guidance in terms of applicants requesting reviews of Premises Licences, the Police confirmed that such decisions were taken as a last resort, with a number of attempts made beforehand to ensure the appropriate measures were in place. The Police were not aware that, under current Government proposals, two test purchase failures could trigger a review in the future.

5.7 Julie Hague stated that she had been working with the management of the premises since June 2011, but despite all the assistance and support provided, there was still evidence to show that they were not able to implement robust prevention measures in terms of underage sales. She stated that there were no safe limits in terms of the consumption of alcohol by young people as they tend not to understand the harmful effects it can have, both on their physical and mental wellbeing. It can affect their performance at school, general welfare and judgment, and act as a stimulus in terms of sexual activity and ASB. The management of the premises had reacted positively to the Sheffield Children Safeguarding Board's recommendations in that a number of staff had been booked on relevant training courses and they were now using a Refusals Log. However, following the meeting held with the management at the premises on 25th June 2012, it was apparent that staff training and knowledge tests had still not been completed and that the need for more effective staff training had been identified by the Board, the Police and the Local Authority. Although the management had the relevant software to utilise till prompts, they were not in use at the time of the test purchases and a relevant Children and Young People Risk Assessment had not been completed. Although the management were aware of the

need for action to be taken, such action had not been undertaken effectively. Ms Hague concluded by confirming that, more recently, more staff at the premises had been booked on relevant training courses.

- 5.8 In response to a question from a Member of the Sub-Committee, Julie Hague stated that in terms of the Sub-Committee implementing conditions on the Premises Licence, she would like to see Challenge 25 implemented, staff training records being completed and maintained, a Premises Licence Holder being on duty at the premises at all times, a member of staff attending the Safeguarding Children training course, a Refusals Log being completed and maintained, the specification of the CCTV being to the satisfaction of the Police and till prompts being installed and operational on all tills.
- 5.9 Richard Martin stated that both he and Mr Thompson had other business interests, in addition to the off licence. He accepted that they had not undertaken sufficient work in terms of implementing procedures with regard to staff management and at the time of the failed test purchases, there were new members of staff working there, who had not received sufficient training. Mr Martin promised to ensure that attendance on the relevant training courses was a requirement and not voluntary as it had been in the past. He also confirmed that they would undertake refresher training for staff every six months. The till prompts were now in operation, the Refusals Log was now being completed and a risk assessment of the premises had been undertaken. Although he and Mr Thompson had other business interests, they both worked very close to the premises, and one of them was always available if there were any problems. Neither of them would leave the area unless the other was around. There were five members of staff, who worked a mixture of full and part-time, with two of them having completed the multi-agency training and a further two booked on the course in October 2012. Mr Martin confirmed that he had attended the multi-agency training course and had completed it successfully. He also confirmed that they had abided by the Voluntary Closure Notice served by the Police. If there were any young people causing trouble outside the premises, or were suspected of asking older people to purchase cigarettes or alcohol for them, they would challenge them and keep records of any action taken in the Control Log. Peter Thompson added that, in his role as landlord of the Queen Hotel for the last 19 years, he took the issue of underage drinking very seriously and had not experienced any problems of this at his pub in the last 19 years.
- 5.10 In response to questions from Members of, and the Solicitor to, the Sub-Committee, Mr Martin confirmed that he would be happy to keep CCTV images for a period of 28 days, in line with Police requirements. If a member of staff was involved in a failed test purchase, instead of sacking them, they would send them on a training course to enable them to broaden their knowledge in terms of dealing with underage sales. In terms of the suggestions of one of the managers being on the premises at all times, this had not been deemed necessary as between 12 noon

and 6.00 pm Monday to Thursday, the shop was very quiet. It was only busy during the evenings on Friday, Saturday and Sunday. Mr Martin accepted that the quality of staff training, prior to members of staff attending the multi-agency training courses, had not been satisfactory, but had simply comprised basic in-house training, where information was passed verbally to members of staff. More time was now spent with each member of staff and new staff were shadowed by more senior members during their induction period. Mr Martin accepted that there was a big gap in quality between the in-house training and the multi-agency training course. He stated that he was serving when the test purchase was held on 23rd June 2012. Although he had completed the multi-agency training course in February 2012, the till prompts were not operational at this time. In terms of the operation of the till prompts, when certain products were rung through the till, such as cigarettes and alcohol, the screen would show a message reminding the member of staff to check if the customer was 18 or over and only when the member of staff was satisfied that they were over 18, seeking relevant proof if necessary, would they press either yes or no on the screen. If the member of staff did not think the customer was over 18, and the customer was unable to provide sufficient proof, they would refuse the sale and record the details in the Refusals Log. Mr Martin stated that no-one attended the free multi-agency training on 20th July 2011, offered by the Safeguarding Children Board, as there was a regular member of staff in place at the time, who regularly worked long hours in the shop and therefore, the management did not feel there was a need for such training at this time. In terms of the failed test purchase when Mr Martin was serving, he stated that he was programming cigarettes into the till at the time when several people entered the shop and as he felt rushed, and on the basis that the till prompts were not in operation at the time, he failed to undertake the necessary checks in terms of the customer's age, and allowed the sale to go through. He promised that this would not happen again as the till prompts were now in operation, and he had met with all members of staff to discuss the serious nature of the situation and had taken the staff through the training manuals. He confirmed that Challenge 25 was in operation on the premises. If two customers purchasing either cigarettes or alcohol approached the till together, and one appeared to be underage, staff would challenge them and ask them who the goods were for. Whilst there had not been many instances where people had tried to use fake ID, staff would retain such ID if it was found to be fake. The ID requested was that as listed under the Challenge 25 rules. All members of staff had the ability to log on to the tills and the Refusals Log was kept up to date, which was used to monitor which staff have refused sales. Whilst such information was not recorded electronically, the management would look to develop this. Mr Martin confirmed that he and Mr Thompson had only received training in terms of the use of the old-style tills and stated that the till prompts had been installed on the tills when they had received them in December 2011, but had not been operational until recently.

- 5.11 RESOLVED: That the public and press and attendees involved in the application for review of the licence be excluded from the meeting before

further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in Paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.

5.12 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the application.

5.13 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.

5.14 RESOLVED: That the Sub-Committee agrees to modify the conditions of the Premises Licence in respect of the premises known as Mosborough Off Licence, 56 High Street, Sheffield S20 5AE, as follows:-

- (a) Challenge 25 will be in operation at the premises;
- (b) Refresher training will be given to staff every six months and records of the training will be signed by staff;
- (c) Refusal logs will be kept for six months and made available to officers to officers from South Yorkshire Police, authorised officers from the responsible authorities and the Licensing Service, Sheffield City Council:
- (d) A person who has attended the Sheffield Safeguarding Multi-Agency training course to be on the premises at all times alcohol is for sale;
- (e) Till prompts in relation to age verification will be used at all times; and
- (f) A colour CCTV system to the specification of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are open. The CCTV images will be stored for 31 days and police and authorised officers of the Council will be given access to images for purposes in connection with the prevention and detection of crime and disorder. Members of the management team will be trained in the use of the system. A copy of the specification dated January 2010 will be available at all times for inspection by the Police and authorised officers.

(The full reasons for the Sub-Committee's decision and the operating conditions will be included in the written Notice of Determination.)

MEETING OF THE LICENSING SUB-COMMITTEE

held 17th September 2012

PRESENT: Councillors Clive Skelton (Deputy Chair), Stuart Wattam and Philip Wood

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1. WELCOME AND HOUSEKEEPING ARRANGEMENTS

1.1 The Chair welcomed attendees to the meeting and outlined basic housekeeping and fire safety arrangements.

2. APOLOGIES FOR ABSENCE

2.1 An apology for absence was received from the Chair (Councillor John Robson).

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. EXCLUSION OF THE PUBLIC AND PRESS

4.1 **RESOLVED:** That the public and press be excluded from the meeting before discussion takes place on the following item of business to be considered on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

5. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING

5.1 The Chief Licensing Officer submitted details in respect of three cases relating to Hackney Carriage and Private Hire Licensing.

5.2 The applicant in Case No. 64/12 attended the hearing with a representative and they both addressed the Sub-Committee.

5.3 The applicant in Case No. 65/12 attended the hearing with a representative and they both addressed the Sub-Committee.

5.4 The applicant in Case No. 66/12 attended the hearing with a representative and they both addressed the Sub-Committee.

5.5 **RESOLVED:** That the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
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64/12	Application for a first Hackney Carriage and Private Hire Driver's Licence	Grant a licence for the normal term of nine months and, on the first renewal, authority be given to grant the applicant a 12 month licence and, on any subsequent renewal, an 18 month licence, subject to there being no offences or convictions reported.
65/12	Application for a first Hackney Carriage and Private Hire Driver's Licence	(a) Grant a licence for the shorter term of three months and, on the first renewal, authority be given to grant the applicant a nine month licence and, on the second renewal, a 12 month licence and, on any subsequent renewal, an 18 month licence, subject to there being no further cause for concern, and (b) the applicant be given a written warning as to his future conduct.
66/12	Review of a Hackney Carriage and Private Hire Driver's Licence	In the light of his conduct now reported and the concerns now raised, the licence holder be issued with a final, written warning as to his future conduct.

MEETING OF THE LICENSING SUB-COMMITTEE

held 25th September 2012

PRESENT: Councillors Clive Skelton (Deputy Chair), Ian Saunders and Philip Wood

1. WELCOME AND HOUSEKEEPING ARRANGEMENTS

1.1 The Chair welcomed attendees to the meeting and outlined basic housekeeping and fire safety arrangements.

2. APOLOGIES FOR ABSENCE

2.1 There were no apologies for absence received.

3. EXCLUSION OF THE PUBLIC AND PRESS

3.1 No items were identified where resolutions may be moved to exclude the public and press.

4. DECLARATIONS OF INTEREST

4.1 There were no declarations of interest.

5. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS ACT) 1982

5.1 City Centre Small Trading Stalls

5.1.1 The Chief Licensing Officer submitted a report to consider two applications for Street Trading Consents for small trading stalls in specific locations in the City Centre (Ref No. 73/12).

5.1.2 The report stated that the applications had been submitted in response to letters of invitation that had been sent out to existing and past traders, and it had been made a requirement that any application submitted should be made in accordance with the City Centre Qualitative Criteria for Small Trading Stalls, which was attached at Appendix 'A' to the report.

5.1.3 Applications in respect of the invitation had been received from one applicant, who was interviewed by the Sub-Committee, and she presented her case in respect of her proposals to trade on Fargate and Tudor Square.

5.1.4 **RESOLVED:** That the public and press and attendees involved in the

applications be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if the public and press were present, there would be a disclosure to them of exempt information as described in Paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.

- 5.1.5 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the applications.
- 5.1.6 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 5.1.7 RESOLVED: That after careful consideration of the applications now submitted, authority be given for the Chief Licensing Officer to grant Street Trading Consents for small trading stalls for a period of twelve months to C & B Catering, in respect of trading on Fargate (bottom) and Tudor Square, subject to the details regarding the proposed vehicles, and any accessories, and the precise location of the vehicles, being to the satisfaction of the Chief Licensing Officer, the Director of Development Services and the City Centre Manager.

5.2 **Street Trading Consent – Ribston Road**

- 5.2.1 RESOLVED: That, on the grounds that the applicant did not attend the hearing, consideration of the application for the grant of a static Street Trading Consent at Ribston Road, Sheffield S9 (Ref No. 74/12) be deferred to a future meeting to give the applicant one more opportunity to attend and present his case.

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 2 October 2012

PRESENT: Councillors John Robson (Chair), Neale Gibson and Clive Skelton

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1. WELCOME AND HOUSEKEEPING ARRANGEMENTS

1.1 The Chair welcomed attendees to the meeting and outlined basic housekeeping and fire safety arrangements.

2. APOLOGIES FOR ABSENCE

2.1 No apologies for absence were received. Councillor Ian Saunders attended the meeting as a reserve Member, but was not required to stay.

3. EXCLUSION OF PUBLIC AND PRESS

3.1 No items were identified where resolutions may be moved to exclude the public and press.

4. DECLARATIONS OF INTEREST

4.1 There were no declarations of interest.

5. LICENSING ACT 2003 - HAMPTON BY HILTON SHEFFIELD, WEST BAR, SHEFFIELD S1 2DA

5.1 The Chief Licensing Officer submitted a report to consider an application for a Premises Licence, made under Section 17 of the Licensing Act 2003, in respect of the premises known as Hampton by Hilton Sheffield, West Bar, Sheffield, S1 2DA.

5.2 Present at the meeting were Carl Bruder (EAD Solicitors, for the Applicants) and Peter Hendry (Operations Manager), Marie-Claire Frankie (Solicitor to the Sub-Committee), Andy Ruston (Licensing Officer) and John Turner (Democratic Services).

5.3 The Solicitor to the Sub-Committee outlined the procedure which would be followed during the hearing.

5.4 Andy Ruston presented the report to the Sub-Committee and it was noted that representations had been received from a local resident, and were attached at Appendix 'B' to the report. The local resident did not attend the hearing.

5.5 Carl Bruder stated that he had attempted to contact the local resident prior

to the hearing to discuss the concerns she had, but had not received a response. The Hampton by Hilton brand was part of a chain of hotels, of which there were approximately 12 in operation across the country at the present time. The Hampton by Hilton brand had been formed in 1984 and this would be the third such hotel of this name in the country. Mr Bruder stated that the hotel was to be built on the site of the former South Yorkshire Police Headquarters at West Bar and referred to the site plan to indicate its precise location. He also referred to one of the layout plans, indicating that there were plans to have a door at the rear of the premises which would be used as a pick-up point for taxis and for deliveries. This door would be some distance from any residential accommodation, thereby minimizing any potential for noise nuisance. In response to the local resident's objections, which related mainly to complaints of potential noise nuisance, he stated that the prime objective of the development was to operate as a hotel and therefore, there would be little potential for noise nuisance. Although there was a restaurant and bar incorporated into the development, there was likely to be very little, if any, noise breakout. The managers took their responsibilities very seriously and there had not been any reports of any noise nuisance at any of the other hotels.

- 5.6 Peter Hendry, current Operations Manager at one of the chain's hotels in Chester, and proposed Designated Premises Supervisor at Hampton by Hilton Sheffield, provided information on staff training for new and existing employees of the hotel chain.
- 5.7 In response to questions from Members of the Sub-Committee, Mr Bruder stated that there would be an American/Italian themed restaurant incorporated into the design of the hotel, which would operate as a franchise. The restaurant would seat approximately 100 people and the bar area would seat approximately 28 people. There were plans for an additional bar, separate to the restaurant, which would be situated next to the reception. There were also plans for a number of meeting/function rooms on the second floor, with a capacity of approximately 20 people per room. Mr Bruder confirmed that there was only one Hampton by Hilton hotel open and operating at the present time.
- 5.8 RESOLVED: That the public and press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in Paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 5.9 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the application.
- 5.10 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 5.11 RESOLVED: That the Sub-Committee agrees to grant a Premises Licence

in respect of Hampton by Hilton Sheffield, West Bar, Sheffield, S1 2DA, in the terms now requested.

(The full reasons for the Sub-Committee's decision and the operating conditions will be included in the written Notice of Determination).

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SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 4 October 2012

PRESENT: Councillors John Robson (Chair), Neale Gibson and Philip Wood

1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence received. Councillor Vickie Priestley attended as reserve Member, but was not required to stay.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items identified.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - STREET TRADING CONSENT - RIBSTON ROAD, SHEFFIELD S9

4.1 The Chief Licensing Officer submitted a report to consider an application for the grant of a static street trading consent for the consent site of Ribston Road, Sheffield, S9.

4.2 Present at the meeting were Baseer Mohammed (applicant), Zia-Ul-Haq (cousin of applicant), Marie-Claire Frankie (Solicitor to the Sub-Committee), Kathy Stockdale (Senior Licensing Officer) and Gillian Capewell (Democratic Services).

4.3 The Solicitor to the Sub-Committee outlined the procedure which would be followed during the hearing.

4.4 The Senior Licensing Officer presented the report to the Sub-Committee and it was noted that representations had been received from local businesses, although none were in attendance at the meeting.

4.5 It was noted that there were currently no other static units in the area of Ribston Road, although a number of mobile traders did trade across the whole City (excluding the City Centre). It was noted that local businesses had objected to the application on the grounds that they might potentially lose business to the static unit, and that they felt there were already enough mobile traders working in the area.

4.6 Mr. Mohammed stated that he already traded in the area on a mobile consent, and that there was a great demand for his produce, which was why he was now applying for static consent, in order to stay in the area for longer and sell his goods. He also delivered door to door and completed pre-arranged deliveries to

customers where requested.

- 4.7 Mr. Mohammed particularly wanted to trade on a Friday in the area so that he could catch the captive audience of potential customers coming out of Friday prayers at the local mosque. He felt that staying in one location in this manner was more profitable than driving around with his mobile consent.
- 4.8 Mr. Mohammed confirmed that he sold fruit and vegetables and also cold canned drinks.
- 4.9 **RESOLVED:** That the public and press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in Paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.10 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the application.
- 4.11 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.12 Members asked the Senior Licensing Officer about the objections process which had led to this application being submitted to the Sub-Committee. It was confirmed that local businesses had objected to the application on the grounds of 'unfair competition' (as the static consents paid a much lower fee than the shops' rent) but that this criteria could not be used as a factor for Members to reject the application.
- 4.13 The Senior Licensing Officer replied that, although local businesses were consulted with, the grounds on which they had objected on could not be used as determining factors in rejecting the application.
- 4.14 The Senior Licensing Officer also clarified that although a mobile trading unit could not trade within 100 metres of a shop or business selling similar products, this rule did not apply to static units.
- 4.15 **RESOLVED:** That the public and press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in Paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.16 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the application.
- 4.17 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.

- 4.18 Members considered the Street Trading Consent Conditions issued by Sheffield City Council pursuant to the Local Government Miscellaneous Provisions Act 1982, and found there to be no part of the conditions on which they could refuse the application, based on the comments made from local businesses.
- 4.19 **RESOLVED:** That the public and press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in Paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.20 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the application.
- 4.21 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.22 **RESOLVED:** That the Sub-Committee agrees to grant the application for a static street trading consent for the consent site of Ribston Road, Sheffield, S9, subject to the production of an up to date Public Liability Insurance certificate by the applicant, and in keeping with the times and days in the application now submitted.

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SHEFFIELD CITY COUNCIL Committee Report

Report of: Chief Licensing Officer, Head of Licensing

Date: 8th November 2012

Subject: Local Government (Miscellaneous Provisions Act) 1982
Street Trading Policy Approval

Author of Report: Shimla Rani - 2037752

Summary: To inform members of the results of the consultation process recently undertaken with the Street Trading Policy, new forms and proposed fees; and to notify members of any changes made and seek approval from the Licensing Committee on the Street Trading Policy, new forms and new proposed fees.

Recommendations: That Members of the Licensing Committee approve the Street Trading Policy, new forms and proposed new fees with any amendments they feel necessary

Background Papers: Street Trading Policy, application forms and proposed fees can be found at the following link www.sheffield.gov.uk/streettradingconsult. The updated policy with tracked changes will sent to members prior to the meeting.

Category of Report: OPEN

REPORT OF THE CHIEF LICENSING OFFICER, HEAD OF LICENSING TO THE LICENSING COMMITTEE

Ref: 90/12

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS ACT) 1982 STREET TRADING POLICY APPROVAL

1.0 PURPOSE OF REPORT

- 1.1 To inform members of the results of the consultation process recently undertaken with the Street Trading Policy, new forms and proposed fees.
- 1.2 To notify members of any changes made and seek approval from the Licensing Committee on the Street Trading Policy, new forms and new proposed fees.
- 1.3 All documentation can be viewed at the following web link www.sheffield.gov.uk/streettradingconsult, an updated policy with tracked changes will be forwarded to members prior to the meeting, a full copy will also be available to view at the meeting.

2.0 BACKGROUND

- 2.1 Members will remember that a consultation report was presented at the Licensing Policy meeting held on the 25th October 2012. A copy of that report is attached at Appendix 'A'.
- 2.2 The Policy document will guide the Licensing Authority when it considers applications for Street Trading Consents. It will inform applicants of the parameters in which the Authority will make decisions and how their needs will be addressed. This will include disclosure of breaches, complaints received and the behaviour of applicants/consent holders.

3.0 CONSULTATION

- 3.1 The Licensing Authority commenced a consultation process to seek the views of all interested parties and to make comments by 5:00pm on the 2nd November 2012.
- 3.2 Letters and emails (where possible) regarding the consultation had been sent out including a link to our website where the draft Street Trading Policy and other documents can be viewed. Consultees had the option of contacting the Licensing Service for a hard copy of the Policy if they do not have internet access.
- 3.3 Officers have attended public meetings where requested to discuss the policy.
- 3.4 All Members of the Council have been notified of the consultation and provided with a link to the draft policy and application documents.
- 3.5 This report is being submitted prior to the end of the consultation to ensure it can be determined before the expiry of all static street trading consents which expire at the end of November.

3.6 To date, comments have been received by some of the consultees, details of which are attached to Appendix 'B'. Full copies of the comments will be forwarded to Members prior to the meeting.

3.7 Any further results of the consultation will be provided to Members prior to the meeting.

4.0 AMENDMENTS TO THE POLICY

4.1 Amendments have been made where appropriate to the draft policy in response to the comments received.

4.2 An electronic copy of the updated Street Trading Policy with track changes of the amendments has been forwarded to all Committee Members for their information.

4.3 Any further amendments required following the end of the consultation (2nd November 2012) will be presented at the meeting.

5.0 FINANCIAL IMPLICATIONS

5.1 There are no financial implications arising from this report as the Licensing Authority recovers its reasonable costs of administering and enforcing the street trading consent system through an approved scale of fees.

5.2 Members should note that if any application is referred to the High Court significant legal costs are likely to be incurred. There is no hold over budget within the Licensing Service to cover such costs.

6.0 RECOMMENDATIONS

6.1 That Members of the Licensing Committee approve the Street Trading Policy, new forms and proposed new fees with any amendments they feel necessary

7.0 OPTIONS OPEN TO THE COMMITTEE

7.1 That Members of the Licensing Committee approve the Street Trading Policy, new forms and the proposed new fees.

7.2 That Members of the Licensing Committee make further amendments to the documents before approving the Street Trading Policy, new forms and proposed new fees.

Stephen Lonnia,
Chief Licensing Officer
Head of Licensing
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot
Sheffield
S9 3HD.

24th October 2012

APPENDIX 'A'



SHEFFIELD CITY COUNCIL Committee Report

Report of: Chief Licensing Officer, Head of Licensing

Date: 25th October 2012

Subject: Local Government (Miscellaneous Provisions Act) 1982
Street Trading Policy Consultation

Author of Report: Shimla Rani - 2037752

Summary: To notify and consult with Members of the Licensing Committee on the draft Street Trading Policy, application forms and proposed fees.

Recommendations: That Members of the Licensing Committee note the contents of the report and comment on the draft Street Trading Policy, application forms and fees.

Background Papers: Draft Street Trading Policy, application forms and proposed fees can be found at the following link www.sheffield.gov.uk/streettradingconsult.

Category of Report: OPEN

REPORT OF THE CHIEF LICENSING OFFICER, HEAD OF LICENSING TO THE LICENSING COMMITTEE

Ref: 84/12

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS ACT) 1982 STREET TRADING POLICY CONSULTATION

3.0 PURPOSE OF REPORT

3.1 To notify and consult with Members of the Licensing Committee on the following:

- Draft Street Trading Policy
- New draft application forms for:
 - City Centre Street Trading
 - Static Street Trading
 - Mobile Street Trading for Ice Cream
 - Mobile Street Trading for Fruit / Vegetables and other traders
 - School Street Trading
 - Football Street Trading
 - Variation applications
 - Assistant Badges
- Proposed new fees on certain applications

1.2 All documentation can be viewed at the following web link www.sheffield.gov.uk/streettradingconsult, a full copy will be available to view at the meeting.

4.0 INTRODUCTION

4.1 The Council as a Licensing Authority have power under the provision of the 1982 Act to regulate Street Trading in the City.

4.2 A Street Trading Consent is required to trade on any Street (which includes roads, footways, forecourts, or other areas to which the public have access) within the Sheffield City Boundary.

4.3 The Licensing Committee at it's meeting of 29th January 2002 passed the following resolution:

“That under the provisions of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982:

1. That under the provisions of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982:
 - (a) all streets (which includes roads, footways, forecourts or other areas to which the public have access) within the Sheffield City boundary, shall be designated consent streets and;
 - (b) such street trading designation shall take effect as from the 1st April 2002; and
 - (c) all previous designations in relation to street trading will be rescinded as a result of the designation set out above.

2. The effect of this resolution is that from 1st April 2002, it will be an offence to engage in street trading in any street or any other place identified in the above resolution without being authorised to do so by consent from the City Council.”

3.0 WHAT DOES THE POLICY DEAL WITH

- 3.1 The policy sets out Sheffield City Council’s framework for the management of street trading in the city. The policy also aims to prevent the obstruction of the streets by street trading activities and ensure the safety of persons using them.
- 3.2 In doing so, it recognises the importance of licensed businesses to the local economy and the character of the area whilst trying to ensure that the activities do not cause nuisance or annoyance to the people in the area.
- 3.3 The current street trading procedure has become difficult to manage and monitor as we are receiving increasing numbers of complaints regarding traders. It is difficult to know where mobile traders are, and most are trading in the same area near shops and similar outlets which has caused severe problems.
- 3.4 The new policy and application documentation will allow the Authority to regulate, monitor and enforce the street trading regime in a better way with stringent application forms, set qualitative criteria, amended and additional conditions, to scale location plans which will be placed on consents and restricted areas for mobile traders who trade in fruit / vegetables and other types of traders (excluding ice cream sellers).
- 3.5 This document will guide the Licensing Authority when it considers applications for Street Trading Consents. It will inform applicants of the parameters in which the Authority will make decisions and how their needs will be addressed. This will include disclosure of breaches, complaints received and the behaviour of applicants/consent holders.
- 3.6 The policy deals with the following Street trading activities for the grant, renewal, and variation of Street Trading Consents:
 - **City Centre Street Trading (small unit/barrow/cart)**
 - Set application procedure including stringent identification documentation
 - Set fee
 - Set city centre qualitative criteria
 - Set standard conditions
 - Consultation
 - **Static Street Trading**
 - Set application procedure including stringent identification documentation
 - Scale plans required identifying local shops that may be affected
 - Set qualitative criteria which must be met
 - Set standard conditions and additional conditions relating to static traders
 - Consultation

- **Ice Cream Mobile Street Trading**
 - Set application procedure including stringent identification documentation
 - Set qualitative criteria which must be met
 - Set standard conditions and additional conditions relating to ice cream mobile traders
 - Consultation

- **Mobile Street Trading for Fruit / Vegetable and other traders**
 - Set application procedure including stringent identification documentation
 - Restricted to five (5) areas to trade in the City to enable the Authority to control and monitor all areas of Sheffield. The Licensing Committee may restrict the number of traders in an area(s)
 - Set qualitative criteria which must be met
 - Set standard conditions and additional conditions relating to fruit / vegetable and other mobile traders
 - Consultation

- **School Street Trading**
 - Set application procedure including stringent identification documentation
 - Scale plans required identifying precise location
 - Requirement of Head Teachers consent to trade outside the school
 - Set qualitative criteria which must be met
 - Set standard conditions
 - Consultation

- **Football Street Trading**
 - Set application procedure including stringent identification documentation
 - Scale plans required identifying precise location
 - Set qualitative criteria which must be met
 - Set standard conditions
 - Consultation

- **Short Term Street Trading**
 - Set application procedure including stringent identification documentation
 - Scale plans required identifying local shops that may be affected
 - Set qualitative criteria which must be met
 - Set standard conditions and additional conditions relating to static traders
 - Consultation where appropriate

3.7 The policy sets out how the Licensing Authority intends to deal with applications under the Street Trading regime and is also a guide to applicants, other authorities, interested parties and the Licensing Committee.

3.8 It will provide new small businesses and current consent holders with a reference document to assist them in understanding the Street Trading process in Sheffield.

4.0 OVERVIEW OF THE STREET TRADING POLICY

- 4.1 The draft Policy brings together each type of Street Trading Consent, procedures and guidance in one document. The below is a breakdown of the policy:

Part 1 – Introduction

This part of the policy deals with the purpose and objectives of the Policy which links into the Corporate Plan and the Council's strategic objectives. It also explains the legislation and the exemptions of holding a street trading consent.

Part 2 - Applications and Determination

Part 2 sets out the type of applications and details what is required to obtain approval for a consent. It also details what factors will be considered in determining applications.

Part 3 – Street Trading Consents

This part deals with all street trading consents in more detail, including the procedure and further requirements of the applicant.

Part 4 – Conditions and Enforcement

Part 4 deals with conditions relating to street trading consents and how the Authority intends dealing with breaches or illegal activity.

Part 5 – Other Legislation

This part of the policy refers to other legislation / requirements the applicant must consider when making an application.

Part 6 – Useful Information and Contact Details

This section of the policy helps applicants to obtain correct contact information of authorities and other useful information.

5.0 APPLICATION FORMS AND FEES

- 5.1 New application forms with guidance have been drafted and developed to ensure it ties in with the policy above. The forms details guidance of the procedure and factors that an applicant must take into account.
- 5.2 Some fees have also been changed and included as part of the changes in the street trading regime. The following lists the changes:

Type of Consent	Current Fee	Proposed Fee
Mobile	£236	Ice Cream Mobile £236 Fruit / Veg and other Mobile £315
Variation of Consent	£0	£100
Assistant Registration / Badge	£0	£15
Replacement badge	£0	£7.50

Replacement Certificate	£0	£7.50
Change of details on a consent (minor)	£0	£15

6.0 CONSULTATION

- 6.1 The Licensing Authority has commenced a consultation process to seek the views of all interested parties to make comments. The consultation process commenced on the 24th September 2012 and will last for 6 weeks, concluding at 5:00pm on the 2nd November 2012.
- 6.2 Letters and emails (where possible) regarding the consultation have been sent out. The letters and emails have included a link to our website where the draft Street Trading Policy and other documents can be viewed. Consultees have the option of contacting the Licensing Service for a hard copy of the Policy if they do not have internet access.
- 6.3 All Members of the Council have been notified of the consultation and provided with an emailed copy of the draft policy and application documents.

7.0 SO WHAT DOES THE POLICY DELIVER

- 7.1 This Policy has been adopted with a view to securing the following objectives:
- to enhance the city of Sheffield;
 - to protect public health through the control of street trading within the city of Sheffield;
 - to ensure that traders operate within the law and act fairly in their dealings with the public; and
 - to prevent nuisance, unsafe practices and anti social behaviour.
- 7.2 Whilst promoting inclusive, vibrant, safe and strong communities and supporting small business enterprise the Licensing Service will work closely with external partners to support the above objectives.
- 7.3 The production of this document and guidance issued with applications will assist us in achieving our vision of “Doing the right things and doing things right, for our customers and the City, making Sheffield a Great Place to be”.
- 7.4 The work we are doing fits with many of our Service objectives:
- Effective – delivering high levels of customer satisfaction.
 - Equitable – ensuring provision to all without disadvantaging anyone.
 - Empowering – engaging with customers and involving them in our decisions.
 - Enabling – working proactively to help make things happen.
- 7.5 It also fits in with our Service design principles:
- Collaboration – working effectively with customers, partners and other stakeholders to provide a streamlined quality service.

- Responsiveness – listening and acting in a timely fashion to complaints and queries.
- Openness – being transparent and accountable to enforcement issues and decisions made on applications.
- Flexibility – by making it easier for customers to make applications, discuss issues, hold meetings and provide information is a convenient and flexible way.
- Learning – listening / learning to customers, improving systems and the way we can do things better over time.

7.6 The overarching benefits are that the Policy will assist in achieving the Place core strategic outcome of “Making Sheffield a Great Place to Be”.

7.7 This will be by supporting the following outcomes:

- **A Strong & Competitive Economy**
 - working with businesses to set up and be a part of the growth of the local economy.
- **A Great Place to Live**
 - **good place management** by involving communities and ensuring traders fit in and contribute to the appearance and enhancing an area ensuring it is safe, attractive and clean by placing conditions and meeting a qualitative criteria.
 - **effective service delivery** by working in collaboration with other agencies, departments and the communities to ensure effective quality service.
- **Vibrant City**
 - by enhancing the **night time economy** by providing customers wants and needs for the city.
 - being **destination of choice** by having variety in the city.
- **Safe & Secure Communities**
 - by working with police, safer neighbourhood officers, etc. to improve communities and tackle problems associated with street trading
- **Successful Young People**
 - **protect and promote the welfare of children** and ensuring the suitability of all applicants.

8.0 FINANCIAL IMPLICATIONS

8.1 There are no financial implications arising from this report as the Licensing Authority recovers its reasonable costs of administering and enforcing the street trading consent system through an approved scale of fees.

8.2 Members should note that if any application is referred to the High Court significant legal costs are likely to be incurred. There is no hold over budget within the Licensing Service to cover such costs.

9.0 RECOMMENDATIONS

9.1 That Members of the Licensing Committee note the contents of the report.

- 9.2 That Members of the Licensing Committee comment on the draft Street Trading Policy.
- 9.3 That Members of the Licensing Committee comment on the draft application documents.
- 9.4 That Members of the Licensing Committee comment on the proposed application fees.

Stephen Lonnia,
Chief Licensing Officer
Head of Licensing
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot
Sheffield
S9 3HD.

15th August 2012

Consultation Comments Received

No.	Name	Overview of comments	Type of comment	Have comments been included?
1	<p>Lucy Bond Planning Service</p>	<p>1 2.5.2 to be altered to read “<i>copy of an ordnance survey based map of at least 1:1250 scale</i>” This would bring the requirements in line with Planning and Building Regulation application requirements.</p> <p>2 In order to ensure that the policy is taken seriously my Members of the Licensing Committee please can the words “<i>where it is felt appropriate</i>” be removed from paragraph 2.7.6. The starting point should always be to assess against the policy...</p>	<p>Amendments to site plan requirement</p> <p>Amendment to policy wording</p>	<p>1. Yes – 2.5.2 amended</p> <p>2. Yes</p>
2	<p>Cllr Rob Murphy Member for Central Ward</p>	<p>I believe there would be a benefit to include a similar condition to 3.36 which would apply to city centre trading. My view is that street traders should not be entitled to sell goods in close proximity to existing shops trading primarily in those goods. This would help protect the viability of small independent shops in the city centre. Current rules seem to allow unfair competition where a street trader can sell goods much cheaper than a shop in very close proximity. An 800m radius within the city centre maybe unrealistic, but a radius of 300m might be reasonable.</p>	<p>Amendment to policy wording</p>	<p>A radius for city centre applications has not been included. We have instead inserted a paragraph relating to city centre applications (at 3.1.9) and static applications (3.2.8) the following: “All applications will be dealt with under their own individual merits, however, when determining an application the proximity of existing nearby shops, café’s and other traders that primarily trade in the same articles will be taken into account.” This is also highlighted in 2.8.2 under ‘Traders’</p>

3	Michael Bluff Principal Officer Environmental Protection Service	<p>1 I would like for us to add a requirement for the business to display their food hygiene rating score so that customers can see how good the business is in terms of food safety.</p> <p>2 It would also be great if we could set as a minimum that traders must achieve a rating of 3 or more, as this means that they are broadly compliant with food law.</p>	<p>1. Proposed additions</p> <p>2. Proposed additions</p>	<p>1. Yes – included in standard conditions 31 and 32</p> <p>2. Yes – included in: 2.5.2 to have a minimum rating of 3. 2.8.2 – Traders – part of considering an application. City wide and city centre qualitative criteria Standard conditions 31 and 32</p>
4	Michael Moran The Hot Sausage Company	2.8.2 (page 14) Food traders b) should include; Nearby shops, cafes and existing street traders providing similar services.	Proposed additions	No – this is already covered under section c) below stating: “Whether the trading in a particular location will conflict with concessions granted to other existing street traders; “
5	J Abraham Shop owner (Abbeydale Road Area)	<p>1 To amend mobile traders not being able to trade within a 1 mile radius of any shop that sell similar goods.</p> <p>2 To increase mobile fees up to £500 to £1,000</p>	<p>1. Proposed amendments to policy</p> <p>2. Change in fees</p>	<p>1. No – 800 meter radius is sufficient</p> <p>2. No – the Licensing Service can only recover the costs of administering the system.</p>
6	Firvale Traders Association	“To draw up boundaries that keep street traders away from local shopping area however small.”	Policy wording	Boundaries have already been drawn up throughout the new policy and in conditions for street traders not to trade in similar goods in proximity of similar traders including shops.

7	J Popai Supermarket owner	1 2 3 4	<p>"Mobile fruit n veg is to restrict to once a week on one area"</p> <p>"Mobile van should not be allowed in 1 mile radius of any shop selling same goods"</p> <p>"Licence should be given for six month to be review every six month"</p> <p>"Licence fee should be raised to £750 to £1000 for year for licence dept get more fund to check on them"</p>	<p>Policy wording</p> <p>Policy wording</p> <p>Policy wording</p> <p>Policy wording</p>	<p>1. No – already included in condition 1 of mobile fruit / veg and other traders conditions</p> <p>2. No – 800 meter radius is sufficient</p> <p>3. No – Consents can be issued for up to 12 months, any issues arising from a granted consent can be presented to the Licensing Committee for further consideration.</p> <p>4. No – the Licensing service can only recover the costs of administering the system.</p>
8	A Ahmed Supermarket owner and behalf of small local businesses		<p>Issues with mobile traders trading beyond permitted limitations of 15 minutes.</p> <p>Street traders trading in similar goods as local businesses are being affected.</p> <p>Requesting a total ban on specific types of street traders.</p>	<p>Policy wording</p>	<p>The street trading policy covers all the issues raised, with restrictions of where street traders can trade, proximity of similar outlets/units/shops that sell similar good.</p>
9	A Qayyum Existing Street Trader		<p>Requesting that no changes are made to the current policy. Not happy with the new policy.</p> <p>Pays £230 per year or a licence. Expense for 1 day is more than £40 in fuel as comes from Bradford. Pays tax to trade.</p> <p>Would find it difficult to trade in Sheffield with the new changes and would like it to be made easy to trade in Sheffield.</p>		

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SHEFFIELD CITY COUNCIL LICENSING COMMITTEE

Report of: Chief Licensing Officer

Date: 8th November 2012

Subject: Private Hire and Hackney Carriage Licensing

Author of Report: Steven Lonnia Chief Licensing Officer,
Business and Strategy, Place Portfolio

Summary: Report – Hackney Carriages Fares Review –
(Determination of Fees)

Category of Report: OPEN

**REPORT OF THE CHIEF LICENSING OFFICER (HEAD OF LICENSING) TO
THE LICENSING COMMITTEE**

No: 88/12

Hackney Carriage Fares Review (Determination of Fares)

1.0 PURPOSE AND OUTCOMES

- 1.1 The purpose of this report is for members to consider the fare structure and tariffs for hackney carriages licensed by the Council.
- 1.2 The outcomes of this report are to ensure that:-
- The travelling public are presented with a clear fare structure when using licensed hackney carriages in the City;
 - Fares are set after giving due consideration to the views of all interested parties.

2.0 THE LAW

2.1 Section 60(1) of the Local Government (Miscellaneous Provisions) Act 1976 "The City Council may fix rates or fares within the district as well for time as distance, and all other charges in connection with the hire of the hackney carriages by means of a table made or varied in accordance with the provisions of this section".

2.2 There is no legal requirement that the Council must fix fares but it has long been the practice in Sheffield that it does so. Many of the current byelaws relating to Hackney Carriages are based on the fact that the Council does fix the maximum fares.

2.3 Section 60(2) Local Government (Miscellaneous Provisions) Act 1976 states;

(a) "When a district Council make or vary a table of fares they shall publish in at least one local newspaper circulating the district a notice setting out the table of fares or the variation thereof and specifying the period, which shall not be less than 14 days from the date of the first publication of the notice, within which objections to the table of fares or variation can be made.

(b) A copy of the notice referred to in paragraph (a) of this subsection shall for a period of 14 days from the date of first publication thereof be deposited at the offices of the Council which published the notice, and shall be at reasonable hours be open to the public inspection without payment.

2.4 Section 60(3) Local Government (Miscellaneous Provisions) Act 1976 states;

"If no objection to a table of fares or variation is duly made within the period specified in the notice referred to in subsection (2) of this section, or if all objections so made are withdrawn, the table of fares or variations will come into operation on the date of the expiration of the period specified in the notice or the date of the withdrawal of the objection or, if more than one, of the last objection, which ever date is the later."

2.5 Section 60(4) Local Government (Miscellaneous Provisions) Act 1976 states;

“If an objection is duly made as aforesaid and is not withdrawn, the district council shall set a further date not later than two months after the first specified date, on which the table of fares shall come into force with or without modifications as decided by them after consideration of the objections.”

3.0 BACKGROUND

3.1 The Chief Licensing Officer has received a formal request from the STTA for an increase of 10% this year. A copy of their request is attached at Appendix “A”. The STTA are citing the current high fuel prices, increased insurance costs and general rises in the cost of living within the last 12 months.

3.2 Fares were last reviewed by the Council in October 2010. The fares table as agreed at that meeting has been in force since that date and is attached at Appendix “B”. Along with supporting documents including the AA fuel price index.

3.3 The calculations for working out the fares are complex. Different examples will be available to view at the meeting by way of presentation by officers. The Licensing Section has formulated some examples of increases and these examples will be available to the meeting on a presentation by the Officer. This will allow for interactive debate where increases/decreases suggested may be calculated and the affects shown immediately to the meeting. The presentation will be available on request to officers after the meeting.

3.4 The Chief Licensing Officer has undertaken some initial calculations and the preferred option for an increase is attached at Appendix “C”.

4.0 CHARGES FOR THE USE OF DEBIT / CREDIT CARDS

4.1 The use of credit and debit cards for payments by customers is becoming more common place every year. The tariff for the charge for the use of such cards was introduced over 2 years ago.

4.2 It is apparent that the take up by drivers is very low at present. It has been suggested in some quarters that the reason is the current 50p per transaction limit on the charge does not cover the cost of the rental or the equipment or the charges made to the drivers by the card companies.

4.3 The introduction of a percentage charge over the metered fare would cover this and the average charge is around 6% but to simplify the calculations Members may wish to implement a 5% or 10% charge on a Credit Card booking. Debit Card payments may have to remain as a cost to the driver it is the intention of the Government to rule out admin charges for the use of debit cards.

5.0 CONSULTATION

- 5.1 The Licensing Section has regular consultation meetings with all the current trades associations on a regular basis usually bi-monthly.
- 5.2 Representatives of the trade associations have been invited to attend this meeting.
- 5.3 If changes are made to the fares the Council has a legal obligation to advertise this to allow for objections to the changes. See section 2.4. This open meeting and the advertisement is the only Public/User consultation that takes place when these matters are discussed.
- 5.4 If objections were received the Council would have to reconvene the Licensing Sub Committee to consider the objection. See section 2.5 Any changes then would come into effect from a future date stated at the objection hearing.
- 5.6 Further consultation can be undertaken if members feel it would be beneficial.

6.0 FINANCIAL IMPLICATIONS

- 6.1 There are no wider financial implications for the Council in this proposal except for the costs of advertising in the local press of any increase/decrease (previous cost approx £2700).

7.0 RECOMMENDATIONS

- 11.1 That members consider all the information provided in the report and that included in any attachments as well as any information that is supplied at the meeting before determining whether to amend the hackney carriage fares.
- 11.2 That members consider and approve the option detailed at Appendix "C".

12.0 OPTIONS OPEN TO THE BOARD

- 12.1 To authorise the Chief Licensing Officer and Head of Service to increase the fees as detailed in Appendix "C" and keep the remaining fares as they are currently.
- 12.2 To authorise the Chief Licensing Officer and Head of Service to increase the fares as may be agreed at the meeting or maintain them as they are with no increase.
- 12.3 To defer the decision to increase the fares for further consideration.

Stephen Lonnia
Chief Licensing Officer & Head of Licensing
Business Strategy & Regulation
Place

November 2012

Appendix A

STTA FARES INCREASE REQUEST

Stephenson Clive (CEX)

From: hafeas@aol.com
Sent: 03 October 2012 05:53
To: Stephenson Clive (CEX)
Subject: Re: Fares increase,.
Attachments: fuel september2010.pdf; Fuel september2011.pdf; Fuel september2012.pdf

Hi Clive

We last had a fare increase in October 2010, which was requested by the trade. Leading upto October 2011 the trade decided not to request a fare increase after members consultation due to the economical situation, but the trade were feeling the huge pinch as fuel price increased by 21.70 pence per liter over the year (representing 15.62% increase) (from Sept. 2010 to Sept. 2011 AA fuel reports attached).

From Sept. 2011 to Sept. 2012 fuel has increased by a further 5.20 pence per liter.(representing a 3.6% increase).

Since last fare increase the cost of fuel has gone up by 18.67%

Over the same period insurnace has gone up by over 60%

The current rate of inflation is at 2.50%.

Taxi drivers need to recover the burden of these inflation busting costs associated with the business. Please also note recently Council fees for Taxi badge and Vehicle license went up.

Taxi drivers have been exteremely patient and are only requesting an increase becuae it is needed to recover costs we have not gone mad like the bus and rail companies.

Taxis are value for money when you compare average taxi journey to bus fares (based on 5 people sharing a taxi).

Kind regards
Hafeas

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

Page 1 of 3

Stephenson Clive (CEX)

From: hafeas@aol.com
Sent: 10 October 2012 04:40
To: Stephenson Clive (CEX)
Subject: Re: Fares increase,.

Hi Clive

Sorry forgot to inform you of the increase requested.

At the meeting we had earlier this year with our memebers two proposed figures were discussed 5 % and 10 %.

Majority members requested for an increase by 10%.

We request that an increase of 10% is put before the Licensing Committee.

Hafeas

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

From: Stephenson Clive (CEX) <Clive.Stephenson@sheffield.gov.uk>
To: 'hafeas@aol.com' <hafeas@aol.com>

Appendix B

Current Fares Chart

TABLES OF FARES

The fares detailed below are the **MAXIMUM** fares, which may be charged.

FIRST 160 YARDS (146.3 metres)

DAY	(6.00 AM UNTIL 8.00 PM)	£2.60
NIGHT	(8.00 PM UNTIL 6.00 AM)	£3.10

Then 30p for every 346 yards (316 m) travelled up to 17600 yards (16093 m)
- approx. 10 miles: -

After (10 miles) 17600 yards (16093m) 30p for every 285 yards (260m)
travelled: -

AVERAGE COST (not including any waiting time)

	DAY	NIGHT
1 Mile (1.6km)	£4.00	£4.50
5 Miles (8.0km)	£10.10	£10.80
10 Miles (16.1Km)	£17.80	£18.30
15 Miles (24.1km)	£27.10	£27.60

Waiting time

For every 1 minute 22 seconds the cab is kept waiting **30p**
Waiting time is calculated once the vehicle is stood or travelling at less than 8 miles per hour.

Extras

Each hiring begun between 6.00 pm on 24th December
and 6.00 am on 27th December and between
6.00 pm on 31st December and 6.00 am on 2nd January.

£2

Fouling the vehicle - MAXIMUM charge

£50

Drivers can apply a charge of
when payment is made by debit or credit card where this facility
is made available by the driver.

50p per transaction,

Notes for passengers:

The driver of this vehicle must produce a copy of the byelaws to you on request.
The driver of this vehicle should always be wearing a current badge issued by Sheffield City Council, and should also display the interior identification as issued by Sheffield City Council.

Enquiries or complaints about taxis or their drivers should be made to:-
The Private Hire & Taxi Licensing Section, Sheffield City Council, Town Hall, Sheffield, S1 2HH.
Telephone 2734005.

Acting Head of Licensing (October 2010)

Appendix C

Officers Fares Option

SHEFFIELD

CURRENT TARIFF

<p>Name : TARIFF 1</p> <p>Date: 01/11/2010</p> <p>Soiling charge: £50.00</p> <p>Wait: 82 (secs)</p> <p>Flag fall: £2.60 A</p> <p>Initial yardage: 160 B</p> <p>Unit thereafter: 346 C</p> <p>Price unit : 0.3 D</p> <p>Initial Waiting Time (secs): 38</p>	<p>Name : TARIFF 2</p> <p>Date: 01/11/2010</p> <p>Soiling charge: £50.00</p> <p>Wait: 82 (secs)</p> <p>Flag fall: £3.10 A</p> <p>Initial yardage: 160 B</p> <p>Unit thereafter: 346 C</p> <p>Price unit : 0.3 D</p> <p>Initial Waiting Time (secs): 38</p>
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PROPOSAL - SEPTEMBER 2012

<p>Name : TARIFF 1</p> <p>Soiling charge: £50.00</p> <p>Wait: 82 (secs)</p> <p>Flag fall: £2.80 A</p> <p>Initial yardage: 220 B</p> <p>Unit thereafter: 220 C</p> <p>Price unit : 0.2 D</p> <p>Initial Waiting Time (secs): 82</p>	<p>Name : TARIFF 2</p> <p>Soiling charge: £50.00</p> <p>Wait: 82 (secs)</p> <p>Flag fall: £3.30 A</p> <p>Initial yardage: 220 B</p> <p>Unit thereafter: 220 C</p> <p>Price unit : 0.2 D</p> <p>Initial Waiting Time (secs): 82</p>
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Distance (miles)	TARIFF 1			TARIFF 2		
	<i>Current</i>	<i>Proposed</i>	<i>% Change</i>	<i>Current</i>	<i>Proposed</i>	<i>% Change</i>
Flag	£2.60	£2.80	7.69%	£3.10	£3.30	6.45%
1	£4.10	£4.20	2.44%	£4.60	£4.70	2.17%
2	£5.60	£5.80	3.57%	£6.10	£6.30	3.28%
3	£7.10	£7.40	4.23%	£7.60	£7.90	3.95%
4	£8.60	£9.00	4.65%	£9.10	£9.50	4.40%
5	£10.10	£10.60	4.95%	£10.60	£11.10	4.72%
6	£11.90	£12.20	2.52%	£12.40	£12.70	2.42%
7	£13.40	£13.80	2.99%	£13.90	£14.30	2.88%
8	£14.90	£15.40	3.36%	£15.40	£15.90	3.25%
9	£16.40	£17.00	3.66%	£16.90	£17.50	3.55%
10	£17.90	£18.60	3.91%	£18.40	£19.10	3.80%

Appendix D

Page 1 – 3 AA Fuel Price Index

Page 4 - 8 ONS, RPI % changes

Page 9 – 10 BBC news item on fuel prices

Page 11 – 13 Average Hackney Fares
(Northern)

Fuel Price Report

September 2012



FUEL PRICE REPORT SEPTEMBER 2012

An unexpected end-of-summer surge in the price of petrol has seen the average UK pump price rise nearly 5p a litre since last month. Diesel has gone up nearly 4.5p. Heavy speculation in the oil and fuel stock markets has created the second price spike this year, although the fall in the oil price in recent days may signal another downturn in pump prices. Oil: \$109

Unleaded prices have risen by 4.7ppl from 135.5ppl to 140.2ppl. **Diesel** prices have risen by 4.2ppl from 140.4ppl to 144.6ppl. The price difference between unleaded and diesel has fallen to 4.4ppl.

Northern Ireland recorded the highest price for unleaded at 141.1ppl. **London** recorded the lowest price for unleaded at 139.8ppl. **Scotland** recorded the highest diesel price at 145.2ppl. **Yorkshire and Humberside** has the cheapest diesel at 144.1ppl.

Supermarket prices for **unleaded** rose by 5.2ppl to 138.2ppl. The gap between supermarket prices and the UK average for unleaded has fallen to 2.0ppl.

The UK has the eighth highest petrol price in Europe and the second highest diesel price.

Garages and Supermarkets	Unleaded 95 Octane (pence)		Diesel (pence)		Super Unleaded (pence)		LPG (pence)
	litres	(gallons)	litres	(gallons)	litres	(gallons)	Litres
Northern Ireland	141.1	641.5	145.0	659.18	148.5	675.1	79.9
Scotland	140.3	637.8	145.2	660.09	146.8	667.4	69.8
Wales	140.5	638.7	144.8	658.27	146.5	666.0	69.9
North	140.1	636.9	144.8	658.27	147.9	672.4	72.9
North West	140.3	637.8	144.3	656.00	148.6	675.5	70.6
Yorkshire & Humberside	139.9	636.0	144.1	655.09	149.4	679.2	72.3
West Midlands	140.3	637.8	144.7	657.82	149.1	677.8	72.9
East Midlands	140.4	638.3	144.5	656.91	148.8	676.5	n/a
East Anglia	140.2	637.4	144.6	657.36	147.3	669.6	71.9
South East	140.3	637.8	144.8	658.27	147.4	670.1	75.3
South West	140.4	638.3	144.8	658.27	146.6	666.5	76.9
London	139.8	635.5	144.2	655.55	147.3	669.6	75.3
UK AVERAGE	140.2	637.4	144.6	657.36	147.7	671.5	73.9
Per cent taken as Tax	58.0		56.75		55.9		

Supermarkets	Unleaded 95 Octane		Diesel		Super unleaded		LPG
	litres	(gallons)	litres	(gallons)	litres	(gallons)	Litres
SUPERMARKET AVERAGE	138.2	628.3	142.9	657.4	143.4	651.9	70.6
Per cent taken as Tax	58.6		56.75		57.1		

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

Fuel Price Report

September 2011



FUEL PRICE REPORT SEPTEMBER 2011

Fuel prices have returned almost to where they were a month ago, after dipping 1.5p a litre by the end of August. A weaker pound, which has made the UK cost of dollar-priced oil and product more expensive, has stopped a lower oil price filtering through to the pumps. Oil barrel price \$111.5.

Unleaded prices have fallen by 0.1ppl from 135.7ppl to 135.6ppl. Diesel prices have fallen, by 0.3ppl, from 139.9ppl to 139.6ppl. The price difference between unleaded and diesel has fallen to 4.0ppl.

London recorded the highest price for unleaded at 136.2ppl. Yorkshire and Humberside recorded the lowest price for unleaded at 134.9ppl. Northern Ireland and Scotland recorded the highest diesel price at 140.1ppl. Yorkshire and Humberside have the cheapest diesel at 138.9ppl.

Supermarket prices for unleaded fell by 0.4ppl to 133.1ppl. The gap between supermarket prices and the UK average for unleaded has risen to 2.5ppl.

The UK has the eighth highest petrol price in Europe and the second highest diesel price.

Garages and Supermarkets	Unleaded 85 Octane (pence)		Diesel (pence)		Super Unleaded (pence)		LPG (pence)
	litres	(gallons)	litres	(gallons)	litres	(gallons)	
Northern Ireland	136.1	618.7	140.1	636.91	145.6	661.9	N/A
Scotland	135.4	615.5	140.1	636.91	142.0	645.5	74.5
Wales	135.8	617.4	139.8	635.54	141.6	643.7	71.6
North	135.1	614.2	139.4	633.72	144.7	657.8	72.9
North West	135.1	614.2	139.0	631.91	142.5	647.8	77.3
Yorkshire & Humberside	134.9	613.3	138.9	631.45	143.4	651.9	72.1
West Midlands	135.7	616.9	139.5	634.18	143.6	652.8	76.4
East Midlands	135.3	615.1	139.2	632.82	142.5	647.8	75.9
East Anglia	135.9	617.8	139.8	635.54	142.1	646.0	75.3
South East	136.0	618.3	140.0	636.45	142.6	648.3	76.8
South West	135.9	617.8	139.9	636.00	142.0	645.5	77.2
London	136.2	619.2	140.0	636.45	143.2	651.0	76.6
UK AVERAGE	135.6	616.4	139.6	634.63	142.7	648.7	75.9
Per cent taken as Tax	59.4		58.18		57.3		

Supermarkets	Unleaded 95 Octane		Diesel		Super unleaded		LPG
	litres	(gallons)	litres	(gallons)	litres	(gallons)	
SUPERMARKET AVERAGE	133.1	605.1	137.0	622.8	137.5	625.1	71.0
Per cent taken as Tax	60.2		58.97		58.8		

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

Fuel Price Report

September 2010



For the
road ahead

FUEL PRICE REPORT SEPTEMBER 2010

Petrol and diesel prices have fallen for the fourth month in a row, but an increase in wholesale prices threatens to put that in reverse. This would coincide with a 1p-a-litre increase in fuel duty on October 1 – at a time when petrol prices are already nearly 9p a litre dearer than a year ago. Barrel price is \$79.

Unleaded prices have fallen by 1.3ppl from 116.5ppl to 115.2ppl. **Diesel** prices have also fallen, by 1.2ppl, from 119.2ppl to 118.0ppl. The price difference between unleaded and diesel has risen to 2.8ppl.

London recorded the highest price for **unleaded** at 116.2ppl. **Yorkshire and Humberside** recorded the lowest price for **unleaded** at 114.2ppl. **Northern Ireland and Wales** recorded the highest **diesel** price at 118.7ppl. **Yorkshire and Humberside** have the cheapest **diesel** at 117.2ppl.

Supermarket prices for **unleaded** also fell over the month by 1.5ppl to 113.4ppl. The gap between supermarket prices and the UK average for **unleaded** has risen to 1.8ppl.

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

Garages and Supermarkets	Unleaded 95 Octane (pence)		Diesel (pence)		Super Unleaded (pence)		LPG (pence)
	litres	(gallons)	litres	(gallons)	litres	(gallons)	
Northern Ireland	115.9	526.9	118.7	539.62	124.7	566.9	60.4
Scotland	114.6	521.0	118.2	537.35	120.8	549.2	61.1
Wales	115.8	526.4	118.7	539.62	121.8	553.7	59.9
North	114.5	520.5	117.7	535.07	122.1	555.1	60.9
North West	114.4	520.1	117.7	535.07	122.5	556.9	58.8
Yorkshire & Humberside	114.2	519.2	117.2	532.80	121.6	552.8	61.8
West Midlands	115.0	522.8	117.7	535.07	123.2	560.1	66.3
East Midlands	115.2	523.7	117.8	535.53	123.3	560.5	63.4
East Anglia	115.7	526.0	118.3	537.80	123.2	560.1	64.2
South East	115.8	526.4	118.3	537.80	122.8	558.3	65.7
South West	115.7	526.0	118.5	538.71	122.6	557.4	63.6
London	116.2	528.3	118.4	538.26	123.2	560.1	66.2
UK AVERAGE	115.2	523.7	118.0	536.44	122.6	557.4	63.9
Per cent taken as Tax		64.5		63.36		61.5	

Supermarkets	Unleaded 95 Octane		Diesel		Super unleaded		LPG
	litres	(gallons)	litres	(gallons)	litres	(gallons)	
SUPERMARKET AVERAGE	113.4	515.5	115.8	526.4	118.3	537.8	59.0
Per cent taken as Tax		65.3		64.28		63.2	

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

Details extracted from the Office of National Statistic Publication October 16th 2012
 Table 27 RPI detailed annual average: 1989 to 2011
 percentage change over 12 months

	2006	2007	2008	2009	2010	2011
ALL ITEMS						
CZBH Food and catering	3.2	4.3	4.0	-0.5	4.6	5.2
CZBJ Alcohol and tobacco	2.3	4.2	7.7	4.6	3.1	5.4
CZBK Housing and household expenditure	3.0	3.7	4.1	3.7	4.8	7.4
CZBL Personal expenditure	5.7	7.0	4.2	-4.3	2.6	3.4
CZBM Travel and leisure	0.5	0.9	-0.4	-0.8	5.2	8.4
CZBN Consumer durables ¹	1.1	1.5	2.8	1.2	8.6	6.0
CZBO Seasonal food	-1.4	-0.7	-1.8	-1.0	4.1	5.6
CZBP Food excluding seasonal	2.1	7.3	8.9	4.8	5.2	3.2
CZBQ All items excluding seasonal food	2.2	4.0	9.3	5.4	2.7	6.5
DOED All items excluding seasonal food	3.2	4.2	3.9	-0.6	4.6	5.3
CCYX All goods	3.3	4.2	3.4	-1.3	4.8	5.1
DOGD All services	1.2	1.9	3.7	1.5	5.3	6.4
DOGE	5.0	4.3	5.4	4.1	4.2	5.3
Other indices						
All items excluding:						
CDKQ mortgage interest payments (RPIX)	2.9	3.2	4.3	2.0	4.8	5.3
CZBI housing	2.6	2.7	4.4	2.6	5.2	6.3
CBZX mortgage interest payments and indirect taxes (RPIY) ²	3.0	3.2	4.4	2.8	3.5	4.0
DOFZ mortgage interest payments and council tax	2.9	3.2	4.3	1.9	4.9	5.5
DOGT mortgage interest payments and depreciation ³	2.8	2.9	4.4	2.6	4.7	5.7
CZVL Tax and price index	3.1	4.2	3.2	-1.5	4.9	5.1
Food						
CCVY Bread	2.1	4.6	9.3	5.3	3.1	5.9
CCYZ Cereals	6.0	8.3	15.4	2.8	0.2	5.1
CCZA Biscuits and cakes	-0.1	2.7	12.8	7.5	1.7	5.6
CDIJ Beef	2.1	3.9	11.2	3.7	4.0	11.2
CDIK Lamb	3.9	2.2	14.6	8.3	-0.5	4.1
CDIL	-0.8	0.7	8.9	11.8	5.2	21.0

	2006	2007	2008	2009	2010	2011
CDIM	1.7	0.8	12.6	11.1	8.2	12.3
WSFN	-3.2	0.6	5.0	12.4	2.3	29.8
CDIN	-0.2	0.4	15.1	7.7	3.6	5.2
CDIO	4.5	2.5	9.3	5.0	-1.4	2.1
CDIP	-3.6	3.6	13.3	2.0	-	5.7
CDIQ	1.5	1.8	7.7	5.5	1.2	4.3
CDIR	6.1	6.6	7.2	5.1	6.1	9.2
CDIS	6.8	8.4	1.1	-0.9	8.2	12.6
WSFP	5.2	4.8	13.1	12.2	3.3	5.5
CDIT	-0.6	9.5	23.4	-1.9	14.2	15.3
CDIU	5.4	4.4	12.8	0.5	2.6	9.2
CDIV	1.7	2.7	15.2	3.9	1.9	5.7
CDIW	2.6	17.9	26.6	3.7	3.5	1.0
CBVI	0.8	9.1	14.2	6.6	-0.9	0.9
CBVJ	2.2	4.7	10.8	0.7	-0.3	3.9
CBVK	7.4	2.4	6.0	11.2	12.8	3.9
CBVL	3.4	4.3	3.9	8.2	0.7	13.4
CZBR	3.1	3.8	2.2	2.9	6.3	8.1
CZBS	2.0	4.2	5.6	13.3	1.3	3.4
CZBT	4.4	4.3	7.0	7.4	6.1	8.0
CZBU	2.9	7.4	10.6	4.9	1.9	5.6
CZBV	4.3	9.9	17.0	4.7	0.8	-0.3
WSFQ	2.7	6.4	6.3	5.0	2.5	9.6
CZBW	1.5	10.8	8.1	6.7	2.5	2.2
CZBX	0.8	11.1	6.6	6.3	3.2	2.1
WSFU	3.9	9.8	13.6	8.1	-0.1	2.4
CZBY	1.2	1.7	6.7	5.1	8.0	3.9
CZBZ	1.5	1.9	7.5	4.4	7.8	1.9
WSFV	-0.7	0.7	1.2	10.0	8.8	18.0
CZCA	-0.5	1.7	6.1	6.5	1.2	4.1
CZCB	2.7	3.3	4.2	2.7	3.1	4.1
CZCC	2.5	3.0	3.8	2.6	3.6	4.3
CZCD	2.8	4.6	3.9	2.1	2.6	2.9
CZCE	2.8	3.4	4.6	3.1	2.5	4.0

	2006	2007	2008	2009	2010	2011
Alcoholic drink						
CZCF Beer	2.4	3.0	4.0	3.6	3.5	5.8
CZCG on sales	2.9	3.5	3.7	3.3	3.2	5.5
CZCH off sales	3.4	3.9	4.4	3.3	3.7	5.5
CZCI Wines and spirits	-0.3	0.7	0.1	3.1	1.2	5.5
CZCJ on sales	1.9	2.4	4.2	4.1	3.9	6.0
CZCK off sales	3.0	3.4	4.0	3.5	3.7	5.8
CZCL	0.6	1.2	4.3	4.8	4.2	6.3
Tobacco						
CZCM Cigarettes	4.5	5.3	4.4	4.0	7.6	11.0
CZCN Other tobacco	4.4	5.4	4.5	4.0	7.8	11.0
CZCO	4.4	5.0	3.6	3.6	6.8	10.7
Housing						
CZCP Rent	5.1	9.5	2.8	-10.1	2.7	1.7
CZCQ Mortgage interest payments	2.9	3.3	3.6	2.0	1.4	2.5
CZCR Depreciation (Jan 1995 = 100)	8.1	23.5	-0.3	-42.4	0.5	3.1
DOGV Council tax and rates	4.9	9.3	1.4	-9.7	5.9	-0.9
CZCS Water and other charges	4.5	4.2	3.7	2.9	2.0	0.5
CZCT Repairs and maintenance charges	6.8	6.3	6.5	5.1	1.1	3.4
CZCU Do-it-yourself materials	5.0	5.3	4.9	1.2	1.5	2.0
CZCV Dwelling insurance and ground rent	1.7	4.0	5.3	6.4	7.2	8.2
CZCW	3.4	2.6	12.1	4.3	3.5	1.8
Fuel and light						
CZCX Coal and solid fuels	24.6	7.1	18.9	6.2	-2.7	10.6
CZCY Electricity	7.5	7.2	19.1	17.5	-	4.9
CZCZ Gas	21.7	8.0	15.6	4.5	-2.5	7.2
CZDA Oil and other fuels	31.9	7.7	19.8	13.7	-5.9	10.6
CZDB	13.2	0.9	44.4	-23.3	27.5	25.0
Household goods						
CZDC Furniture	1.3	2.3	3.4	4.6	4.4	5.8
CZDD Furnishings	2.6	4.6	5.0	4.2	4.9	5.0
CZDE Electrical appliances	0.8	1.5	5.0	3.5	4.6	6.9
CZDF Other household equipment	-4.3	-2.9	-5.5	2.9	2.4	3.0
CZDG Household consumables	0.4	2.9	3.0	3.9	4.3	7.1
CZDH Pet care	2.0	1.5	3.0	6.2	3.8	7.3
CZDI	3.3	3.0	5.6	6.1	4.5	5.8

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	2006	2007	2008	2009	2010	2011
CZDJ Household services	3.5	3.4	3.2	2.5	4.1	3.1
Postage	8.3	10.5	6.6	9.1	5.9	9.1
Telephones, telemessages, etc	-0.1	-3.5	-2.0	0.8	5.0	3.8
Domestic services	5.0	4.8	4.5	2.9	2.7	2.8
Fees and subscriptions	5.9	8.0	6.5	3.4	3.6	2.5
CZDO Clothing and footwear	-1.3	-0.8	-3.6	-4.3	6.4	11.5
Men's outerwear	-0.6	-0.5	-2.6	-3.4	7.4	12.3
Women's outerwear	-1.6	-3.2	-8.1	-10.6	6.7	16.0
Childrens' outerwear	-0.8	0.2	-0.8	-1.1	7.7	11.4
Other clothing	-0.6	0.9	-0.5	0.5	3.9	9.8
Footwear	-1.6	1.0	-0.5	0.1	3.7	2.1
CZDU Personal goods and services	2.7	2.9	3.3	2.9	3.7	4.4
Personal articles	2.4	3.5	3.5	3.2	3.8	5.3
Chemists goods	1.3	1.3	2.0	2.6	3.2	3.9
Personal services	4.7	4.4	4.6	2.7	4.2	4.5
CZDY Motoring expenditure	1.5	1.2	3.1	-0.7	13.1	8.8
Purchase of motor vehicles	-2.7	-2.6	-6.9	-0.7	6.0	-1.8
Maintenance of motor vehicles	6.1	5.1	5.9	4.1	4.7	4.9
Petrol and oil	5.5	2.7	15.1	-8.0	16.8	14.5
Vehicle tax and insurance	1.3	4.6	3.2	9.7	27.4	20.7
CZED Fares and other travel costs	1.8	6.2	6.9	4.7	5.2	7.3
Rail fares	4.0	5.1	4.3	5.3	8.0	7.1
Bus and coach fares	1.4	5.7	6.2	6.0	4.5	6.7
Other travel costs	0.9	6.6	8.2	3.4	6.2	7.6
CZEH Leisure goods	-2.4	-2.6	-2.9	-1.6	0.8	-1.6
Audio-visual equipment	-12.6	-13.8	-18.0	-9.8	-4.5	-10.4
CDs and tapes	-0.7	1.4	-2.3	-7.8	1.6	1.1
Toys, photographic and sports goods	-4.1	-3.1	-3.2	-0.2	-	-2.4
Books and newspapers	5.8	3.9	6.1	3.2	3.5	3.7
Gardening products	0.3	0.8	2.2	2.2	6.2	3.3

	2006	2007	2008	2009	2010	2011
Leisure services						
Television licences and rentals	2.1	3.3	4.2	5.3	5.1	3.9
Entertainment and other recreation	2.9	2.3	1.4	1.3	5.1	3.3
Foreign holidays (Jan 1993 = 100)	5.3	5.5	5.1	4.8	3.2	5.0
UK holidays (Jan 1994 = 100)	-0.6	2.5	5.1	7.5	6.0	3.6
DOEC	5.3	3.7	2.6	1.3	3.5	3.8

BBC NEWS**BUSINESS**

5 September 2012 Last updated at 12:35

Petrol and diesel price review is launched by OFT


The UK petrol and diesel sector is being put under the microscope by the fair trading watchdog amid rising prices at the pumps.

The Office of Fair Trading (OFT) will spend six weeks gathering evidence about whether competition is being curtailed.

The watchdog will also consider whether falling costs of crude oil are reflected in prices paid by motorists.

It will publish its findings in January.

The OFT said that the UK retail road fuels sector was estimated to be worth about £32bn.

Petrol prices rose by 38% between June 2007 and June this year, and diesel prices went up  for the same period.

In June, the government announced it would postpone its 3p-a-litre rise in fuel duty from August until January.

'Widespread concern'

The OFT said the review, which is not a full-scale investigation by the watchdog at this stage, would study whether the action of supermarkets and oil companies made it difficult for independent retailers to compete in the market.

The review would also look into whether there was a lack of competition at the pumps in rural areas.

"We are keenly aware of continuing widespread concern about the pump price of petrol and diesel and we have heard a number of different claims about how the market is operating," said Claire Hart, of the OFT.

"We have therefore decided to take a broad based look at this sector, to provide an opportunity for people to share their concerns and evidence with us.

"This will help us determine whether claims about competition problems are well-founded and whether any further action is warranted."

A significant chunk of the price paid by consumers on petrol is tax, which will not be covered by the review.

'Overdue'

The Department for Transport has previously suggested that industry should come up with a voluntary code of conduct to ensure wholesale price falls were passed on within a fortnight to the motorist.

A spokesman for the department said: "We have had discussions with suppliers and retailers before and during the summer. Now the OFT has launched its own investigation it is right that we wait and see what that turns up.

"Many motorists are concerned about fuel prices and that when crude oil prices fall, this is not seen at the pump as quickly as consumers would like. We look forward with interest to the findings of the study."

Stephen Glaister, director of motorists' group, the RAC Foundation, said: "We have always argued for pricing transparency and this review promises to provide it. Now at last we should get a definitive answer on how the market works.

"We also welcome scrutiny of what the rapid decline in the number of petrol stations has meant for fuel supply and price. In 1990,

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there were some 18,000 forecourts. Now there are fewer than 9,000."

Meanwhile Edmund King, the president of the AA motoring organisation welcomed the OFT's decision but said the move was "overdue".

The latest figures from Experian Catalist show that the average cost of a litre of unleaded was 138.99 pence on Tuesday. The average price of a litre of diesel was 143.52 pence.

Earlier this year, the Retail Motor Industry Federation raised concerns with the OFT about the ability of independent traders to compete in the market.

Similar concerns about prices at the pumps have led to investigations from regulators in Germany, Spain and Australia.

Meanwhile, motorists in the UK have been warned to check online MOT certificates when buying a car, rather than looking at a printed out version.

The Trading Standards Institute said that the paper documents could easily be altered by fraudulent sellers.

It urged motorists to check the actual record and full details on the [VOSA website, accessed through Directgov](#).

Have you been affected by rising petrol prices? How have you adapted? Send us your comments and experiences using the form below.

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NORTH

	COUNCIL	FLAG	RUNNING					FLAG	RUNNING				
			1 MILE	2 MILES	5 MILES	10 MILES	MILE		1 MILE	2 MILES	5 MILES	10 MILES	
1	HARROGATE	£3.10	£4.50	£6.30	£11.50	£20.30	£1.75	£4.65	£6.75	£9.45	£17.25	£30.45	
2	CREWE & NANTWICH	£2.40	£4.20	£6.20	£12.20	£22.20	£2.00	£2.40	£4.40	£6.60	£13.20	£24.20	
3	LEEDS	£2.40	£4.20	£6.20	£10.60	£18.60	£1.55	£3.00	£5.00	£7.20	£11.00	£19.40	
4	YORK	£2.00	£4.40	£6.20	£11.90	£21.40	£1.89	£3.40	£5.20	£7.10	£12.80	£22.30	
5	SOUTH LAKELAND	£3.50	£3.90	£6.90	£13.50	£26.00	£2.50	£5.25	£9.00	£20.25	£38.00		
6	DARLINGTON	£2.80	£4.15	£5.95	£11.35	£20.35	£1.80	£3.00	£5.20	£7.60	£14.80	£28.70	
7	BLACKPOOL	£2.60	£4.00	£5.80	£11.00	£19.80	£1.76	£2.60	£4.60	£7.00	£14.00	£25.80	
8	SCARBOROUGH	£3.40	£4.60	£5.80	£9.40	£18.40	£1.20	£3.60	£5.00	£6.40	£10.80	£17.60	
9	FYLDE	£2.90	£3.90	£6.70	£10.90	£18.70	£1.74	£2.80	£4.60	£6.80	£13.40	£24.40	
10	MANCHESTER	£2.30	£3.90	£5.70	£11.30	£20.50	£1.84	£2.60	£5.00	£7.40	£14.80	£27.20	
11	RYEDALE	£3.00	£3.90	£5.70	£11.10	£20.10	£1.80	£3.60	£4.70	£6.80	£13.50	£24.50	
12	NEWCASTLE UPON TYNE	£2.40	£4.00	£5.60	£10.60	£19.00	£1.67	£2.40	£4.20	£6.20	£12.00	£21.60	
13	SHEFFIELD	£2.60	£4.10	£5.60	£10.10	£17.90	£1.53	£3.10	£4.60	£6.10	£10.60	£18.40	
14	STOCKPORT	£2.00	£3.20	£5.60	£12.40	£24.00	£2.32	£2.60	£4.20	£7.20	£16.60	£32.00	
15	WYRE	£2.60	£3.80	£5.60	£10.60	£19.00	£1.68	£2.70	£4.50	£6.70	£13.30	£24.30	
16	DURHAM COUNTY COUNCIL	£2.55	£3.85	£5.55	£10.75	£19.35	£1.73	£3.15	£4.95	£7.20	£14.40	£26.10	
17	CARLISLE	£2.70	£3.50	£5.50	£11.70	£22.10	£2.07	£3.60	£4.60	£7.10	£14.80	£28.30	
18	CASTLE MORPETH	£2.90	£3.90	£5.90	£10.90	£17.70	£1.53	£2.60	£4.40	£6.40	£10.20	£21.80	
19	CHESTER	£2.50	£4.10	£5.50	£9.90	£18.30	£1.47	£2.80	£4.40	£6.20	£11.00	£20.40	
20	EDEN	£2.50	£3.00	£5.50	£13.00	£25.50	£2.50	£3.50	£4.20	£7.70	£18.20	£35.70	
21	ISLE OF MAN	£2.70	£4.10	£5.50	£10.30	£19.50	£1.96	£3.50	£5.30	£7.50	£14.30	£27.30	
22	OLDHAM	£1.60	£3.40	£5.50	£11.95	£22.60	£2.16	£1.80	£3.85	£6.40	£14.20	£27.10	
23	TYNEDALE	£2.50	£3.70	£5.50	£10.70	£19.70	£1.79	£2.90	£4.30	£6.30	£12.30	£22.70	
24	WANSBECK	£2.10	£3.50	£5.50	£11.30	£20.90	£1.93	£2.70	£4.50	£6.90	£14.30	£26.50	
25	BARROW IN FURNESS	£2.40	£3.40	£5.40	£11.40	£21.40	£2.00	£3.60	£5.10	£8.10	£17.10	£32.10	
26	SELBY	£3.50	£3.90	£5.40	£9.90	£17.40	£1.50	£3.70	£4.20	£5.90	£11.00	£19.50	
27	SOUTH RIBBLE	£2.00	£3.40	£5.40	£11.40	£21.40	£2.00	£2.70	£4.50	£6.90	£14.10	£26.10	
28	BRADFORD	£2.00	£3.60	£5.30	£10.20	£18.50	£1.66	£2.00	£3.80	£5.60	£11.20	£20.40	
29	CRAVEN	£3.00	£3.80	£5.30	£9.80	£17.30	£1.49	£3.30	£4.30	£6.10	£11.50	£20.50	
30	RIBBLE VALLEY	£3.30	£3.30	£5.30	£11.30	£21.30	£2.00	£4.65	£4.65	£7.65	£16.65	£31.65	
31	SALFORD	£2.40	£3.72	£5.26	£10.10	£18.24	£1.61	£3.00	£4.54	£6.52	£12.24	£21.70	
32	VALE ROYAL	£2.50	£3.30	£5.25	£10.50	£19.25	£1.75	£3.50	£4.30	£7.00	£14.50	£27.00	
33	BOLTON	£2.00	£3.40	£5.20	£10.80	£20.00	£1.85	£2.60	£3.80	£6.00	£13.00	£24.80	
34	BURY	£1.90	£3.10	£5.20	£11.50	£22.00	£2.10	£2.30	£3.70	£6.20	£13.70	£26.20	

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35	ELLESMERE PORT	£2.20	£3.60	£5.20	£9.80	£17.60	£1.56	£2.75	£4.50	£6.50	£12.25	£22.00
36	HAMBLETON	£3.30	£3.30	£5.20	£10.90	£20.40	£1.90	£4.95	£4.95	£7.75	£16.15	£30.15
37	MACCLESFIELD	£2.70	£3.20	£5.20	£11.20	£21.20	£2.00	£4.05	£4.80	£7.80	£16.80	£31.80
38	PRESTON	£2.20	£3.40	£5.20	£10.80	£19.80	£1.81	£2.80	£4.20	£6.40	£13.20	£24.40
39	SUNDERLAND	£2.40	£3.80	£5.20	£9.40	£16.40	£1.41	£2.80	£4.60	£8.40	£11.80	£20.80
40	TRAFFORD	£2.00	£3.20	£5.20	£11.40	£21.60	£2.06	£2.65	£4.25	£6.85	£15.05	£28.85
41	CALDERDALE	£1.90	£3.10	£5.10	£11.00	£21.00	£1.99	£2.00	£3.60	£5.90	£12.70	£24.00
42	RICHMONDSHIRE	£2.40	£3.30	£5.10	£10.50	£19.32	£1.78	£3.20	£4.40	£6.80	£14.00	£25.76
43	WIGAN	£1.80	£3.20	£5.10	£10.50	£19.60	£1.81	£2.25	£4.05	£6.25	£13.05	£24.35
44	ALNWICK	£2.50	£3.40	£5.05	£10.15	£18.40	£1.67	£3.10	£4.30	£6.30	£12.50	£23.10
45	BLAYTH VALLEY	£2.20	£3.40	£5.00	£9.60	£17.40	£1.56	£2.70	£4.10	£6.10	£11.70	£20.90
46	EAST RIDING	£2.20	£3.60	£5.00	£9.40	£16.80	£1.48	£2.40	£4.20	£6.20	£12.20	£21.80
47	LIVERPOOL	£2.20	£3.60	£5.00	£9.60	£15.40	£1.52	£2.75	£4.50	£6.25	£12.00	£19.26
48	TAMESIDE	£2.00	£3.20	£5.00	£10.20	£19.00	£1.76	£2.70	£4.30	£6.50	£13.10	£24.10
49	WIRRAL	£2.80	£3.60	£5.00	£9.00	£15.80	£1.35	£3.30	£4.10	£5.70	£10.50	£18.70
50	GHORLEY	£2.30	£3.20	£4.90	£10.00	£18.50	£1.70	£3.45	£4.80	£7.35	£15.00	£27.75
51	CONGLETON	£2.90	£2.90	£4.90	£10.90	£20.90	£2.00	£4.35	£4.35	£7.35	£16.35	£31.35
52	HALTON	£2.10	£3.30	£4.90	£9.30	£16.90	£1.50	£2.80	£4.40	£6.40	£12.40	£22.40
53	KINGSTON-UPON-HULL	£2.20	£3.50	£4.90	£8.90	£15.70	£1.35	£2.20	£3.90	£5.70	£10.90	£19.70
54	ROSSENDALE	£2.50	£2.90	£4.90	£10.90	£20.90	£2.19	£3.75	£4.35	£7.35	£16.35	£31.35
55	ALLERDALE	£2.90	£2.90	£4.85	£10.70	£20.45	£1.95	£4.35	£4.35	£7.83	£16.53	£31.03
56	DONCASTER	£2.10	£3.30	£4.80	£9.30	£16.80	£1.50	£2.55	£3.40	£5.10	£10.20	£18.70
57	GATESHEAD	£2.00	£3.40	£4.80	£9.00	£16.20	£1.42	£2.50	£4.10	£5.90	£11.30	£20.10
58	LANCASTER	£2.40	£3.20	£4.80	£9.60	£17.60	£1.60	£3.60	£4.80	£7.20	£14.40	£26.40
59	NORTH TYNESIDE	£1.60	£3.20	£4.80	£10.00	£18.40	£1.70	£2.40	£4.20	£6.00	£11.80	£21.20
60	ROCHDALE	£1.80	£3.00	£4.80	£10.40	£19.60	£1.85	£2.25	£3.75	£6.00	£13.00	£24.50
61	ROTHERHAM	£2.50	£3.60	£4.80	£8.40	£14.40	£1.20	£2.50	£3.80	£5.20	£9.40	£16.40
62	BARNSELEY	£3.10	£3.10	£4.70	£9.50	£17.50	£1.60	£3.80	£3.80	£5.40	£10.20	£18.20
63	BERWICK ON TWEED	£1.90	£3.30	£4.70	£9.10	£16.40	£1.45	£2.50	£3.90	£5.30	£9.70	£17.00
64	BLACKBURN	£2.30	£3.10	£4.70	£9.50	£17.50	£1.60	£2.40	£3.50	£5.30	£10.70	£19.70
65	HYNDBURN	£2.50	£3.40	£4.70	£8.50	£14.80	£1.26	£3.00	£3.90	£5.20	£9.00	£15.30
66	WARRINGTON	£2.30	£3.10	£4.70	£9.50	£17.20	£1.80	£2.80	£4.00	£6.40	£13.60	£30.40
67	COPELAND	£2.80	£2.80	£4.60	£10.00	£19.00	£1.80	£4.20	£4.20	£6.90	£13.65	£25.65
68	SEFTON	£1.60	£3.20	£4.60	£9.00	£16.60	£1.46	£2.00	£3.75	£5.50	£10.50	£19.00
69	WAKEFIELD	£2.00	£3.10	£4.60	£9.10	£16.60	£1.50	£2.00	£3.60	£5.30	£10.40	£18.90
70	BURNLEY	£2.50	£2.90	£4.50	£9.30	£17.30	£1.60	£3.00	£3.60	£5.80	£12.40	£23.40
71	REDCAR & CLEVELAND	£3.00	£3.00	£4.50	£9.00	£16.50	£1.50	£3.50	£3.50	£5.30	£10.70	£19.70
72	STOCKTON ON TEES	£2.50	£3.20	£4.50	£8.40	£14.80	£1.29	£2.80	£3.85	£5.80	£11.65	£21.25

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73	KIRKLEES	£2.00	£3.00	£4.40	£8.60	£15.50	£1.40	£2.50	£3.70	£5.50	£10.90	£19.90
74	KNOWSLEY	£2.00	£3.20	£4.40	£8.80	£17.00	£1.61	£2.25	£3.75	£5.25	£10.75	£21.00
75	PENDLE	£3.00	£3.00	£4.40	£8.60	£15.60	£1.40	£3.50	£3.50	£5.00	£9.50	£17.00
76	SOUTH TYNESIDE	£2.00	£3.00	£4.40	£9.00	£16.40	£1.49	£2.20	£3.80	£5.60	£10.60	£19.20
77	ST. HELENS	£1.40	£2.80	£4.40	£9.20	£17.20	£1.61	£1.50	£3.30	£5.40	£11.90	£22.60
78	MIDDLESBROUGH	£2.80	£2.80	£4.30	£8.80	£16.30	£1.50	£2.80	£2.80	£4.30	£8.80	£16.30
79	NEWCASTLE-U-LYME	£2.20	£2.90	£4.20	£8.00	£14.30	£1.26	£3.00	£4.05	£5.70	£10.65	£18.90
80	WEST LANCASHIRE	£2.30	£3.00	£4.20	£7.90	£13.90	£1.21	£2.90	£3.74	£5.18	£9.62	£13.90
81	HARTLEPOOL	£2.00	£2.80	£3.60	£6.10	£10.30	£0.84	£2.00	£3.30	£4.80	£9.20	£16.50
	NORTHERN AVERAGE	£2.41	£3.44	£5.11	£10.14	£18.56	£1.69	£2.98	£4.26	£6.41	£12.80	£23.49



**SHEFFIELD CITY COUNCIL
LICENSING COMMITTEE**

Report of: Chief Licensing Officer

Date: 8th November 2012

Subject: Private Hire and Hackney Carriage Licensing

Author of Report: Steven Lonnia Chief Licensing Officer,
Business and Strategy, Place Portfolio

Summary: Report – (Taxi) Enforcement Review

Category of Report: OPEN

Private Hire & Hackney Carriage Licensing

Enforcement Activity

1. PURPOSE

- 1.1 To report to the Licensing Sub Committee the enforcement activity undertaken in private hire and taxi licensing for the period 1st March 2012 to 31st August 2012.

2.0 BACKGROUND

- 2.1 On 25th October 2005, the Licensing Board considered the comments and recommendations of the Strategic Resources and Performance Scrutiny and Policy Development Board and one of the resolutions of the meeting was;

“the Assistant Chief Executive, Legal and Governance, be requested to submit quarterly reports to this Board on enforcement practice by the Taxi Licensing Section”

- 2.2 The Licensing Board have previously agreed the level of enforcement activity, at its meeting of April 2007, the Licensing Board accepted that the Taxi Licensing Section undertake 88 enforcement duties per year.
- 2.3 This equates to at least 40 weeks per year with 2 officers having some form of enforcement activity take place over 2 nights/days a week. The rest is made up of day time and out of town enforcement with other agencies

3.0 Description of and reasoning behind enforcement Activity.

- 3.1 The Council has a duty to enforce the legislation in relation to Hackney Carriage and Private Hire Licensing.
- 3.2 The purpose of enforcement should always be to safeguard the health safety and welfare of the public by ensuring that the relevant legislation is complied with. The aim is to provide a good, accessible and safe means of public transport. It must be remembered that Private Hire and Hackney Carriage Drivers provide the service in order to earn a wage, they will only be there to provide a service if they are able to make a reasonable living.
- 3.3 Enforcement is all about maintaining reasonable standards in terms of vehicle condition and driver conduct and safeguarding both the public and licensees by preventing, insofar as we are able, illegal activity by those that are not appropriately licensed.
- 3.4 Current enforcement takes many forms, this includes night time on street enforcement by Officers, day time enforcement by officers, Enforcement is also done by way of stringent testing of vehicles by the Councils testing centre.
- 3.5 The 88 enforcement activities as stated in 2.2 are to take the form of out of office enforcement duties whether that be within normal office hours or out of office hours which will include at least 30 night time and/or weekend enforcement duties.
- 3.6 The 88 will also be included in the enforcement duties undertaken in joint agency enforcement exercises what ever form they take.

4.0 Enforcement Activity Undertaken

4.1 Set out below are the number and types of enforcement action conducted in the period 1st March 2012 to 31st August 2012

4.2 Vehicle Enforcement.

4.3 The table below shows how many vehicles were checked by officers, or seen over the period stated with the following outcomes;-

MONTH	No Vehicles	Checked No Faults	Defect notice issued	Suspensions	Warning letters	Other
March	40	20	20	0	0	0
April	6	4	1	0	0	1
May	66	53	6	0	0	7
June	8	6	1	0	1	0
July	12	9	2	0	0	1
Aug	21	9	10	1	0	1
TOTALS	153	101	40	1	1	10

4.4 Driver checks

4.5 The table below shows how many drivers/licensee checks undertaken by officers for the period, and gives the outcomes. Driver enforcement can take many forms and the numbers below may include warning letters that have been issued for reasons other than on street enforcement checks.

MONTH	No Drivers	Checked No Faults	Warning letters/defect notices	Suspensions	Formal Warning	Other
March	25	6	18			1
April	0					
May	8	4	4			
June	19	3	13		3	
July	40	28	11		1	
August	38	36	2			
TOTALS	130	77	48	0	4	1

4.6 Drivers & Licensee warning letters are often issued in relation to the licensed vehicle that they own or were the driver of at the time.

4.7 Defect letters will be sent out to licensees if a vehicle is seen to have a defect, e.g. Brake Light inoperative, and the vehicle was not physically inspected by an officer but was seen whilst officers were undertaking their duties.

4.8 The above statics are not a true reflection of the number of vehicles and drivers checked during this period. During the month of December the licensing software was updated to a newer version unfortunately when the upgrade was completed it had corrupted some of the information stored and the enforcement check system seems to have been affected the most.

5.0 Areas of Concern

5.1 As part of the normal enforcement duties carried out by officers, they have standing instructions to undertake enforcement activity in certain areas of the city where either members of the public or other agencies have reported problems involving hackney carriages or private hire vehicles. Some of the findings in the problem are listed below.

5.2 Rudyard Road. This area continues to be of concern for local residents, an number of warning letters and formal warnings have been issued to drivers who have repeatedly transgressed in this particular area. 5 warning letters and 9 Defect notices have been issued to drivers in this period of enforcement activity, for causing a hazard or obstruction on this particular road.

6.0 Prosecutions and Cautions of Offenders

6.1 There have been no prosecutions during the period of 1st March 2012, and 31st August 2012,

6.3 The licensing section has no pending prosecutions for different offences currently awaiting trial dates.

7 Committee referrals and appeals

7.1 In this recording period the Licensing Section has referred 29 cases to the licensing board under the referrals policy.

7.2 The Licensing Section has also attended 16 appeals and of those 16 appeals, 3 had their license re-instated 12 had the licence granted and 1 withdrew their appeal.

8.0 Multi Agency Enforcement

8.1 The licensing section took part in a multi agency enforcement activity based at East Midlands Airport on 13th June 2012. Only three vehicles on the day were of interest to Sheffield Officers. 2 Licensed private hire vehicles, and one unlicensed vehicle.

8.2 Driver and vehicle checks were undertaken, 1 vehicle and driver passed without problems.

8.3 In the other licensed vehicle the driver was not wearing his badge as he said he had just dropped friends off at the airport and was not working. VOSA inspected his vehicle and found it to have 2 tyres with below the legal limit of tyre tread having on .8mm of tread (both front tyres) He was issued with a prohibition notice and given the option of driving somewhere close by to have new tyres fitted and returning before 1.30 to have them inspected and the prohibition lifted OR to return to Sheffield, have new tyres fitted and then have a full MOT and present to MOT certificate to the nearest Police station. The driver opted to have new tyres fitted then return to have his vehicle inspected by VOSA which he did and the prohibition was lifted.

8.4 A third vehicle was stopped by officers was found to be unlicensed, driven by an unlicensed driver who had taken the booking through an advert on Yell.com. The vehicle had 5 passengers and they had admitted to agreeing a fare of £135. This is still an ongoing investigation and no further details are available for publication at this time.

9.0 Future Multi Agency Enforcement

- 9.1 Taxi Licensing Section have formed working partnerships with Road Traffic Police, VOSA and other Agencies including the Council's own parking services.
- 9.2 There will be more joint enforcement exercises but due to the nature and the complexity of the organisations involved these take some time to set up. All future reports will include details of all joint exercises.

10.0 Future Reports

- 10.1 Future reports on enforcement practice by the Taxi Licensing Section will be submitted on regular basis through out the year up to a maximum of 4 reports.
- 10.2 Over the past few months the Licensing Service has been reorganised and structures within the service changed. We now have a more flexible team and taxi officers will be working along side other licensing officers. Enforcement will continue but it will be more joined up then we have been operating under in the past.
- 10.3 This means that on certain operations and exercises the officers time spent solely on taxi enforcement will be limited.
- 10.4 The new joined up approach will not affect the amount of taxi enforcement undertaken and we will strive to maintain the current high standards of enforcement we operate under.

11.0 Financial & Staffing Implications

- 11.1 None in relation to this report.
- 11.2 The enforcement costs are met from fee's received on vehicle applications and miscellaneous items to the Council. It is not legal to pay for enforcement duties from driver licence fees.
- 11.3 Licence fees are reviewed on an annual basis and this is when the fees would be adjusted if needed to be.

12.0 Recommendations

- 12.1 That members consider the content of this report.

13.0 Options

- 13.1 Consider the report and change the type and frequency of enforcement activity they require from the Taxi Licensing Section. If any changes are made then those changes to be clearly stated in the resolution.
- 13.2 Accept the report and make no changes to the frequency or type of enforcement undertaken.

Stephen Lonnia
Chief Licensing Officer

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