

Thurrock - An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future

## Licensing Committee

The meeting will be held at **7.00 pm** on **1 February 2023**

**Committee Room 2, Civic Offices 3, New Road, Grays, Essex, RM17 6SL.**

### Membership:

Councillors Gary Collins (Chair), Augustine Ononaji (Vice-Chair), Colin Churchman, Daniel Chukwu, Tony Fish, Cathy Kent, Ben Maney, Shane Ralph, Elizabeth Rigby, Sue Sammons and Graham Snell

### Substitutes:

Councillors Robert Gledhill, Tom Kelly, Kairen Raper, Sue Shinnick and Lee Watson

### Agenda

Open to Public and Press

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<b>1. Apologies for Absence</b>	
<b>2. Minutes</b>	<b>5 - 8</b>
To approve as a correct record the minutes of the Licensing Committee meeting held on 28 July 2022.	
<b>3. Items of Urgent Business</b>	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972	
<b>4. Declaration of Interests</b>	
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**Queries regarding this Agenda or notification of apologies:**

Please contact Kenna Victoria Healey, Senior Democratic Services Officer by sending an email to [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)

Agenda published on: **24 January 2023**

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# DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

## Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

## When should you declare an interest *at a meeting*?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

**What is a Non-Pecuniary interest?** – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

### Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

**Unless you have received dispensation upon previous application from the Monitoring Officer, you must:**

- **Not participate or participate further in any discussion of the matter at a meeting;**
- **Not participate in any vote or further vote taken at the meeting; and**
- **leave the room while the item is being considered/voted upon**

**If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps**

### Non-pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



**You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.**

## Our Vision and Priorities for Thurrock

An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future.

1. **People** – a borough where people of all ages are proud to work and play, live and stay
  - High quality, consistent and accessible public services which are right first time
  - Build on our partnerships with statutory, community, voluntary and faith groups to work together to improve health and wellbeing
  - Communities are empowered to make choices and be safer and stronger together
  
2. **Place** – a heritage-rich borough which is ambitious for its future
  - Roads, houses and public spaces that connect people and places
  - Clean environments that everyone has reason to take pride in
  - Fewer public buildings with better services
  
3. **Prosperity** – a borough which enables everyone to achieve their aspirations
  - Attractive opportunities for businesses and investors to enhance the local economy
  - Vocational and academic education, skills and job opportunities for all
  - Commercial, entrepreneurial and connected public services

## Minutes of the Meeting of the Licensing Committee held on 28 July 2022 at 7.00 pm

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**Present:** Councillors Gary Collins (Chair), Augustine Ononaji (Vice-Chair), Tony Fish, Cathy Kent, Ben Maney, Elizabeth Rigby (arrived at 7.08pm) and Graham Snell

**Apologies:** Councillors Sue Sammons Colin Churchman

**In attendance:** Paul Adams, Licensing Manager  
Kenna-Victoria Healey, Senior Democratic Services Officer

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Before the start of the Meeting, all present were advised that the was being live streamed to the Councils website.

### 1. Minutes

The minutes of the Licensing Committee meeting on 22 February 2022 were approved as a correct record.

### 2. Items of Urgent Business

There were no items of urgent business.

### 3. Declaration of Interests

There were no declarations of interest.

### 4. Review of Street Trading Policy

The Licensing Manager presented the report which was on pages 9-26 of the agenda.

It was enquired as to why only a basic DBS check was required. The Licencing Manager advised the reason a basic DBS check was to be completed was in relation to the requirements to be able to carry out an enhanced DBS check. He continued by advising the law allowed enhanced checks for taxi drivers, however, did not allow enhanced checks to be completed for Street Traders as it was not listed as an occupation which was considered necessary.

Councillor Ononaji thanked Officers for report, he commented the policy was last reviewed in 2011 and queried as to why it was now being reviewed. The Licencing Manager explained there had been no requirement for the policy to be reviewed and updated since the previous review, he explained the Licencing Department now had the responsibility for street trading, however

over the last few years had spent a lot of time working on enforcing the restrictions relating to COVID-19.

He continued by advising Members under the Licencing Act there was a requirement in law to review the policy every five years and he agreed with Members that this policy was overdue a review. The Licencing Manager commented although substantial changes were proposed, he felt these were necessary to enhance the job which officers were completing.

Councillor Maney enquired as to whether this was something other Authorities currently completed, he felt it was perhaps overstepping the Councils remit and that it should be the responsibility of the Police. The Licencing Manager commented he understood where Members were coming from however offered the example of an ice cream van being situated outside of a school, the trader would need the correct licence to be able to work the area. He continued by advising the suggestion of completing basic DBS checks for Street Traders was for the safety of the customer as well as the Street Traders themselves.

Councillor Maney commented if there is no government guidance supporting the suggestion of Street Traders having a basic DBS check he couldn't understand why the Council would be looking to do this, as it would generate additional work for a team which was already unstaffed.

During discussions it was enquired as to how the consultation was to be completed. The Licencing Manager advised the consultation would be completed via the council's consultation portal and there would be the opportunity for written responses.

Councillor Snell thanked officers for the report and echoed Councillor Maney's comments stating there were a number of jobs which did not require a DBS check. The Licencing Manager commented the recommendation was only for Officers to be able to go out to consultation to the trade to seek their views on the proposal of DBS checks be undertaken, the report would be brought back to the committee where the policy could be amended if necessary.

Following the discussion, the Chair asked that an additional recommendation be included *that a covering letter be sent to all street traders to advise them of the consultation and highlight the changes with regards to DBS Checks*. This was agreed by Members.

Councillor Maney sought that when the report was presented back to the committee it included any government guidance support this proposal and what other Local Authorities were doing in relation to licensing Street Traders.

**RESOLVED:**

- 1. Agree for the reviewed Street Trading Policy to go out to consultation, and**



2. **That after consultation, relevant responses are reported to the Licensing Committee for consideration, or**
3. **If no relevant responses are received during the consultation, then for the policy to take effect from the 1 April 2023.**
4. **That a covering letter be sent to all street traders to advise them of the consultation and highlight the changes with regards to DBS Checks.**

## **5. Setting of Licensing Fees**

The Licensing Manager presented the report which was on pages 27-46 of the agenda.

Councillor Ononaji queried taking into consideration the current economic situation and how some businesses were struggling, was this the right time to be increasing the licensing fees.

The Licensing Officer explained this was certainly the reason why the committee decided last year that they wouldn't consider any increase in fees because of the impacts of COVID. He continued from an Officer's point of view, there was a need to ensure that the costs of providing the service was covered in relation to the fees that were charge. Members heard there had not been an increase in taxi fees since 2015.

Members were advised Officers were always mindful to try and ensure a thorough review of the licences was carried out every three years, rather than amending the fees year on year. The Licensing Manager commented some years additional funds were made due to the number of applications that were received in that particular year, other years, there could be less applications. Councillor Maney sought if the fees and charges before Members would be fed into the final report which was agreed by Cabinet. The Licensing Manager confirmed that the report would form part of the annual report, but first the report had been brought to the Licensing Committee for Members views and a recommendation to approve the proposed fees at this committee.

Councillor Kent asked how the consultation was to be carried out and requested that Officers bear in mind not everyone had online access. The Licensing Manager advised the consultation portal would be used as the main point of contact as well as writing to each of the individual license holders, to ensure they were all aware that a consultation was taking place. He continued to confirm the ability for responses to be received in writing would be included and the consultation would run for at least six weeks.

### **RESOLVED:**

**Agreed the proposed fees and charges as set out in Appendix 1 for the 2023- 2024 financial year to go out to public consultation.**

**The meeting finished at 8.02 pm**

Approved as a true and correct record

**CHAIR**

**DATE**

**Any queries regarding these Minutes, please contact  
Democratic Services at [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)**

<b>1 February 2023</b>		<b>ITEM: 5</b>
<b>Licensing Committee</b>		
<b>Review of Street Trading Policy</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key	
<b>Report of:</b> Paul Adams, Licensing Manager		
<b>Accountable Assistant Director:</b> Leigh Nicholson, Assistant Director Planning, Transport and Public Protection		
<b>Accountable Director:</b> Mark Bradbury, Interim Director of Place		
<b>This report is:</b> Public		

## Executive Summary

Thurrock Council has under The Local Government (Miscellaneous Provisions) Act 1982 adopted the provisions for Street Trading and has published a Street Trading Policy. A reviewed policy has been produced for consideration of this committee in preparation for consultation.

### 1. Recommendation(s)

**1.1 To consider the comments received during the consultation period and agree for the policy as in Appendix 1 to take effect from 1<sup>st</sup> April 2023.**

### 2. Introduction and Background

2.1 Thurrock Council has under The Local Government (Miscellaneous Provisions) Act 1982 adopted the provisions for Street Trading. In order to set out how it will apply the provisions and administer and process applications it has published a Street Trading Policy.

2.2 In compliance with guidance to regularly review and keep up to date policies, a revised Street Trading Policy has been prepared and is attached as **Appendix 1.**

2.3 As part of this review comments made at the previous Licensing Committee were considered, as were the comments that were received during the public consultation of the revised policy.

### 3. Issues, Options and Analysis of Options

- 3.1 The current policy was last published in 2011. Since publication the responsibility for the administration and enforcement of street trading has moved from the Food Safety Team to the Licensing Team.
- 3.2 The draft revised policy was consulted upon which included all holders of Street Trading Consents issued by Thurrock Council being written to in line with the Licensing Committees request inviting them to view the draft policy, and to make any comments in writing to the Licensing Department.
- 3.3 The consultation only received 1 comment from Michelle Cunningham Community Safety Partnership Manager, Thurrock. Who wrote:

“Is it possible to include that all street traders should attend / complete online basic training with regards to exploitation so that they are able to recognise signs and understand how to report?”

I see some roads in W Thurrock are prohibited. With police consideration as well can we look at widening to reduce impact of street trading in relation to the car cruising in the area?

Why is possession of knives 7 years and drugs 10?

Is the restriction in relation to near schools in current policy? The ice-cream van parks in Mayflower Rd Chafford Hundred at school closing outside one of 3 schools where traffic and road safety is already an issue - can this be addressed as part of this review?”

- 3.4 Following the consideration of the comments received above and the views expressed at the previous licensing committee the following changes have been made to the revised policy:
- The requirement for all employees to be basic DBS checked by the consent holder has been replaced with “The applicant/consent holder will be required to ensure that any person that is employed to work on the stall associated with the consent is suitable to do so in relation to their behaviour and or previous convictions.”
  - For applicants who already hold a licence with Thurrock Council, an additional DBS check will not be necessary providing their previous DBS check is no more than 12 months old (this was previously only the case if the DBS check was no more than 3 months old).
  - Have required by condition that consent holders and or persons working on the stall authorised by a consent, shall participate in Thurrock Council’s exploitation training, at the request of the Licensing Department where it is deemed that the activity that consent is granted in relation to may benefit

from sexual or criminal exploitation training, such as an ice cream trader or a trader providing late night refreshment.

#### **4. Reasons for Recommendation**

- 4.1 This policy must be consulted upon as part of the review process. If there are relevant representations made this committee will have an opportunity to consider those before adoption.

#### **5. Consultation (including Overview and Scrutiny, if applicable)**

- 5.1 Consultation on the reviewed draft policy has been undertaken. All holders of Street Trading Consents issued by Thurrock Council were written to inviting them to view the draft policy, and to make any comments in writing to the Licensing Department.
- 5.2 Consultation was also be undertaken with other stakeholders and with Responsible Authorities, including police; Public Health; trading standards; Food Safety; and environmental health.
- 5.3 The draft policy was also be published on the Council's website for comments.
- 5.4 The consultation period ran for 6 weeks.

#### **6. Impact on corporate policies, priorities, performance and community impact**

- 6.1 This review will ensure the licensing service continues to be cost recovery where possible.

#### **7. Implications**

##### **7.1 Financial**

Implications verified by: **Laura Last**  
**Senior Management Accountant**

There are no financial implications for Thurrock Council as a result of these policy changes.

## 7.2 Legal

Implications verified by: **Simon Scrowther**  
**Principal Lawyer**

The granting of Street Trading Consents is a legal function of the authority the regular review of its Street Trading Policy is recommended in line with best practice.

## 7.3 Diversity and Equality

Implications verified by: **Roxanne Scanlon**  
**Community and Engagement Project**  
**Monitoring Officer**

A Community Equality Impact Assessment was undertaken, this identified no negative impacts. The conditions within the revised policy protect public safety, promote public health and reduce nuisance to neighbouring properties.

## 7.4 Other implications (where significant) – i.e. Staff, Health Inequalities, Sustainability, and Impact on Looked After Children

- None

## 8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- None

## 9. Appendices to the report

- Appendix 1 – Reviewed Street Trading Policy.

### Report Author:

Paul Adams, Licensing Manager  
Licensing Team, Public Protection

## STREET TRADING POLICY

Local Authorities (LAs) have a legal discretion to regulate street trading in their administrative area.

### Purpose of the policy

This policy is to control street trading across the borough of Thurrock by means of a Street Trading Consent Scheme, whereby specific streets will be prohibited from any street trading at any time and the remaining streets will become Consent Streets. Trading from Consent Streets is also prohibited unless the trader has applied for and received a written Consent to Trade from Thurrock Council. Any such Street Trading Consent will contain restrictions on the location and permitted times for trading, type of goods sold and contain clear conditions which must be adhered to in order for the trader to obtain and retain the Street Trading Consent. The conditions are to protect public safety, promote public health and reduce nuisance to neighbouring properties. These will be attached to any Street Trading Consent given.

### Definitions

**“Street Trading”** is defined in paragraph 1 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 – hereinafter called “the Act” – as

“the selling or exposing or offering for sale of any article (including a living thing) in a street”.

**Street** The above Act defines the term “street” as including:

“any road, footway, beach or other area to which the public have access without payment”; and a service area as defined in section 329 of the Highways Act 1980”.

Any part of a street is a “street” for the purposes of the Act.

### Exemptions:

The Act at paragraph 1(2) of Schedule 4 states that the following types of trade are not street trading:

1. a pedlar trading under the authority of a pedlar’s certificate granted under the Pedlar’s Act 1871;
2. anything done in a market or fair, the right to hold which was acquired by virtue of a grant, enactment or order;
3. trading in a trunk road picnic area provided by the Secretary of State under section 112 of the Highways Act 1980;
4. trading as a news vendor;
5. trading carried out at premises used as a petrol filling station or used as a shop or in a street adjoining premises so used and as part of the business of that shop;
6. selling things or offering or exposing them for sale as a roundsman.

## Designation

Thurrock Council has adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 to designate the whole borough as Consent Streets for the purposes of Street Trading. The licensed area includes all forecourts, roads, footways, or other areas to which the public have access by fact and without payment.

From time to time, the Council may determine to resolve to designate other areas of the borough for the purpose of Street Trading, or to prohibit Street Trading in specified areas. In such cases details of these areas will be published on the Council website, advertised as required by legislation and included in this policy.

## Prohibited Streets

See Appendix 1 for the list of Prohibited Streets in Thurrock. It is a criminal offence for any person to engage in street trading in that street. Streets will be designated as prohibited where it is anticipated that such trading would cause:

- noise or nuisance to residents living in the locality,
- would reduce public safety to persons crossing or using the street or to road users.

## Consent Streets

If a street is designated as a “Consent Street” then street trading without a consent is a criminal offence under The Local Government (Miscellaneous Provisions) Act 1982.

When granting or renewing a consent, the council may attach any reasonable condition; furthermore, the council can, at any time, vary the conditions attached to the consent. Any such variations will be notified in writing to the named person in receipt of the consent to trade and will take effect immediately or on the date of the notification letter.

There is no right of appeal against any council decision made in regard of a street trading consent. The consent cannot be granted for a period of time exceeding twelve months and can be revoked at any time.

## Considerations when assessing an application for a Street Trading Consent

### Public safety

The proposed location of the activity should not present a risk to the public in terms of highway safety and obstruction. Where any proposed trading is within 50 metres of a school entrance, the council will seek the views of the school.

### Prevention of crime and disorder

The proposed activity should not increase the risk of crime and disorder. This is likely to be more of an issue in respect of applicants wishing to trade at later hours.



## Prevention of public nuisance

The proposed activity should not increase the risk of nuisance from noise, refuse, vermin, fumes, and odours.

## Suitability of the Location

That there is insufficient space in the street for the applicant to engage in the trading in which he/she desires to engage without causing undue interference or inconvenience to persons using the street.

Where the street trading may damage the structure or surface of the street.

Where the appearance or quality of the trading equipment or structure/stall in use is not compatible with the character of the area in which it is proposed to be situated.

## Suitability of the trading unit

This should be of a good quality design, safe construction and add to the quality of the street scene. The unit shall comply in all respects with any legal requirement relating to the trading activity proposed.

## Suitability of the applicant

The applicant must provide a Basic DBS check that is no more than 3 months old (Or 12 months old if the applicant is already the holder of another street trading consent licence that is still in force and a Basic DBS has been provided for that application). A policy with regards to the suitability of applicant is attached as Appendix 3. In addition to the criminal suitability of the applicant consideration will be given to complaints or other matters related to behaviour or compliance with consent conditions or relevant legislation. Any of these matters may result in a consent being refused, revoked, or not renewed or additional conditions added.

## Suitability of employees

An employee is defined as those working or providing a service associated with the consent.

The applicant/consent holder will be required to ensure that any person that is employed to work on the stall associated with the consent is suitable to do so in relation to their behaviour and or previous convictions.

## Number of Street Trading Consents issued

Consents may not be issued where Thurrock Council considers that sufficient street traders already exist in that locality, particularly where there are already sufficient traders in the street from shops or other consent holders, particularly in the exact or significantly similar goods in which the applicant desires to trade.

Consents may not be issued where additional traders may cause risks to public safety or nuisance to the occupants of neighbouring properties.

## Public Health

Consent holders will be encouraged to offer health alternatives as part of their menu provision.

A Public Health consideration will be made in relation to the location of the proposed consent, with regards to premises such as schools or similar, particularly with regards to applications for static pitches.

### Sexual and Criminal Exploitation Training.

Consent holders and or persons working on the stall authorised by a consent, shall participate in Thurrock Council's exploitation training, at the request of the Licensing Department where it is deemed that the activity that consent is granted in relation to may benefit from sexual or criminal exploitation training, such as an ice cream trader or a trader providing late night refreshment.

### **Duration of Consents**

Street Trading Consents will normally be issued for one year from the date of grant for new applications or from the date of renewal for existing holders. A Street Trading Consent cannot be issued for more than one year.

### **Types of Consent**

The following types of consent can be issued:

- Static consent – Is for a trader that will trade from the same site on each occasion for the duration of the consent.
- Mobile consent – Traders with a mobile consent must not trade from the vicinity of any one location for more than 1 hour in any one day.

### **Fees**

All fees must be paid in advance. A copy of the current fees can be found on the council's website.

The following Street Trading activities have been deemed by Thurrock Council to **not** require the payment of fees to the Council:

- Non-commercial car boot sales,
- Fetes, carnivals and similar community based not for profit run events.
- Within the curtilage of Tilbury, South Ockendon and Grays markets controlled by the relevant market authority.

### **Conditions**

Standard conditions (attached at Appendix 2) will be attached to every Consent, detailing the holder's responsibility to maintain public safety, prevent nuisance and preserve the amenity of the locality.

Additional conditions may also be attached limiting the days and hours when street trading is permitted, the goods which may be sold, the size of the trading unit or pitch or any other relevant matter.

Failure to comply with these conditions may lead to revocation or non-renewal of the consent.

### Enforcement

The following are offences under the above Local Government (Miscellaneous Provisions) Act 1982 and will be considered for prosecution:

1. Street trading in a prohibited street,
2. Street trading in a Consent Street without a relevant Consent to Trade,
3. Street trading with a Consent to Trade, but not complying with the times or location stated within the Consent to Trade.

All decisions regarding enforcement action will be made in accordance with the Public Protection Department Enforcement Policy and the Enforcement Concordat adopted by Thurrock Council.

The Council may at any time revoke a Street Trading Consent if they consider that:

- (a) owing to circumstances which have arisen since the grant or renewal of the Consent, there is not enough space in the street for the Consent holder to engage in the trading permitted by the Consent without causing undue interference or inconvenience to persons using the street.
- (b) the Consent holder is unsuitable to hold the Consent by reason of having been convicted of an offence or for any other reason.
- (c) since the Consent was granted the Consent holder has persistently refused or neglected to pay fees or charges due for the Consent or any associated services in his/her capacity as Consent -holder.
- (d) since the grant or renewal of the Consent, the Consent holder has without reasonable excuse failed to avail him or herself of the Licence to a reasonable extent.

If the council consider that they have grounds for revoking a Consent by virtue of sub-paragraph (a) or (d) above, they may, instead of revoking it, vary its principal terms:

- (a) By reducing the number of days or the period in any one day during which the Consent holder is permitted to trade: or
- (b) By restricting the descriptions of goods in which he is permitted to trade.

A Consent holder may at any time surrender his/her Consent to the council and it shall then cease to be valid.

### Applications

## Appendix 1

An application for a Street Trading Consent or the renewal of such a Consent shall be made in writing to Thurrock Council and shall be accompanied by all required documentation and the appropriate fee.

The applicant shall provide:

- Fully completed application form,
- Copies of public liability insurance or evidence of the proposed insurance,
- A Basic DBS certificate not more than 3 months old (or 12 months in line with this policy),
- A passport style photograph of the applicant,
- Details of all staff either paid or voluntary that will be engaged in relation to the consent,
- Details of proposed vehicle, trailer or stall, including photographs where relevant.
- Any MOT, vehicle insurance etc or other documentation associated with vehicles used in association with the application.

## Appendix 1

### PROHIBITED STREETS

#### STREETS PROHIBITED BY THURROCK COUNCIL

- South Road, South Ockendon,
- Romford Road, Aveley,
- Lodge Lane, Grays,
- Stanford Road between the A128 and London Road, Stanford le Hope,
- A1306 westwards from the A1012,
- B1335 Stifford Road, South Ockendon,
- East Tilbury Road, Linford.

#### STREETS PROHIBITED (AND ENFORCED) BY THE HIGHWAYS AGENCY

- A13 between Wennington (A1306) and the A1089 junction at Baker Street)
- A13 link roads between A282/M25 junctions 30 and 31 and A282 Canterbury Way ) Highways Agency roads and they do not allow roadside trading on their roads.
- A1089 between the A13 junction and the London Tilbury Cruise Terminal

## Appendix 2.

### **GENERAL CONDITIONS FOR STREET TRADING CONSENTS**

The Council will not grant a Street Trading Consent to persons under the age of 17 years and no person employed by a Consent Holder to assist him/her in the street trading shall be under the age of 16 years.

**The consent granted is specific to the person it is issued to and is non-transferable.**

No trading stall, vehicle etc. is permitted to remain at the locality in question outside the permitted hours. It must be removed at the end of each trading day and not returned until the agreed trading commencement hours the following day without the landowners written consent

#### **Planning Permission**

The land from which you intend to trade may require planning permission for such use. It is your responsibility to check with the Council's planning department prior to applying for a Consent.

#### **Location of static trading units**

Static units must not trade from any area other than the site defined in their Consent to Trade. If the Consent Holder wishes to move the trading unit to another site he/she must apply for a new Consent to Trade.

#### **Goods sold from the trading vehicle**

The Consent Holder can only sell goods identified in the Consent to Trade. If he/she wishes to sell different or additional goods, he/she must apply for a new Consent to Trade.

#### **Trading Times**

The Consent Holder shall not trade within the borough of Thurrock outside the time and days permitted by the Consent.

#### **Legal requirements of the trading unit**

The mobile vehicle, stall, barrow etc. must at all times comply with the requirements of the Food Safety Act 1990, Food Hygiene (England) Regulations 2006 and the Health and Safety at Work etc. Act 1974 and any other relevant public safety legislation.

Traders that are permitted to trade at any time between 11.00pm and 5.00am must also be licensed under the Licensing Act 2003 if providing late night refreshment.

#### **Sanitary Provision**

The Consent Holder when operating on a static site shall have access to suitable and sufficient sanitary (toilet) facilities for both the Consent Holder, and any persons employed in the street trading activity.

### **Private and Thurrock Council land**

You must provide written confirmation of permission obtained from Thurrock Council's Lands department or the private landowner for the land where the stall/vehicle is to trade from.

Possession of a street trading consent does not, in any way, override parking restrictions or other traffic regulations for either the Consent Holder or his customers.

### **Change of home address**

The consent holder must inform the Council of a change in his/her home address during the period of the consent within seven days of such a change taking place.

### **Trading unit identification plates**

All vehicles, stalls, carts, or other devices used for street trading will be required whilst trading to display a trading unit identification plate. The plate is issued by the Council and remains the Council's property throughout the duration of the Consent. The plate should be displayed in a prominent position on the trading unit, so that it is clearly visible to members of the public using the trading unit.

The trading unit identification plate must be returned to the Council if the Consent Holder ceases to trade and surrenders his/her Consent.

### **Condition of the stall/vehicle**

The Consent Holder must ensure that the appearance of the stall/vehicle is of a high standard and the structure and procedures comply with all relevant legal requirements, in particular the Food Safety Act 1990, the Health and Safety at Work etc. Act 1974, the Food Hygiene (England) Regulations 2006, the Environmental Protection Act 1990 and associated regulations.

The Consent Holder shall not place on the street or in a public place any furniture or equipment other than as permitted by the Consent and he must maintain the same in a clean and tidy condition and not place them so as to obstruct the entrance or exit from any premises.

### **Behaviour**

The consent holder shall at all times be clean and respectable in his dress and person and behave in a civil, orderly and courteous manner.

Trading shall not take place in such a manner as to cause nuisance or annoyance to persons whether using the street or otherwise.

### **Sexual and Criminal Exploitation Training**

The consent holder and or persons working on the stall/unit authorised by a consent, shall participate in Thurrock Council's exploitation training, at the request of the Licensing Department.

### Mobile Consents

A mobile vehicle shall not remain on any one site for more than one hour in any twenty-four-hour period.

### Ice Cream Van Chimes

The Consent Holder must comply with the provisions of the Code of Practice on Noise from Ice Cream Van Chimes etc. 1982, that is: it is an **offence** to sound the chimes so as to cause annoyance. Do NOT sound the chimes:

1. For longer than 4 seconds at a time – use an automatic cut out device.
2. More often than once every 3 minutes.
3. When the vehicle is stationary,
4. Except on approach to a selling point,
5. When in sight of another ice-cream van which is trading,
6. When within 50 metres of schools (during school hours), hospitals and places of worship (on Sundays and any other recognised days of worship),
7. More often than once every 2 hours in the same street,
8. Louder than 80 dB(A) at 7.5 metres distance from the vehicle,
9. As loudly in quiet areas or narrow streets as elsewhere.

It is also an Offence under the Control of Pollution Act 1974 to sound chimes:

1. Before 12 noon and after 1900 hours,
2. At any time, in a way which gives reasonable cause of annoyance.

### Refuse

The consent holder shall in no circumstances, deposit litter, rubbish or refuse in the street, but shall at all relevant times provide adequate and proper containers for the disposal of such refuse from his vehicle and customers and shall encourage his customers to use those containers. The consent holder shall tidy up, clear up and clean up all refuse, litter etc. before leaving the locality and take the refuse and containers with him/her.

The Consent Holder must ensure that waste liquids arising at the stall are not disposed of into any highway channel, gully or manhole or in any other manner likely to cause pollution of any surface water channel.

All refuse generated by the business must be taken to a licensed waste disposal site. Consent Holders must identify their method of waste disposal at the time of application and keep records of their waste arrangements, which must be made readily available to authorised officers from Thurrock Council on request.

### Access by Council and Police Officers



Consent Holders must allow access to Authorised Officers of the Council and Police Officers at all reasonable times.

### **Street Trading Consents**

The conditions attached to all Street Trading Consents stipulate that a Consent Holder cannot assign, let, sell, rent or otherwise part with his interest or possession of a Street Trading Consent.

If a Consent Holder or his/her employee is requested to move the stall/vehicle by an authorised Council Officer, a Police Officer, an Officer of the Thurrock Fire or Ambulance Service, he/she shall immediately comply with that request.

The Council may vary the Conditions attached to the Consent at any time.

### **Price List**

All Consent Holders must clearly display a price list for the goods on offer for sale.

### **Insurance**

All Consent Holders shall have and maintain an insurance policy against public liability and third-party risks. A minimum insurance cover of £2 million shall be obtained by the Consent Holder and shall cover the operator's vehicle or stall and any additional equipment under his control such as generators etc. The insurance certificate or cover note shall be produced to the Licensing Team before the Street Trading Consent is issued and at any other time on demand during the currency of the Consent.

### **Renewal**

The consent holder must apply to the Council for a renewal at least 30 days prior to the date of the current consent's expiry. If an application for renewal is not received by the expiry date, the consent will lapse. It is a criminal offence to engage in street trading without holding a current consent.

Prospective applicants are most strongly advised to seek the necessary permissions, consents and, where appropriate, planning permissions before making a commitment to any financial outlay and before applying for the Street Trading Consent.

### **Employees.**

An employee is defined as those working or providing a service associated with the consent.

The consent will be required to require any person that is employed to provide a Basic DBS check that is no more than 3 months old. This check must be undertaken at the commencement of employment or before the issue of new consent. Any employee must meet the suitability of applicant criteria to be engaged in any activity.

## Appendix 3

### Assessment of Previous Convictions

Convictions for attempt or conspiracy will be regarded as convictions for the substantive crime. A caution is regarded in exactly the same way as a conviction. Fixed penalties and community resolutions will also be considered in the same way as a conviction.

Matters which have not resulted in a criminal conviction (whether that is the result of an acquittal, a conviction being quashed, decision not to prosecute or an investigation which is continuing where the individual has been bailed) can and will be taken into account by the licensing authority. In addition, complaints where there was no police involvement will also be considered. Within this document, any reference to "conviction" may also include matters that amount to criminal behaviour, but which have not resulted in a conviction.

In the case of any new applicant who has been charged with any offence and is awaiting trial, the determination will be deferred until the trial has been completed or the charges withdrawn. Where an existing licensee is charged, it will be for the licensing authority to decide what action to take in the light of these guidelines.

Where a period is given below, it should be taken to be a minimum in considering whether a licence should be granted or renewed in most cases.

#### 1. Crimes resulting in death.

Where an applicant or licensee has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person they will not be licensed.

#### 2. Exploitation.

Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual abuse, exploitation, grooming, psychological, emotional or financial abuse, but this is not an exhaustive list.

#### 3. Offences involving violence against the person.

Where an applicant has a conviction for an offence of violence against the person, or connected with any offence of violence, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

#### 4. Possession of a weapon.

Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

### 5. Sexual offences.

Where an applicant has a conviction for any offence involving or connected with illegal sexual activity, a licence will not be granted. In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any barred list.

### 6. Dishonesty.

Where an applicant has a conviction for any offence where dishonesty is an element of the offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

### 7. Drugs.

Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least five years have elapsed since the completion of any sentence imposed.

### 8. Discrimination.

Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

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<b>1 February 2023</b>		<b>ITEM: 6</b>
<b>Licensing Committee</b>		
<b>Setting of Licensing Fees 2023/2024</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key	
<b>Report of:</b> Paul Adams, Licensing Manager		
<b>Accountable Assistant Director:</b> Leigh Nicholson, Assistant Director Planning, Transport and Public Protection		
<b>Accountable Director:</b> Mark Bradbury, Interim Director of Place		
<b>This report is:</b> Public		

## Executive Summary

This report sets out the process and methodology for the setting of Licence Fees associated with licence applications under the remit of the Licensing Committee. It also considers the responses from the public consultation in relation to the proposed fees for the 2023-2024 financial year.

### 1. Recommendation(s)

**1.1 To consider the consultation responses received and agree the proposed fees and charges as set out in Appendix 3 for the 2023- 2024 financial year.**

### 2. Introduction and Background

2.1 Most licence applications attract a fee, different licensing regimes have different ways in which the fees are set, which generally is by one of three ways:

- A statutory set fee.
- A locally set fee that has by statute, a capped maximum amount.
- A locally set fee with no maximum cap.

2.2 With the exception of the statutory set fees, any fee charged must be based on cost recovery, no profit can be made on the licence fee income.

2.3 Fees that are set by statute, cannot be varied and must be charged as they are set within the legislation, this relates to all licences under the Licensing Act 2003 (Alcohol and Entertainment).

- 2.4 Fees that can be set locally with a capped maximum, must be set on a cost recovery basis up to the cap. If the cost recovery is less than the capped amount, then less than the cap should be charged. If the cost it is higher than the cap, then a loss will need to be made. This relates to fees under the Gambling Act 2005. Fees are currently set at the maximum cap.
- 2.5 Fees that can be set locally without a cap, must be set on a cost recovery basis only, they cannot be used to generate an income to perform other functions of the Council. This relates to Taxis, Sex Establishments, Scrap Metal Dealers, Street Trading, MST and all Animal Welfare Licences.
- 2.6 Guidance does exist in relation to fee setting in the form of:
- Home Office Guidance on setting Scrap Metal Dealers Act 2013 Fees.
  - Draft LGA Guidance on Locally Set Fees, issued September 2013.
  - DEFRA Guidance, Animal Welfare Licence Fees - A Practical Guide to Fee Setting
  - Welsh Technical Panel Templates
  - Case law.
- 2.7 Cost recovery includes the covering the full cost of administering and ensuring compliance with the licensing regime. Each licensing regime has some slight differences but generally the costs that could be included calculations and apportioned appropriately are:
- Administration - processing of the licence, officer time, printing, postage and licensing software, etc.
  - Visits - officer time for initial visits, renewal inspections, etc.
  - Third Party Costs – veterinary visits, vehicle inspections etc.
  - Consultation and liaison with third parties – engaging with Responsible Authorities and other stake holders.
  - Management Costs – apportioned cost of the management involvement in any process.
  - Democracy costs – committee costs for determining applications
  - On Costs – payroll, accommodation, finance, legal, travel
  - Training – For officers and members
  - Policies – development, consultation, publishing and review.
  - Web material – compliance with EU Directive, online applications.
  - Compliance work – ensuring licence holders are compliant with the licence.
  - Fees – setting and reviewing of fees
  - Appeals - legal costs of appeals
  - Maintaining registers – local and national
- 2.8 There are costs that are unrecoverable; this should include the cost of enforcement action in relation to un-licensed persons/premises/vehicles. This type of action should be funded out of the Council's General Fund.

- 2.9 In order to ensure that fees remain reasonable and proportionate it is necessary to carry out a regular review of the fees.
- 2.10 Generally fees cannot make a profit, case law has established that any surplus must be carried forward, and any deficit can also be carried forward and recouped.
- 2.11 Benchmarking of fees could be used only as a comparison and should not be used as a fee matching exercise. Each authority will have different costs, structures and processes, which could create significant differences in fees.

### **3. Issues, Options and Analysis of Options**

- 3.1 Thurrock Council's locally set licence fees were last increased in 2015. The fees were reviewed and set last year, but due to the impact of the COVID pandemic at that time, fees were held at their current level despite the need for an increase since 2019.
- 3.2 A set of trading accounts have been prepared which have included the cost of providing each area of licensing based on the percentage of time officers spend on each activity, against the income against each area, which can be found in **Appendix 1**.
- 3.3 Following agreement at the last Licensing Committee, a public consultation was undertaken with all licence holders, inviting them to view the proposed fees and make comments on the Council's public consultation portal. There have been 12 responses relating to the Taxi fees, 1 response relating to the street trading fees and 2 responses in relation to the animal fees. All the responses can be found in the table in **Appendix 2**, where officers have responded to the comments received where necessary.
- 3.4 Based on the trading accounts and the public consultation, the proposed fees and charges for the 2023 – 2024 period are attached as **Appendix 3**. It is intended that this fee change will come into effect from 1<sup>st</sup> April 2023. No changes have been made to the proposed fees following the consultation.

### **4. Reasons for Recommendation**

- 4.1 It is important that all licence fees are subject to regular review to ensure that they remain reasonable and proportionate. As there will be a significant change to the licensing fee, sufficient consultation has been undertaken to ensure compliance with legislation. The responses to the consultation are presented within this report for consideration before agreeing the final fees and charges.

## **5. Consultation (including Overview and Scrutiny, if applicable)**

- 5.1 Consultation has been undertaken on any significant proposed changes to fees, or where consultation is required by statute.
- 5.2 Consultation did include communication of the proposed changes to all relevant licence holders for comments to be submitted on the council's consultation portal.
- 5.3 Under the Local Government (Miscellaneous Provisions) Act 1976, with regards to hackney carriage proprietors' licences, private hire vehicle licences and private hire operator licences, there is a requirement where the fee charged is greater than £25 to consult on the proposed fee as prescribed by the legislation.
- 5.4 A notice has been published in a local newspaper, and at the offices, which must give 28 days from the date of publishing for objections to be lodged and advertise the date the fees will come into effect.
- 5.5 As objections have been received and have not been withdrawn this committee must consider the objections.

## **6. Impact on corporate policies, priorities, performance and community impact**

- 6.1 This review will ensure the licensing service continues to be cost recovery where possible.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **Laura Last**  
**Senior Management Accountant**

As part of the annual budget setting process, the Council is required to review its fees and charges. This report sets out information for the Licensing Committee, the process of setting fees in accordance with legislation, guidance and good practice. It is important that, where possible, the Licensing fees and charges are set to cost-recover.

The effect of any changes to fees and charges on individual income targets will be determined as part of the 2023-24 budget setting process in which Corporate Finance and the service areas will review anticipated levels of demand, fee increases, previous performance and potential associated costs.



## 7.2 Legal

Implications verified by: **Simon Scrowther**  
**Principal Lawyer**

A Council is entitled to charge a reasonable fee for the grant of a licence, in accordance with relevant legislation, with a view to recovering the costs of issue and administration of those licences. This report set out what is considered reasonable and the process to be followed.

## 7.3 Diversity and Equality

Implications verified by: **Roxanne Scanlon**  
**Community and Engagement Project**  
**Monitoring Officer**

To ensure any equality impact is managed, any change in fees must be communicated to all licence holders at the earliest opportunity, consultation on any proposed changes will be undertaken to ensure that customers have an opportunity to contribute to any decision to change and the council considers these contributions before taking a final decision.

## 7.4 Other implications (where significant) – i.e. Staff, Health Inequalities, Sustainability, and Impact on Looked After Children

- None

## 8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- None

## 9. Appendices to the report

- Appendix 1 – Licensing Trading Accounts.
- Appendix 2 – Consultation Responses.
- Appendix 3 - Proposed Fees 2023/2024.

### Report Author:

Paul Adams, Licensing Manager  
Licensing Team, Public Protection

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**2021-22**

	Private Hire Driver	Private Hire Vehicle	Private Hire Operator	Hackney Driver	Hackney Vehicle	LA 03	GA05	Sex Est.	Animal	Scrap	MST	Street Trading	Other
B/fwd (+/-)	-12,385.97	6,212.31	11,590.68	-1,175.15	4,563.09	202,570.51	76,214.45	-2,204.85	42,308.22	46,922.34	10,267.42	-1,872.58	-61,617.86
Income	-21,197.01	-58,375.00	-11,586.00	-16,143.00	-17,319.05	-103,071.03	-1,160.00	0.00	-11,326.39	0.00	-4,920.00	-3,350.00	-31,619
Net	-33,582.98	-52,162.69	4.68	-17,318.15	-12,755.96	99,499.48	75,054.45	-2,204.85	30,981.83	46,922.34	5,347.42	-5,222.58	
<b>Expenditure</b>	27,875.31	71,685.03	15,735.74	17,384.82	26,226.23	118,892.24	5,245.25	3,496.83	27,974.64	3,496.83	3,496.83	3,496.83	
Direct Staffing	21,150.50	61,940.75	13,596.75	12,086.00	22,661.25	102,730.99	4,532.25	3,021.50	24,172.00	3,021.50	3,021.50	3,021.50	
Transport	393.77	1,153.20	253.14	225.01	421.90	1,912.62	84.38	56.25	450.03	56.25	56.25	56.25	
Supplies & Services	5,303.15	5,580.83	1,225.06	4,486.44	2,041.77	9,256.01	408.35	272.24	2,177.88	272.24	272.24	272.24	
Support Services	1,027.89	3,010.25	660.79	587.37	1,101.31	4,992.61	220.26	146.84	1,174.73	146.84	146.84	146.84	
Surplus/Deficit	-5,707.67	19,522.33	15,740.42	66.68	13,470.27	218,391.71	80,299.70	1,291.98	58,956.48	50,419.18	8,844.25	-1,725.75	0.00

459,569.56

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Contributor	Fee Type	Comments	Officer Response
Jslittle	Taxi	Would be interested to see the analysis completed regarding the impact on local businesses the increase in fees will have. On taxi fees in particular how are these fees applied to large private hire businesses such as Uber?	The fees charges are based on a cost recovery basis and there has been no increase since 2015. Uber are licensed by TFL and are not subject to these fees and charges.
DSL_666	Taxi	There is no documented reason given for the hike in fees across the board. Given the current cost of living crisis pushing higher costs on to cab drivers will force them in turn to raise their prices further or stop working, it seems in the current climate the council could be doing a lot more to support local businesses and there staff and not penalising them to fill the hole in its own finances.	The fees charges are based on a cost recovery basis and there has been no increase since 2015.
Amanda and Car Ruston	Taxi	My renewal is going from £59 to £90 Just over a 50% increase I would like someone to advise how they can Justify this ! When my charges have only gone up 7% in the last five years! (This comes at the time that we are told that Thurrock council are over £5million in debt and services are slashed)	The fees charges are based on a cost recovery basis and there has been no increase since 2015.
Lewis Seales	Taxi	I think an increase in taxi fees for drivers is an absolute disgrace!! Thurrock council have let Uber completely rape our work to a point that most drivers are now leaving Thurrock taxi driving and actually start working for Uber themselves because Thurrock council have dropped the ball on banning Uber from our Borough! Certain councils in the uk have banned Uber from their borough I can't see why Thurrock council haven't followed suit ! That's the reason there aren't many new drivers coming through licensing anymore. I've been a licensed taxi in Thurrock for 29 years and sadly this could possibly be my last as apart from school contracts there isn't much work left ! Most drivers that I still talk to on walkers money is so bad that some of them actually have to now apply for working tax credits to top up there wages because Uber are so present in Thurrock that they now take most of the work . I will be taking this price increase if it happens to my local councillor	The fees charges are based on a cost recovery basis and there has been no increase since 2015. The impact of other Private Hire Companies such as Uber is not under the control of the Licensing Authority.
Robin	Taxi	Thank you for the updated price list for next year. Lets be honest Thurrock council have to claw back the money they have lost so no matter what anyone says in the trade the fees will go up. Thurrock taxi and private hire drivers are getting harder by the week to keep mainly due to no night time economy the Thurrock no longer has. Drivers and companies are just not earning what they could which is driving people away from the trade and rightly so. Only 5 years ago we would employ 15 to 20 drivers of a weekend night, now we shut from 22.00 till 06.00.	The fees charges are based on a cost recovery basis and there has been no increase since 2015. There is a decrease in the number of licensed drivers locally and nationally.
Shafudin Sediqi	Taxi	I wish to say due to increase of inflation, the very high fuel prices, extortion energy bills, very expensive cost of living and etc. We cannot afford the new fees proposals for Badges as well as the taxi plates. It will greatly impact on us. could you kindly accept our comments and not increase the fees.	
Colin Stewart	Taxi	I don't agree with any increases at the moment due to the current climate of work especially fuel prices being very unstable	
Tony Milne	Taxi	I am writing to you with regards too the proposed increases in licence fees which would affect myself and the other concerned taxi drivers. Firstly I would appreciate an explanation as to why some items are going up a different rates. Hackney carriage saloon... up 20%. Hackney carriage wheelchair...up 26%. Hackney drivers license... 1 year up 33%. And 3 year license up 7.5%. I would have thought that local authorities would want to be encouraging wheelchair accessible taxis. because as it is we also have to pay extra for Thurrock compliance tests. That aside I really do not believe in times such as these with so many rising cost like Fuel, Heating, Food etc that we should be suffering average increases of 20%. I would like to point out that the RMT Union are holding out for a 7% pay rise and striking as they have not been offered close to it. Whilst we can appreciate that the council have issues with financial difficulties perhaps, to make our industry pay heavily for this seems unfair as our business is struggling more then most.	The fees charges are based on a cost recovery basis and there has been no increase since 2015. The individual fees are based on the cost of the service provision for that type of licence and reflects the number of licences issued. The lower increase for a longer licence reflects the reduced amount of work associated with issuing a licence, compared to annually issuing a licence over the same period.
Bilal Amiri	Taxi	I wish to say due to increase of inflation, the very high fuel prices, extortion energy bills, very expensive cost of living and etc. We cannot afford the new fees proposals for Badges as well as the taxi plates. It will greatly impact on us. could you kindly accept our comments and not increase the fees.	
Shafi Said	Taxi	I wish to say due to increase of inflation, the very high fuel prices, extortion energy bills, very expensive cost of living and etc. We cannot afford the new fees proposals for Badges as well as the taxi plates. It will greatly impact on us. could you kindly accept our comments and not increase the fees.	
Steve Cook	Taxi	Very disappointed to receive this email about the proposed increase. My Business as well as others are still trying to rebuild after the Pandemic, Diesel price increases have also had a negative effect on our margins. I do contracted school work on 4 yearly contracts, the daily price remains the same for the duration of these contracts, so to absorb these license increases mid contract will be very difficult. I ask the Council to seriously look at this as more costs to my business will prove very difficult to absorb.	
Hamid Hassani	Taxi	I wish to say due to increase of inflation, the very high fuel prices, extortion energy bills, very expensive cost of living and etc. We cannot afford the new fees proposals for Badges as well as the taxi plates. It will greatly impact on us. could you kindly accept our comments and not increase the fees.	
Peter Bonner	Street Trading	Thanks for your email . But it's not been a busy year . Due to everything going up . And Thurrock is only one off places where we still do a £1 cone due to the fact not a lot off money in area. If you have to put up fee then it's got to go up. But we still have a un licensed vans working in the area which we pointed out to you on a number of times no one has stopped them from working. Yet again I must point this out .. I have informed ur department many time but nothing has happened. I await a call or a reply to this matter	The fees charges are based on a cost recovery basis and there has been no increase since 2015.
Trop Shop	Animal	This fee has increased quite significantly in the past few years and numerous complaints were lodged	The fees charges are based on a cost recovery basis and there has been no increase since 2015.
Ethical Breeder	Animal	I'm a small home breeder and one of the very few home breeders in Thurrock to have a licence. I try to do everything right in regards to the law, providing high standards of customer satisfaction and the highest welfare standards for my dogs. This is my full time job and my yearly expenses for last year left me with very little profit. Stud fees, food, vet bills, medicines, bedding and heating has all risen. The price customers are willing to pay for our puppies however has declined to lower than pre covid prices for some breeds. There has been much publicised about the recent financial troubles in Thurrock Council regards to alleged irresponsible spending, overpaid salaries and careless investments overseas. I feel it unfair to be asking us small sole traders to pay more when we are already struggling. If Thurrock Council must raise the cost of our licence I would really like to see more action taken in getting more of the local regular breeders licensed just as we are. Quite honestly I feel it's a case of been penalised for doing what is right and as for the rest...turn a blind eye	The fees charges are based on a cost recovery basis and there has been no increase since 2015.

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Name of fee or Charge	Statutory/ Discretionary Charge	Charge 22/23	Charge 23/24	Change from last Increase	Change from last Increase	Comments
Public Protection - Hackney Carriage Licences - Drivers Licences - HC & PH New (Combined Licence) 1 year (excludes DBS)	D	£ 158.00	£ 185.00	£ 27.00	+17.09%	
Public Protection - Hackney Carriage Licences - Drivers Licences - HC & PH New (Combined Licence) 3 years (excludes DBS)	D	£ 393.00	£ 420.00	£ 27.00	+6.87%	
Public Protection - Hackney Carriage Licences - Drivers Licences - HC & PH Renewal (Combined Licence) 1 year (excluding DBS)	D	£ 118.00	£ 145.00	£ 27.00	+22.88%	
Public Protection - Hackney Carriage Licences - Drivers Licences - HC & PH Renewal (Combined Licence) 3 years (excluding DBS)	D	£ 353.00	£ 380.00	£ 27.00	+7.65%	
Public Protection - Hackney Carriage Licences - Drivers Licences - HC New 1 year (excludes DBS)	D	£ 122.00	£ 150.00	£ 28.00	+22.95%	
Public Protection - Hackney Carriage Licences - Drivers Licences - HC New 3 years (excludes DBS)	D	£ 288.00	£ 315.00	£ 27.00	+9.38%	
Public Protection - Hackney Carriage Licences - Drivers Licences - HC Renewal 1 year (excludes DBS)	D	£ 83.00	£ 110.00	£ 27.00	+32.53%	
Public Protection - Hackney Carriage Licences - Drivers Licences - HC Renewal 3 years (excludes BDS)	D	£ 248.00	£ 275.00	£ 27.00	+10.89%	
Public Protection - Hackney Carriage Licences - Drivers Licences - PH New 1 year (excludes DBS)	D	£ 99.00	£ 130.00	£ 31.00	+31.31%	
Public Protection - Hackney Carriage Licences - Drivers Licences - PH New 3 year (excludes DBS)	D	£ 216.00	£ 245.00	£ 29.00	+13.43%	
Public Protection - Hackney Carriage Licences - Drivers Licences - PH Renewal 1 year (excludes DBS)	D	£ 59.00	£ 90.00	£ 31.00	+52.54%	
Public Protection - Hackney Carriage Licences - Drivers Licences - PH Renewal 3 years(excludes DBS)	D	£ 176.00	£ 205.00	£ 29.00	+16.48%	
Public Protection - Hackney Carriage Licences - Other Charges - Additional Knowledge test	D	£ 22.00	£ 27.00	£ 5.00	+22.73%	
Public Protection - Hackney Carriage Licences - Other Charges - Checking and sealing taximeters	D	£ 20.00	£ 27.00	£ 7.00	+35.00%	
Public Protection - Hackney Carriage Licences - Other Charges - DBS New to update service	D	£ 52.00	£ 52.00	£ -	-	
Public Protection - Hackney Carriage Licences - Other Charges - DBS Update service lapsed	D	£ 85.00	£ 85.00	£ -	-	
Public Protection - Hackney Carriage Licences - Other Charges - Replacement Drivers Badges	D	£ 20.00	£ 22.00	£ 2.00	+10.00%	
Public Protection - Hackney Carriage Licences - Other Charges - Replacement Plate, mounting Bracket & Vehicle ID card	D	£ 25.00	£ 26.00	£ 1.00	+4.00%	
Public Protection - Hackney Carriage Licences - Other Charges - Replacement door stickers	D	£ 7.00	£ 8.00	£ 1.00	+14.29%	
Public Protection - Hackney Carriage Licences - Private Hire Operations - Operations having 1 vehicle 1 year	D	£ 70.00	£ 80.00	£ 10.00	+14.29%	
Public Protection - Hackney Carriage Licences - Private Hire Operations - Operations having 1 vehicle 5 years	D	£ 350.00	£ 385.00	£ 35.00	+10.00%	
Public Protection - Hackney Carriage Licences - Private Hire Operations - Operations having 11-20 vehicles 1 year	D	£ 738.00	£ 815.00	£ 77.00	+10.43%	
Public Protection - Hackney Carriage Licences - Private Hire Operations - Operations having 11-20 vehicles 5 years	D	£ 3,690.00	£ 4,060.00	£ 370.00	+10.03%	
Public Protection - Hackney Carriage Licences - Private Hire Operations - Operations having 2-5 vehicles 1 year	D	£ 241.00	£ 265.00	£ 24.00	+9.96%	
Public Protection - Hackney Carriage Licences - Private Hire Operations - Operations having 2-5 vehicles 5 years	D	£ 1,205.00	£ 1,325.00	£ 120.00	+9.96%	
Public Protection - Hackney Carriage Licences - Private Hire Operations - Operations having 6-10 vehicles 1 year	D	£ 498.00	£ 550.00	£ 52.00	+10.44%	
Public Protection - Hackney Carriage Licences - Private Hire Operations - Operations having 6-10 vehicles 5 years	D	£ 2,490.00	£ 2,740.00	£ 250.00	+10.04%	
Public Protection - Hackney Carriage Licences - Private Hire Operations - Operations having more than 21 vehicles 1 year	D	£ 918.00	£ 1,010.00	£ 92.00	+10.02%	
Public Protection - Hackney Carriage Licences - Private Hire Operations - Operations having more than 21 vehicles 5 years	D	£ 4,590.00	£ 5,050.00	£ 460.00	+10.02%	
Public Protection - Hackney Carriage Licences - Vehicle Licences - Hackney Carriage (HC)	D	£ 217.00	£ 260.00	£ 43.00	+19.82%	
Public Protection - Hackney Carriage Licences - Vehicle Licences - Hackney Carriage (HC) (Wheelchair Accessible)	D	£ 167.00	£ 210.00	£ 43.00	+25.75%	
Public Protection - Hackney Carriage Licences - Vehicle Licences - Private Hire Vehicle (PHV)	D	£ 313.00	£ 325.00	£ 12.00	+3.83%	
Public Protection - Hackney Carriage Licences - Vehicle Licences - Private Hire Vehicle (PHV) (Wheelchair Accessible)	D	£ 263.00	£ 275.00	£ 12.00	+4.56%	
Public Protection - Hackney Carriage Licences - Vehicle Licences - Vehicle Compliance Test	D	£ 45.00	£ 47.00	£ 2.00	+4.44%	
Public Protection - Hackney Carriage Licences - Vehicle Licences - Vehicle Replacement	D	£ 40.00	£ 42.00	£ 2.00	+5.00%	

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Name of fee or Charge	Statutory/ Discretionary Charge	Charge 22/23	Charge 23/24	Change from last increase	Change from last increase	Comments
Public Protection - Licences - Other Sales and Service Charges - Animal-Establishments Licence - New application fee	D	£ 280.00	£ 300.00	£ 20.00	+7.14%	
Public Protection - Licences - Other Sales and Service Charges - Animal-Establishments Licence - New grant fee	D	£ 75.00	£ 80.00	£ 5.00	+6.67%	
Public Protection - Licences - Other Sales and Service Charges - Animal-Establishments Licence - renewal application fee	D	£ 280.00	£ 300.00	£ 20.00	+7.14%	
Public Protection - Licences - Other Sales and Service Charges - Animal-Establishments Licence - renewal grant fee	D	£ 75.00	£ 80.00	£ 5.00	+6.67%	
Public Protection - Licences - Other Sales and Service Charges - Animal-Establishments Licence - Variation to licence application fee	D	£ 85.00	£ 90.00	£ 5.00	+5.88%	
Public Protection - Licences - Other Sales and Service Charges - Animal-Establishments Licence - Variation to licence inspection fee	D	£ 137.00	£ 145.00	£ 8.00	+5.84%	
Public Protection - Licences - Other Sales and Service Charges - Animal-Establishments Licence - re-evaluation of rating application fee	D	£ 85.00	£ 90.00	£ 5.00	+5.88%	
Public Protection - Licences - Other Sales and Service Charges - Animal-Establishments Licence - re-evaluation of rating inspection fee	D	£ 137.00	£ 145.00	£ 8.00	+5.84%	
Public Protection - Licences - Other Sales and Service Charges - Animal-Establishments Licence - variation to reduce licensable activities or number of animals fee	D	£ 85.00	£ 90.00	£ 5.00	+5.88%	
Public Protection - Licences - Other Sales and Service Charges - Animal-Establishments Licence - transfer of licence fee	D	£ 85.00	£ 90.00	£ 5.00	+5.88%	
Public Protection - Licences - Other Sales and Service Charges - Animal-Establishments Licence - appeal fee	D	£ 137.00	£ 145.00	£ 8.00	+5.84%	
Public Protection - Licences - Other Sales and Service Charges - Animal-Establishments Licence - Combination of licensable activities application fee	D	£ 280.00	£ 300.00	£ 20.00	+7.14%	
Public Protection - Licences - Other Sales and Service Charges - Animal-Establishments Licence - Combination of licensable activities - additional activity fee(per additional activity)	D	£ 140.00	£ 150.00	£ 10.00	+7.14%	
Public Protection - Licences - Other Sales and Service Charges - Animal-Establishments Licence - Combination of licensable activities - grant fee (per activity) + vets fee if required	D	£ 75.00	£ 80.00	£ 5.00	+6.67%	
Public Protection - Licences - Other Sales and Service Charges - Animal-Establishments Licence - Additional premises under an arrangers element of a Home Boarding Licence (per additional premises).	D	£ -	£ 60.00	£ 60.00	#DIV/0!	New fee introduced to cover the inspection of host families under an arrangers element of a home boarding licence.
Public Protection - Licences - Other Sales and Service Charges - Animal-Related Licences - Dangerous Wild Animals - plus appointed vets fee charge	D	£ 272.00	£ 500.00	£ 228.00	+83.82%	No licences issued, the current fee was un realistic with the work involved in licensing
Public Protection - Licences - Other Sales and Service Charges - Animal-Related Licences - Zoo - plus appointed vets fee charge	D	£ 272.00	£ 1,500.00	£ 1,228.00	+451.47%	No licences issued, the current fee was un realistic with the work involved in licensing

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Name of fee or Charge	Statutory/ Discretionary Charge	Charge 22/23	Charge 23/24	Change from last Increase	Change from last Increase	Comments
Public Protection - Licences - Other Sales and Service Charges - Skin Piercing Registrations - Registration of acupuncture, tattooing, ear piercing and electrolysis (licence Charge)	D	£ 130.00	£ 140.00	£ 10.00	+7.69%	
Public Protection - Licences - Other Sales and Service Charges - Skin Piercing Registrations - Registration of acupuncture, tattooing, ear piercing and electrolysis (Additional Fee per employee)	D	£ 70.00	£ 75.00	£ 5.00	+7.14%	
Massage and Special Treatment Licences - New	D	£ 130.00	£ 140.00	£ 10.00	+7.69%	
Massage and Special Treatment Licences - Renewal	D	£ 70.00	£ 75.00	£ 5.00	+7.14%	
Massage and Special Treatment Licences - Renewed Licence	D	£ 70.00	£ 75.00	£ 5.00	+7.14%	
Massage and Special Treatment Licences - Replacement Licence (Address change or change of ownership)	D	£ 130.00	£ 140.00	£ 10.00	+7.69%	
Public Protection - Licences - Other Sales and Service Charges - Street Trading Consents - Class A1	D	£ 1,400.00	£ 1,500.00	£ 100.00	+7.14%	Class will be know as Static
Public Protection - Licences - Other Sales and Service Charges - Street Trading Consents - Class A1 (Trading between 11pm and 2am)	D	£ 1,500.00		£ -1,500.00	-100.00%	Remove fee to align with new policy
Public Protection - Licences - Other Sales and Service Charges - Street Trading Consents - Class A2	D	£ 1,200.00		£ -1,200.00	-100.00%	
Public Protection - Licences - Other Sales and Service Charges - Street Trading Consents - Class A3	D	£ 1,200.00		£ -1,200.00	-100.00%	
Public Protection - Licences - Other Sales and Service Charges - Street Trading Consents - Class B	D	£ 650.00	£ 700.00	£ 50.00	+7.69%	Class will be know as Mobile
Public Protection - Licences - Other Sales and Service Charges - Street Trading Consents - Class B	D		£ 50.00	£ 50.00		New fee to align with new policy.
Public Protection - Sex Establishment Licences - Application for new licence	D	£ 3,698.00	£ 3,800.00	£ 102.00	+2.76%	
Public Protection - Sex Establishment Licences - Application for renewed licence	D	£ 2,698.00	£ 2,800.00	£ 102.00	+3.78%	
Public Protection - Sex Establishment Licences - Application for transfer	D	£ 100.00	£ 100.00	£ -	-	
Scrap Metal Dealers Site Licence	D	£ 494.00	£ 510.00	£ 16.00	+3.24%	
Scrap Metal Dealers Collectors Licence	D	£ 315.00	£ 330.00	£ 15.00	+4.76%	
Scrap Metal Dealers Site Licence - Renewal	D	£ 408.00	£ 425.00	£ 17.00	+4.17%	
Scrap Metal Dealers Collectors Licence - Renewal	D	£ 262.00	£ 275.00	£ 13.00	+4.96%	
Scrap Metal Dealers Site Licence - Variation	D	£ 112.00	£ 120.00	£ 8.00	+7.14%	
Scrap Metal Dealers Collectors Licence - Variation	D	£ 112.00	£ 120.00	£ 8.00	+7.14%	
Registration - Approved Premises Regulations - Request for Review	D	£ 620.00	£ 620.00	£ -	-	
Registration - Approved Premises Regulations - Application for Approval	D	£ 2,000.00	£ 2,000.00	£ -	-	

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Name of fee or Charge	Statutory/ Discretionary Charge	Charge 22/23	Charge 23/24	Change from last Increase	Change from last Increase	Comments
Gambling Licences - Adult Gaming Centre Premises Licence - Annual Fee	D	£ 800.00	£ 800.00	£ -	-	
Gambling Licences - Adult Gaming Centre Premises Licence - Application fee for reinstatement of a licence	D	£ 1,000.00	£ 1,000.00	£ -	-	
Gambling Licences - Adult Gaming Centre Premises Licence - Application fee in respect of Premises Licence	D	£ 1,600.00	£ 1,600.00	£ -	-	
Gambling Licences - Adult Gaming Centre Premises Licence - Application fee in respect of Provisional Statement	D	£ 1,600.00	£ 1,600.00	£ -	-	
Gambling Licences - Adult Gaming Centre Premises Licence - Application fee to transfer a licence	D	£ 1,000.00	£ 1,000.00	£ -	-	
Gambling Licences - Adult Gaming Centre Premises Licence - Application fee to vary a licence	D	£ 800.00	£ 800.00	£ -	-	
Gambling Licences - Annual fee for Club Gaming or Machine Permit	S	£ 50.00	£ 50.00	£ -	-	
Gambling Licences - Application for Club Gaming or Machine Permit	S	£ 200.00	£ 200.00	£ -	-	
Gambling Licences - Application for Club Gaming or Machine Permit (existing holder)	S	£ 100.00	£ 100.00	£ -	-	
Gambling Licences - Application for Club Gaming or Machine Permit (holding Certificate under licensing act 2003)	S	£ 100.00	£ 100.00	£ -	-	
Gambling Licences - Application for Prize Gaming Permit & Family Entertainment Centre Gaming Machine Permit	S	£ 300.00	£ 300.00	£ -	-	
Gambling Licences - Application to Vary Club Gaming or Machine Permit	S	£ 100.00	£ 100.00	£ -	-	
Gambling Licences - Betting Premises (Track) Licence - Annual Fee	D	£ 1,000.00	£ 1,000.00	£ -	-	
Gambling Licences - Betting Premises (Track) Licence - Application fee for reinstatement of a licence	D	£ 950.00	£ 950.00	£ -	-	
Gambling Licences - Betting Premises (Track) Licence - Application fee in respect of Premises Licence	D	£ 2,500.00	£ 2,500.00	£ -	-	
Gambling Licences - Betting Premises (Track) Licence - Application fee in respect of Provisional Statement	D	£ 2,500.00	£ 2,500.00	£ -	-	
Gambling Licences - Betting Premises (Track) Licence - Application fee to transfer a licence	D	£ 950.00	£ 950.00	£ -	-	
Gambling Licences - Betting Premises (Track) Licence - Application fee to vary a licence	D	£ 1,250.00	£ 1,250.00	£ -	-	
Gambling Licences - Bingo Premises Licence - Annual Fee	D	£ 800.00	£ 800.00	£ -	-	
Gambling Licences - Bingo Premises Licence - Application fee for reinstatement of a licence	D	£ 1,000.00	£ 1,000.00	£ -	-	
Gambling Licences - Bingo Premises Licence - Application fee in respect of Premises Licence	D	£ 3,000.00	£ 3,000.00	£ -	-	
Gambling Licences - Bingo Premises Licence - Application fee in respect of Provisional Statement	D	£ 3,000.00	£ 3,000.00	£ -	-	
Gambling Licences - Bingo Premises Licence - Application fee to transfer a licence	D	£ 1,000.00	£ 1,000.00	£ -	-	
Gambling Licences - Bingo Premises Licence - Application fee to vary a licence	D	£ 1,500.00	£ 1,500.00	£ -	-	
Gambling Licences - Change of name on Prize gaming Permit & Family Entertainment Centre Gaming Machine Permit	S	£ 25.00	£ 25.00	£ -	-	
Gambling Licences - Copy of Club Gaming or Machine Permit	S	£ 15.00	£ 15.00	£ -	-	
Gambling Licences - Copy of Prize gaming Permit & Family Entertainment Centre Gaming Machine Permit	S	£ 15.00	£ 15.00	£ -	-	
Gambling Licences - Copy of the Premises Licence	S	£ 15.00	£ 15.00	£ -	-	
Gambling Licences - Family Entertainment Centre Premises Licence - Annual Fee	D	£ 600.00	£ 600.00	£ -	-	
Gambling Licences - Family Entertainment Centre Premises Licence - Application fee for reinstatement of a licence	D	£ 800.00	£ 800.00	£ -	-	
Gambling Licences - Family Entertainment Centre Premises Licence - Application fee in respect of Premises Licence	D	£ 1,600.00	£ 1,600.00	£ -	-	
Gambling Licences - Family Entertainment Centre Premises Licence - Application fee in respect of Provisional Statement	D	£ 1,600.00	£ 1,600.00	£ -	-	
Gambling Licences - Family Entertainment Centre Premises Licence - Application fee to transfer a licence	D	£ 800.00	£ 800.00	£ -	-	

Gambling Licences - Family Entertainment Centre Premises Licence - Application fee to vary a licence	D	£ 800.00	£ 800.00	£ -	-	
Gambling Licences - Large Casino Premises Licence - Annual Fee	D	£ 10,000.00	£ 10,000.00	£ -	-	
Gambling Licences - Large Casino Premises Licence - Application fee for reinstatement of a licence	D	£ 2,150.00	£ 2,150.00	£ -	-	
Gambling Licences - Large Casino Premises Licence - Application fee in respect of Premises Licence	D	£ 10,000.00	£ 10,000.00	£ -	-	
Gambling Licences - Large Casino Premises Licence - Application fee in respect of Provisional Statement	D	£ 10,000.00	£ 10,000.00	£ -	-	
Gambling Licences - Large Casino Premises Licence - Application fee to transfer a licence	D	£ 2,150.00	£ 2,150.00	£ -	-	
Gambling Licences - Large Casino Premises Licence - Application fee to vary a licence	D	£ 5,000.00	£ 5,000.00	£ -	-	
Gambling Licences - Notification of change of circumstances fro premises Licence	S	£ 50.00	£ 50.00	£ -	-	
Gambling Licences - Occasional Use Notice	S	£ -	£ -	£ -	#DIV/0!	
Gambling Licences - Regional casino premises Licence	S	£ 15,000.00	£ 15,000.00	£ -	-	
Gambling Licences - Regional Casino Premises Licence - Annual Fee	D	£ 15,000.00	£ 15,000.00	£ -	-	
Gambling Licences - Regional Casino Premises Licence - Application fee for reinstatement of a licence	D	£ 6,500.00	£ 6,500.00	£ -	-	
Gambling Licences - Regional Casino Premises Licence - Application fee in respect of Premises Licence	D	£ 15,000.00	£ 15,000.00	£ -	-	
Gambling Licences - Regional Casino Premises Licence - Application fee in respect of Provisional Statement	D	£ 15,000.00	£ 15,000.00	£ -	-	
Gambling Licences - Regional Casino Premises Licence - Application fee to transfer a licence	D	£ 6,500.00	£ 6,500.00	£ -	-	
Gambling Licences - Regional Casino Premises Licence - Application fee to vary a licence	D	£ 7,500.00	£ 7,500.00	£ -	-	
Gambling Licences - Renewal of a Club Gaming or Machine Permit	S	£ 200.00	£ 200.00	£ -	-	
Gambling Licences - Renewal of Prize gaming Permit & Family Entertainment Centre Gaming Machine Permit	S	£ 300.00	£ 300.00	£ -	-	
Gambling Licences - Small Casino Premises Licence - Annual Fee	D	£ 5,000.00	£ 5,000.00	£ -	-	
Gambling Licences - Small Casino Premises Licence - Application fee for reinstatement of a licence	D	£ 1,800.00	£ 1,800.00	£ -	-	
Gambling Licences - Small Casino Premises Licence - Application fee in respect of Premises Licence	D	£ 8,000.00	£ 8,000.00	£ -	-	
Gambling Licences - Small Casino Premises Licence - Application fee in respect of Provisional Statement	D	£ 8,000.00	£ 8,000.00	£ -	-	
Gambling Licences - Small Casino Premises Licence - Application fee to transfer a licence	D	£ 1,800.00	£ 1,800.00	£ -	-	
Gambling Licences - Small Casino Premises Licence - Application fee to vary a licence	D	£ 4,000.00	£ 4,000.00	£ -	-	
Gambling Licences - Temporary Use Notice	S	£ 500.00	£ 500.00	£ -	-	
Lotteries and Amusements act 1976 - Annual fee (1st Jan to 31st Dec)	S	£ 20.00	£ 20.00	£ -	-	
Lotteries and Amusements act 1976 - Initial Registration Fee	S	£ 40.00	£ 40.00	£ -	-	



Name of fee or Charge	Statutory/ Discretion ary Charge	Charge 22/23	Charge 23/24	Change from last Increase	Change from last Increase	Comments
Alcohol and Entertainment Licences - Additional Fees - Additional annual fee payable if applicable 5,000 to 9,999	S	£ 1,000.00	£ 1,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Additional annual fee payable if applicable 10,000 to 14,999	S	£ 2,000.00	£ 2,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Additional annual fee payable if applicable 15,000 to 19,999	S	£ 4,000.00	£ 4,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Additional annual fee payable if applicable 20,000 to 29,999	S	£ 8,000.00	£ 8,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Additional annual fee payable if applicable 30,000 to 39,999	S	£ 16,000.00	£ 16,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Additional annual fee payable if applicable 40,000 to 49,999	S	£ 24,000.00	£ 24,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Additional annual fee payable if applicable 50,000 to 59,999	S	£ 32,000.00	£ 32,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Additional annual fee payable if applicable 60,000 to 69,999	S	£ 40,000.00	£ 40,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Additional annual fee payable if applicable 70,000 to 79,999	S	£ 48,000.00	£ 48,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Additional annual fee payable if applicable 80,000 to 89,999	S	£ 56,000.00	£ 56,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Additional annual fee payable if applicable 90,000 and over	S	£ 64,000.00	£ 64,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Attendance at any one time 5,000 to 9,999	S	£ 1,000.00	£ 1,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Attendance at any one time 10,000 to 14,999	S	£ 2,000.00	£ 2,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Attendance at any one time 15,000 to 19,999	S	£ 4,000.00	£ 4,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Attendance at any one time 20,000 to 29,999	S	£ 8,000.00	£ 8,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Attendance at any one time 30,000 to 39,999	S	£ 16,000.00	£ 16,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Attendance at any one time 40,000 to 49,999	S	£ 24,000.00	£ 24,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Attendance at any one time 50,000 to 59,999	S	£ 32,000.00	£ 32,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Attendance at any one time 60,000 to 69,999	S	£ 40,000.00	£ 40,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Attendance at any one time 70,000 to 79,999	S	£ 48,000.00	£ 48,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Attendance at any one time 80,000 to 89,999	S	£ 56,000.00	£ 56,000.00	£ -	-	
Alcohol and Entertainment Licences - Additional Fees - Attendance at any one time 90,000 and over	S	£ 64,000.00	£ 64,000.00	£ -	-	
Alcohol and Entertainment Licences - Club Premises Certificates - Annual Charge - A = None to £4,400	S	£ 70.00	£ 70.00	£ -	-	
Alcohol and Entertainment Licences - Club Premises Certificates - Annual Charge - B = £4,301 to £33,000	S	£ 180.00	£ 180.00	£ -	-	
Alcohol and Entertainment Licences - Club Premises Certificates - Annual Charge - C = £33,001 to £87,000	S	£ 295.00	£ 295.00	£ -	-	
Alcohol and Entertainment Licences - Club Premises Certificates - Annual Charge - D = £87,001 to £125,000	S	£ 320.00	£ 320.00	£ -	-	
Alcohol and Entertainment Licences - Club Premises Certificates - Annual Charge - E = £125,000 plus	S	£ 350.00	£ 350.00	£ -	-	
Alcohol and Entertainment Licences - Club Premises Certificates - New Application & Variation - A = None to £4,400	S	£ 100.00	£ 100.00	£ -	-	
Alcohol and Entertainment Licences - Club Premises Certificates - New Application & Variation - B = £4,301 to £33,000	S	£ 190.00	£ 190.00	£ -	-	
Alcohol and Entertainment Licences - Club Premises Certificates - New Application & Variation - C = £33,001 to £87,000	S	£ 315.00	£ 315.00	£ -	-	
Alcohol and Entertainment Licences - Club Premises Certificates - New Application & Variation - D = £87,001 to £125,000	S	£ 450.00	£ 450.00	£ -	-	
Alcohol and Entertainment Licences - Club Premises Certificates - New Application & Variation - E = £125,000 plus	S	£ 635.00	£ 635.00	£ -	-	
Alcohol and Entertainment Licences - Other Fees - Application for a provisional statement where premises being built etc.	S	£ 315.00	£ 315.00	£ -	-	
Alcohol and Entertainment Licences - Other Fees - Application for the grant or renewal of a personal licence	S	£ 37.00	£ 37.00	£ -	-	
Alcohol and Entertainment Licences - Other Fees - Application for transfer of premises licence	S	£ 23.00	£ 23.00	£ -	-	
Alcohol and Entertainment Licences - Other Fees - Application to vary licence to specify individual as premises supervisor	S	£ 23.00	£ 23.00	£ -	-	
Alcohol and Entertainment Licences - Other Fees - Change of relevant registered address of club	S	£ 10.50	£ 10.50	£ -	-	
Alcohol and Entertainment Licences - Other Fees - Duty to notify change of name or address	S	£ 10.50	£ 10.50	£ -	-	
Alcohol and Entertainment Licences - Other Fees - Notification of change of name or address	S	£ 10.50	£ 10.50	£ -	-	
Alcohol and Entertainment Licences - Other Fees - Notification of change of name or alteration of rules of club	S	£ 10.50	£ 10.50	£ -	-	
Alcohol and Entertainment Licences - Other Fees - Right of freeholder etc. to be notified of licensing matters	S	£ 21.00	£ 21.00	£ -	-	
Alcohol and Entertainment Licences - Other Fees - Temporary event notice	S	£ 21.00	£ 21.00	£ -	-	
Alcohol and Entertainment Licences - Other Fees - Theft, loss etc. of certificate or summary	S	£ 10.50	£ 10.50	£ -	-	
Alcohol and Entertainment Licences - Other Fees - Theft, loss etc. of personal licence	S	£ 10.50	£ 10.50	£ -	-	

Alcohol and Entertainment Licences - Other Fees - Theft, loss etc. of premises licence or summary	S	£ 10.50	£ 10.50	£ -	-	
Alcohol and Entertainment Licences - Other Fees - Theft, loss etc. of temporary event notice	S	£ 10.50	£ 10.50	£ -	-	
Alcohol and Entertainment Licences - Premises Licenses - Annual Charge - A = None to £4,400	S	£ 70.00	£ 70.00	£ -	-	
Alcohol and Entertainment Licences - Premises Licenses - Annual Charge - B = £4,301 to £33,000	S	£ 180.00	£ 180.00	£ -	-	
Alcohol and Entertainment Licences - Premises Licenses - Annual Charge - C = £33,001 to £87,000	S	£ 295.00	£ 295.00	£ -	-	
Alcohol and Entertainment Licences - Premises Licenses - Annual Charge - D = £87,001 to £125,000	S	£ 320.00	£ 320.00	£ -	-	
Alcohol and Entertainment Licences - Premises Licenses - Annual Charge - E = £125,000 plus	S	£ 350.00	£ 350.00	£ -	-	
Alcohol and Entertainment Licences - Premises Licenses - New Application & Variation - A = None to £4,400	S	£ 100.00	£ 100.00	£ -	-	
Alcohol and Entertainment Licences - Premises Licenses - New Application & Variation - B = £4,301 to £33,000	S	£ 190.00	£ 190.00	£ -	-	
Alcohol and Entertainment Licences - Premises Licenses - New Application & Variation - C = £33,001 to £87,000	S	£ 315.00	£ 315.00	£ -	-	
Alcohol and Entertainment Licences - Premises Licenses - New Application & Variation - D = £87,001 to £125,000	S	£ 450.00	£ 450.00	£ -	-	
Alcohol and Entertainment Licences - Premises Licenses - New Application & Variation - E = £125,000 plus	S	£ 635.00	£ 635.00	£ -	-	

<b>1 February 2023</b>		<b>ITEM: 7</b>
<b>Licensing Committee</b>		
<b>Taxi Licensing Policy- Language Proficiency Update</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key	
<b>Report of:</b> Paul Adams, Licensing Manager		
<b>Accountable Assistant Director:</b> Leigh Nicholson, Assistant Director Planning, Transport and Public Protection		
<b>Accountable Director:</b> Mark Bradbury, Interim Director of Place		
<b>This report is:</b> Public		

## Executive Summary

The Council's Hackney Carriage and Private Hire Licensing Policy came into effect on the 1 October 2022. The policy contains a language proficiency requirement. This report seeks to amend the requirement to include an additional in-house assessment. This is in response to difficulties of applicants obtaining documentary evidence of other assessment options.

### 1. Recommendation(s)

**1.1. That the Licensing Committee agrees to amend Appendix E of the Council's Taxi Licensing Policy, as detailed in Appendix 1 of this report.**

### 2. Introduction and Background

2.1 The Council's Hackney Carriage and Private Hire Licensing Policy came into effect on the 1 October 2022. The policy contains a requirement for an applicant for a driver's licence to meet a language proficiency requirement.

2.2 To meet the requirement under the policy a driver must provide documentary evidence of either:

- a qualification (whether or not the qualification was obtained in the United Kingdom) on the basis of which the Council is satisfied that the applicant's level of proficiency in the English language is equivalent to level B1 or above on the Common European Framework of Reference for Languages (CEFR), or

- a certificate from one of the Council's Secure English Language Test (SELT) providers confirming the applicant's level of proficiency in the English language is at level B1 on the CEFR.

### **3. Issues, Options and Analysis of Options**

- 3.1 In implementing the policy, it has quickly become apparent that it is difficult for many applicants to evidence that they meet the language proficiency requirements. The main issue is applicants locating qualification certificates that could demonstrate a relevant qualification, particularly where they were taken decades ago. Whilst replacement certificates are possible to obtain from examining boards, the cost of doing so is between £50 and £100 and is taking many weeks, if not longer, to obtain.
- 3.2 The additional option of obtaining a Secure English Language Test (SELT), was included as an alternative assessment process for anyone that had not sat any form of educational exam in any subject that had been taught in English. The SELT is also used with visa or citizenship applications. These tests cost in the region of £150.
- 3.3 Because of the potential cost and delays in obtaining certification, we have developed an alternative option, namely an English comprehension assessment as a supplementary section of the existing Knowledge Test. This can be sat separately from the full test or as part of the full test for new applicants, where certification cannot easily be provided. There would be no additional charge for this test.
- 3.4 Appendix E of the Hackney Carriage and Private Hire Licensing Policy has been revised to include the option of an English comprehension assessment as a supplementary section of the Knowledge Test. The revised policy appendix is attached as **Appendix 1**.

### **4. Reasons for Recommendation**

- 4.1 The suggested Policy amendments to include the new assessment option for language proficiency needs to be agreed by this committee.

### **5. Consultation (including Overview and Scrutiny, if applicable)**

- 5.1 There has been no consultation on this amendment to the policy. The amendment has arisen following feedback from applicants following the policy implementation.

### **6. Impact on corporate policies, priorities, performance and community impact**

- 6.1 None.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **Laura Last**  
**Senior Management Accountant.**

There are no financial implications for Thurrock Council.

### **7.2 Legal**

Implications verified by: **Simon Scrowther**  
**Principal Lawyer**

The granting of licences is a legal function of the Authority and the introduction of the national standards by the Department of Transport must be applied to the Council's policies and procedures unless there is good reason not to do so. This amendment to the policy is still in line with those standards.

### **7.3 Diversity and Equality**

Implications verified by: **Becky Lee**  
**Team Manager, Community Development and Equalities**

This revision of the policy does ensure that that all applicants have equal opportunity to prove their language proficiency, regardless of how long it has been since they were in education.

### **7.4 Other implications** (where significant) – i.e. Staff, Health Inequalities, Sustainability, and Impact on Looked After Children

- None

## **8. Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- None

## **9. Appendices to the report**

- Appendix 1 – Appendix E of the Hackney Carriage and Private Hire Licensing Policy.

### **Report Author:**

Paul Adams, Licensing Manager

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## Appendix E – Approved language proficiency assessment providers

Documentary evidence of either:

- a qualification (whether or not the qualification was obtained in the United Kingdom) on the basis of which the council is satisfied that the applicant's level of proficiency in the English language is equivalent to level B1 or above on the Common European Framework of Reference for Languages (CEFR)
- have completed the Council's English Language Assessment supplementary section of the Knowledge Test.
- a certificate from one of the council's Secure English Language Test (SELT) providers confirming the applicant's level of proficiency in the English language is at level B1 on the CEFR

### Examples of suitable evidence

This is a list of examples of suitable evidence you can supply to prove you meet the requirement. The list is not exhaustive. The subject of the qualification does not matter as long as it was taught in English.

- UK GCSE/O level (or equivalent) certificate at grades A\* to G
- UK AS-Level/A level certificate
- UK NVQ\*/BTEC/City and Guilds qualification, along with confirmation from the awarding body that the qualification provided is equivalent to GCSE or above – for example, a Blue Badge Guide qualification
- UK BA Hons, BSc Hons degree or higher – that is, master's, PhD
- UK HNC/HND qualification
- SELT certificate at B1 level or higher, issued by Trinity College London or IELTS showing proficiency in reading, writing, speaking and listening

### Replacement certificates

There are four accredited Ofqual awarding organisations offering GSCEs in England:

- AQA
- OCR
- Pearson
- WJEC

There are also others for the rest of the UK. Replacement certificates are available from those organisations. A certified confirmation of results from the awarding body will be acceptable.

### Language requirement

There are currently two approved interim English language test providers:

- Trinity College London

- IELTS (International English Language Test System)

Trinity College London's ISE I qualification will be accepted as evidence of meeting the English language requirement. Find out more about Trinity, and how you can book the ISE I language test.

IELTS Academic and General Training tests are both accepted as evidence of meeting the new English language requirement. Find out more about IELTS, and how you can book their tests.