

Minute

Licensing Committee

Thursday, 7 March 2019, 11:15.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Duncan A Tullock, Barbara Foulkes, Alexander G Cowie, Norman R Craigie, Robin W Crichton, Steven B Heddle, J Harvey Johnston and Owen Tierney.

Clerk

- Angela Kingston, Committees Officer.

In Attendance

- Gillian Morrison, Executive Director of Corporate Services.
- Gavin Mitchell, Head of Legal Services.
- David Brown, Environmental Health Manager.
- Elaine Sinclair, Legal Clerk.

Police Scotland:

- Inspector Keith Bendall.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Duncan A Tullock.

1. Disclosure of Exempt Information

The Committee noted the proposal that the public be excluded from the meeting for consideration of Item 4, as the business to be discussed involved the potential disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

2. Review of Licensing Fees

After consideration of a joint report by the Executive Director of Corporate Services and the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Head of Legal Services, the Committee:

Noted:

2.1. That, on 12 February 2019, when considering the revenue budget for 2019 to 2020, the Policy and Resources Committee recommended that Executive Directors should review and increase existing charges by a minimum of 3%, from 1 April 2019, if possible to do so, or as early as possible thereafter, with exceptions, where alternative arrangements were required.

2.2. That the exceptions to increasing existing charges by a minimum of 3%, from 1 April 2019, included licensing fees.

2.3. That a comparison of fees charged by the Council with fees charged for similar types of licences or approvals by other local authorities in the north of Scotland had been undertaken, with the outcome detailed in Appendix 1 to the joint report by the Executive Director of Corporate Services and the Executive Director of Development and Infrastructure.

2.4. The proposal that, where the Council had discretion, licensing fees be increased by a minimum of 3% with effect from 1 April 2019, in accordance with the guidance outlined in section 6 of the joint report by the Executive Director of Corporate Services and the Executive Director of Development and Infrastructure.

The Committee resolved, in terms of delegated powers:

2.5. That, where the Council had discretion, with effect from 1 April 2019, licensing fees be increased by a minimum of 3%, resulting in the fee levels detailed in Appendix 1 to this Minute.

3. Review of Fares and Charges

Taxi Services on Mainland Area of Orkney

After consideration of a report by the Executive Director of Corporate Services, copies of which had been circulated, and after hearing a report from the Head of Legal Services, the Committee:

Noted:

3.1. That, on 6 December 2018, the Committee resolved that the proposed scales for maximum fares and charges from 1 May 2019 for all taxi services within the Mainland area of Orkney, including the linked south isles, which were the same as the current scales, be approved for public consultation.

3.2. That the statutory consultation process was undertaken during the period 10 January to 11 February 2019, when the public were requested to submit representations in respect of the proposed scales, referred to at paragraph 3.1 above.

3.3. That no representations were received from the public.

The Committee resolved, in terms of delegated powers:

3.4. That the new scales for maximum fares and charges for all taxi services within the Mainland area of Orkney, including the linked south isles, attached as Appendix 2 to this Minute, which were the same as the current scales, be approved.

3.5. That the scales, referred to at paragraph 3.4 above, should take effect from 1 May 2019.

4. Late Hours Catering Licence

On the motion of Councillor Duncan A Tullock, seconded by Councillor Barbara Foulkes, the Committee resolved that the public be excluded from the meeting for this item, as the business to be considered involved the disclosure of exempt information as defined in paragraphs 6 and 14 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

The Committee noted that the application forming the subject of this item had been withdrawn and therefore the item was withdrawn.

5. Conclusion of Meeting

At 11:30 the Chair declared the meeting concluded.

Signed: Duncan A Tullock.

Appendix 1.**Licences, Approvals, Registrations and Permits.**

Licensing Fees.	£.
	2019 to 2020.
Animal boarding for 1 year.	132.00.
Breeding of dogs for 1 year.	132.00.
Caravan sites for 5 years (other than holiday sites).	717.00.
Caravan sites renewal for 5 years (other than holiday sites).	50% of fee current at time.
Cinemas for 1 year (capacity up to 100 persons).	138.00.
Cinemas for 1 year (capacity over 100 persons).	270.00.
Dangerous wild animals for 1 year.	132.00.
Houses in multiple occupation for 3 years (capacity up to 9 occupants).	427.00.
Houses in multiple occupation for 3 years (capacity for 10 or more occupants).	717.00.
*Indoor sports entertainment for 1 year.	127.00.
Indoor sports entertainment for 3 years.	337.00.
*Knife dealers for 1 year.	109.00.
Knife dealers for 3 years.	285.00.
*Late hours catering for 1 year.	161.00.
Late hours catering for 3 years.	427.00.
*Market operators for 1 year.	244.00.
Market operators for 3 years.	422.00.
*Metal dealers for 1 year.	127.00.
Metal dealers for 3 years.	337.00.
Performing animals for life of animal.	128.00.
Performing animals – additional – for life of animal.	50% of fee current at time.
Pet shop for 1 year.	132.00.
*Public entertainment for 1 year.	138.00.
Public entertainment for 3 years.	354.00.
Raised structures.	80.50.
Riding establishments for 1 year.	132.00.
*Second hand dealers for 1 year.	127.00.
Second hand dealers for 3 years.	337.00.
Sex shops for 1 year.	1888.00.
*Skin piercing and tattooing for 1 year.	211.00.
Skin piercing and tattooing for 3 years.	558.00.
*Street traders for 1 year including ID badges.	127.00.
Street traders for 3 years including ID badges.	337.00.
*Taxi and private hire car booking offices for 1 year.	138.00.

Licensing Fees.	£.
	2019 to 2020.
Taxi and private hire car booking offices for 3 years.	371.00.
*Taxi or private hire car licences for 1 year including plates.	229.00.
Taxi or private hire car licences for 3 years including plates.	604.00.
Taxi or private hire car licence plate – external.	34.15.
Taxi or private hire car licence plate – internal.	17.10.
*Taxi or private hire car drivers for 1 year including ID badges.	63.50.
Taxi or private hire car drivers for 3 years including ID badges.	161.00.
Theatres for 1 year.	74.00.
Venison dealers for 3 years.	95.00.
*Window cleaners for 1 year including ID badges.	63.50.
Window cleaners for 3 years including ID badges.	167.00.
Zoos for 4 years.	455.00.
General	
Replacement / copy licence.	28.50.
ID Badge including replacement.	28.50.

Information:

Licence fees are non-refundable.

Advertisement costs and third party costs with related administration are met directly by applicants or licence holders.

*The fee payable in respect of the substitution or variation to any type of licence so marked, together with the following matters, are the same as the fee for the appropriate licence type for one year:

- Temporary licences (which cannot exceed 6 weeks).
- Certified duplicate or true copy licences.
- Consideration of any material change of circumstances, including premises, vehicles or vessels.

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Appendix 2.

Scales of Maximum Fares and Charges in respect of all Taxi Services in the Mainland Area of Orkney and Linked South Isles 2019/20.

Description.			
First mile.	Tariff 1. £4.00.	Tariff 2. £4.80.	Tariff 3. £5.80.
For each mile thereafter.	Tariff 1. £1.80.	Tariff 2. £2.10.	Tariff 3. £2.60.
Extras – all tariffs.		£2.00.	
Waiting time – all tariffs.		£27.00 per hour.	
Additional.			
Car fouling – all tariffs.		£120.00.	
Touring rate – all tariffs – vehicles licensed to carry up to 4 passengers.		£40.00 per hour.	
Touring rate – all tariffs – vehicles licensed to carry more than 4 passengers (maximum of 8 passengers).		£60.00 per hour.	
Vehicles carrying more than 4 passengers (maximum of 8 passengers).		All tariffs multiplied by 1.5.	
Tariff Information.			
Tariff 1.	normal operating times – 07:00 to 20:59 daily except as otherwise stated herein.		
Tariff 2.	21:00 to 06:59 daily. 21:00 Saturday until 06:59 Monday. 07:00 to 20:59 County Show Day.		
Tariff 3.	County Show Day 21:00 to 06:59 the next day. Christmas holiday 19:00 on 24 December to 06:59 on 27 December. New Year holiday 19:00 on 31 December to 06:59 on 3 January.		
Extras.			
(a)	carriage of animals (excluding assistance dogs).		
(b)	journeys to and from Airport.		
A limit of £2.00 for extras will apply.			
In addition, provision has been made for a supplementary booking charge of up to a maximum of £20.00 to compensate for the cost of the outward journey for hires which commence 3 miles or more away from the taxi or taxi base (whichever is the nearer) and the customer wishes to travel further away. This charge may only be			

demand if the customer is informed of the amount of the charge at the time of booking.
When a taxi (or a private hire car fitted with a taxi meter) is called but not used, a charge shall be allowed as if it had been occupied from the time it left the stance or garage.
Car Fouling.
Maximum of £120.00 payable by an offending passenger, where a vehicle requires to be removed from service for cleaning in order for it to be restored to a usable state and condition.
Touring Rate.
Vehicles licensed to carry up to 4 passengers – minimum charge of £40.00.
Vehicles licensed to carry more than 4 passengers (maximum of 8 passengers) – minimum charge of £60.00.
Agreed:
Effective From: