

Public Document Pack



Northumberland County Council

Your ref:

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Enquiries to: Heather Bowers

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Tel direct: 01670 622609/0787 700 976

Date: 07 February 2023

Dear Sir or Madam,

Your attendance is requested at a meeting of the **LICENSING & REGULATORY COMMITTEE** to be held in **CONFERENCE ROOM 2 - COUNTY HALL** on **WEDNESDAY, 15 FEBRUARY 2023** at **1.30 PM**.

Yours faithfully

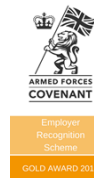
Rick O'Farrell
Interim Chief Executive

To Licensing & Regulatory Committee members as follows:-

J Beynon, T Cessford, E Chicken, J Foster, B Gallacher, C Hardy (Vice-Chair), C Humphrey, JI Hutchinson (Chair), S Lee, K Parry, C Seymour, A Sharp, M Swinbank and A Wallace



Rick O'Farrell, Interim Chief Executive
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AGENDA

PART I

It is expected that the matters included in this part of the agenda will be dealt with in public.

1. **APOLOGIES FOR ABSENCE**

2. **MINUTES**

(Pages 1
- 4)

Minutes of the meeting of the Licensing and Regulatory Committee held on Tuesday, 20 December 2022, as circulated, to be confirmed as a true record and signed by the Chair.

3. **SUBCOMMITTEE MINUTES**

(Pages 5
- 6)

To receive for information the Minutes of the Licensing and Regulatory Subcommittee held on 15 December 2022.

4. **DISCLOSURE OF MEMBERS' INTERESTS**

Unless already entered in the Council's Register of Members' interests, members are required where a matter arises at a meeting;

- a. Which **directly relates to** Disclosable Pecuniary Interest ('DPI') as set out in Appendix B, Table 1 of the Code of Conduct, to disclose the interest, not participate in any discussion or vote and not to remain in room. Where members have a DPI or if the matter concerns an executive function and is being considered by a Cabinet Member with a DPI they must notify the Monitoring Officer and arrange for somebody else to deal with the matter.
- b. Which **directly relates to** the financial interest or well being of a Other Registrable Interest as set out in Appendix B, Table 2 of the Code of Conduct to disclose the interest and only speak on the matter if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain the room.
- c. Which **directly relates to** their financial interest or well-being (and is not DPI) or the financial well being of a relative or close associate, to declare the interest and members may only speak on the matter if members of the public are also allowed to speak. Otherwise, the member must not take part in discussion or vote on the matter and must leave the room.
- d. Which **affects** the financial well-being of the member, a relative or close associate or a body included under the Other Registrable

Interests column in Table 2, to disclose the interest and apply the test set out at paragraph 9 of Appendix B before deciding whether they may remain in the meeting.

- e. Where Members have or a Cabinet Member has an Other Registerable Interest or Non Registerable Interest in a matter being considered in exercise of their executive function, they must notify the Monitoring Officer and arrange for somebody else to deal with it.

NB Any member needing clarification must contact monitoringofficer@northumberland.gov.uk. Members are referred to the Code of Conduct which contains the matters above in full. Please refer to the guidance on disclosures at the rear of this agenda letter.

5. REPORTS OF THE DIRECTOR OF HOUSING AND PUBLIC PROTECTION

5.1 Street Trading Policy

(Pages 7
- 42)

To update Members in relation to the 12 week consultation undertaken in respect of the Council's Street Trading Policy which ended on 25th January 2023.

5.2 Hackney Carriage and Private Hire Licensing Policy – Fire Extinguishers and First Aid Kits

(Pages
43 - 58)

To update Members on the consultation and debate the recommendations below regarding the requirements for hackney carriage and private hire vehicles to carry fire extinguishers and first aid kits.

5.3 Hackney Carriage Tariff

(Pages
59 - 68)

To seek the view of the Committee on a review of the current hackney carriage tariffs.

6. NEXT MEETING

The next meeting of the Licensing and Regulatory Committee is scheduled for Wednesday 26 April 2023.

7. URGENT BUSINESS

To consider such other business as, in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

- Declare it and give details of its nature before the matter is discussed or as soon as it becomes apparent to you.
- Complete this sheet and pass it to the Democratic Services Officer.

Name:		Date of meeting:	
Meeting:			
Item to which your interest relates:			
Nature of Interest i.e. either disclosable pecuniary interest (as defined by Table 1 of Appendix B to the Code of Conduct, Other Registerable Interest or Non-Registerable Interest (as defined by Appendix B to Code of Conduct) (please give details):			
Are you intending to withdraw from the meeting?		Yes - <input type="checkbox"/>	No - <input type="checkbox"/>

Registering Interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
- a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied
9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well- being:
- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Agenda Item 2

NORTHUMBERLAND COUNTY COUNCIL

LICENSING AND REGULATORY COMMITTEE

At a meeting of the **Licensing and Regulatory Committee** held on Tuesday 20 December 2022 at 2:00 pm.

PRESENT

Councillor I Hutchinson
(Chair, in the Chair)

MEMBERS

T Cessford
J Foster
B Gallacher
C Hardy

K Parry
A Sharp
M Swinbank
A Wallace

OFFICERS

H Bowers
M Bulman
T Hardy
P Soderquest

D Wilson

Democratic Services Officer
Solicitor
Licensing Manager
Director of Housing & Public
Protection
Business Compliance and Public
Safety Manager

12. MINUTES

The minutes of the meeting of the Licensing and Regulatory Committee held on Wednesday 26 October 2022, as circulated be confirmed as a true record and signed by the Chair.

13. SUBCOMMITTEE MINUTES

RESOLVED that the Minutes of the Licensing and Regulatory Subcommittees held on 5 October and 17 November respectively, be received for information.

Ch.'s Initials.....

14. REPORTS OF THE DIRECTOR OF HOUSING AND PUBLIC PROTECTION

14.1 Licensing Fees

Information was provided in relation to fees and charges for licences under the following legislation:

- The Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018
- Zoo Licensing Act 181
- Scrap Metal Dealers Act 2013
- Dangerous Wild Animal Act 1976
- Local Government (Miscellaneous Provisions Act 1982) in relation to Tattooing and Piercing

Phil Soderquest, Director of Housing and Public Protection explained that fees were usually reviewed on an annual basis, but due to the onset of Covid and the impact on businesses, this had not happened since 2019, as a result, fees were lower than expected.

Significant pressures had also been experienced within the Local Authority and whilst pressures on businesses had been recognised, it had felt appropriate to increase fees by 9% to reflect the cost of delivery of the service.

Appendix A contained the list of current fees and charges and the proposed new fees.

Discussion and debate took place on the classification and distinction of wild animals.

Councillor Parry put forward that the proposed fees be agreed en-masse. This was seconded by Councillor Humphries and unanimously agreed.

Councillor Chicken proposed that the new fees come into effect on 1 January 2023, this was seconded by Councillor Cessford. 11 members voted in favour, with 1 abstention

RESOLVED that:

1. The content of the report and the revised fees as set out in Appendix 1 be noted.
2. The proposed fees be agreed, all of which would come into effect on 1 January 2023.

14.2 Hackney Carriage and Private Hire Licensing Fees

Members were provided with information in relation to consultation responses for hackney carriage and private hire licensing fees.

A short adjournment took place to consider the consultation responses document.

Mr Soderquest explained the rationale behind the increase and informed members of the three recommendations.

At its meeting on 26 October, the Committee had agreed to a review of taxi hire and private hire licensing fees and requested that officers began the formal consultation.

Statutory consultation had been undertaken, including the placing of public notices in several local newspapers with over 1000 licence holders emailed of the proposed increase with an invitation to comment on the process.

License fees had not been increased since 2018, and a decision had been taken not to increase fees in 2020/21 due to the onset of Covid.

It had been acknowledged that whilst businesses had restarted, they would be subject to additional costs arising from the cost of living crisis. However, the Council had been equally impacted by the same pressures and to maintain service delivery, it was necessary to increase current fees and charges to reflect those increased costs associated with service delivery, including staffing.

Mr Soderquest referred to the level of responses to the consultation which had been slightly disappointing.

In response to a comment, Mr Soderquest, explained that the increase was directly contributed to inflationary pressures.

Discussion took place on the lack of responses and the perception of residents; discount to encourage greener fuels; the cost of electricity for charging vehicles and other fees.

In response to a question regarding MOT fees, Mr Soderquest stated that it was important members were aware of other costs, but what was being considered were the processes that the Licensing Authority was responsible for. The fees did not include testing fees and there would be a re-test charge should the vehicle fail the test.

In response to re-examining the costs, members were informed that as part of the Council Budget in February, all Service Directors were tasked to look at the cost of delivering their service. The increase in fees was not about the increase in income but an increase to cover costs of the service.

Councillor Foster proposed the motion to approve the proposed fees as in Appendix A, save that the proposed fees for the greener fuels, should be reduced to £219. This was seconded by Councillor Swinbank.

Darin Wilson, Business Compliance and Public Safety Manager explained that the report in June had reflected that out of a total of 372 private hire and 454 hackney carriage vehicles, only 52 electric vehicles had been registered.

On being put to the vote, 3 members voted in favour of the proposal and 10 voted against and therefore the motion fell.

Councillor Foster stated her disappointment that the fees for greener fuels had not been agreed.

Councillor Hardy proposed to accept the proposed fees in accordance with Appendix A in the report and this was seconded by Councillor Beynon.

Upon being put to the vote, 10 members voted in favour to accept the proposal and 3 voted against.

In respect of the date upon which the new fees would come into force, Councillor Beynon suggested the date of 1 February 2023, which was seconded by Councillor Hardy.

Upon being put to the vote, 12 members voted in favour with 1 abstention.

RESOLVED that:

1. The proposed fees be agreed without modification.
2. The new fees to come into effect on 1 February 2023.

11. NEXT MEETING

RESOLVED that the next meeting of the Licensing and Regulatory on Wednesday 15 February, be noted.

CHAIR _____

DATE _____

NORTHUMBERLAND COUNTY COUNCIL

LICENSING AND REGULATORY SUB-COMMITTEE

At a meeting of the **Licensing and Regulatory Subcommittee** held in **Conference Room 1, County Hall, Morpeth, NE61 2EF** on **Thursday, 15 December 2022** at **10.00 a.m.**

MEMBERS

C Humphrey
I Hutchinson

K Parry
A Wallace

OFFICERS

H Bowers
M Bulman
T Hardy

Democratic Services Officer
Lawyer, Legal Services
Licensing Manager

1. ELECTION OF CHAIR

RESOLVED that Councillor Hutchinson be elected as Chair for the duration of the meeting.

Councillor J. I. Hutchinson, Chair, in the Chair.

2. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:-

(a) that under Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item on the Agenda as they involved the likely discussion of exempt information as defined in Part 1 of the Schedule 12(A) of the 1972 Act, and

(b) that the public interest in maintaining the exemption outweighs the public interest in disclosure for the following reasons:-

Agenda Item

Paragraph 1 of Part 1 of Schedule 12A

4

Information relating to any individual.

The public interest in maintaining this exemption outweighs the public interest in

disclosure because of any information relating to any individual

PART II

3. REPORTS OF THE HEAD OF HOUSING & PUBLIC PROTECTION

Case No. 15.12.22/442

The applicant was in attendance.

Introductions were made and the Chair explained the procedure to be followed.

The Senior Licensing Officer informed members that an application had been received which officers were unable to deal with under delegated powers.

The Subcommittee was asked to consider the application and the applicant's representations along with the written and oral report of the Senior Licensing Officer and relevant law and guidance policy to determine whether or not the applicant was a fit and proper person to hold such a licence.

The applicant submitted the case in support of his application and provided a statement which was circulated to members. He then answered questions from the Subcommittee.

Members of the Subcommittee retired to make their decision with the legal adviser and following this the applicant was advised:-

The Subcommittee has determined to **GRANT** your private hire driver's licence with a warning that there would be significant risk to his licence if there was any re-offending in the future.



Northumberland County Council

COMMITTEE : LICENSING & REGULATORY COMMITTEE

DATE: 15TH FEBRUARY 2023

TITLE OF REPORT

STREET TRADING POLICY

Report of Philip Soderquest, Director of Housing & Public Protection

Cabinet Member: Cllr Colin Horncastle, Portfolio Holder, Community Service

Purpose of report

To update Members in relation to the 12 week consultation undertaken in respect of the Council's Street Trading Policy which ended on 25th January 2023.

Recommendations

1. Approve the following amendments to the policy:
 - a. Approve the introduction of daily consent for street trading.
 - b. Limit daily consents to 6 per applicant and 6 per site per year.
 - c. Remove the requirement for consultation for daily consents and replace with a notification.

2. Amend the current list of exemptions to the application process and fee to the following:
 - a. An event that is community-based and run, for non-commercial purposes, such as a fete or school fund raising activity. Where any of the profit of the trading is retained by the trader for private gain, and not passed to the organisers of the event for use in, or by, the community concerned then the trader will not benefit from the fee exemption (unless a fee is charged to those entering the event);
 - b. Sales of articles by householders on land within the boundary of their home providing that this is not a commercial concern e.g. selling home grown fruit and vegetables, homemade jams etc. Such sales are seen as disposal of surplus domestic produce rather than trading.

3. Consider whether applicants should be required to submit a basic disclosure and barring certificate.

4. Determine fees for street trading consents

Link to Corporate Plan

This report is relevant to the Living and Enjoying priorities included in the NCC Corporate Plan 2021-2024

Key issues

The current Street Trading Policy was approved by Council on 19th June 2015. This policy sets out how the council intends to control and regulate street trading activities within Northumberland.

Whilst there have been no significant changes to legislation it is considered an appropriate time to reconsider and possibly update some areas of the policy.

Following approval by committee on 26th October 2022 a consultation which included Parish Councils and current licence holders was run for 12 weeks ending on 25th January 2023. The questions related to introduction of daily consents, exemptions to application process and fees, and whether a DBS should be required for applicants.

Three responses were received (one anonymous, one from Pegswood Parish Council and one from Forged Flavours Limited). **(Appendix A)**.

One of the main issues encountered by officers is that the current policy does not facilitate the issuing of consents for one off trading. It is proposed that the introduction of such a policy would encourage applications and discourage illegal trading in these instances. It would be envisaged that limits are set in order to limit disruptions and to discourage the misuse of the provision. Such limits could be applicants restricted to 1 daily consent per year per site, and that a total number of daily consents be limited at 6 per applicant and that a restriction of 6 consents per site.

The current policy provides a list of exemptions to the application process and payment of fees. Officers are proposing that this list is simplified and restricted to non-commercial activity.

Background

The powers associated with the control and regulation of street trading are set out within the Local Government (Miscellaneous Provisions) Act 1982, Section 3 and Schedule 4. The legislation is adoptive and may not be applied unless the council follow the prescribed process and pass an appropriate resolution.

On the 6th July 2011, Northumberland County Council resolved, in accordance with Section 3 of the Local Government (Miscellaneous Provisions) Act 1982 to adopt Schedule 4 of the Act. These are powers to designate streets for the purpose of the Act and to establish a street trading scheme. It came into effect on the 22nd August 2011.

Street trading is defined as the selling or offering for sale of any article in the street. Certain types of trading are excluded from the definition of street trading and these traders are not required to obtain a licence or consent to trade on a licence or a consent street. These include Trading as a Pedlar under licence issued by a Police Authority, a market trader operating at a licensed market venue, a news vendor selling only newspapers and periodicals and trading on private land may not need a consent.

The policy currently contains provision for a number of exemptions to the application process or payment of fees. These are currently

- Fetes, carnivals or similar community based and run events
- Non — commercial or charitable events
- Farmers' Markets (MARKET PLACE PRIMARILY FOR LOCAL PRODUCERS TO SELL THEIR OWN PRODUCE DIRECTLY TO CONSUMERS)
- Sales of articles by householders on land contiguous with their own homes.
- Community fairs and craft events
- Events celebrating local anniversaries
- Operators of statutory services whose trading is ancillary to its main activity e.g., mobile libraries who sell restricted goods to the community as part of their service.

Street Trading Consents will normally be issued for one of the following periods:

All applications where a charge is payable shall be subject to £50 non-refundable application fee with the individual amount as specified below to be payable upon approval of the street trading consent

Static trader 6 months	400.00
Annual licence	750.00
Mobile trader 6 months	550.00
Annual licence	1000.00
Concessionary licence	Free

Proposed table of fees are attached as Appendix C.

There are currently 74 consents currently in place within Northumberland.

The current policy does not require applicants to have a Disclosure and Baring Certificate to establish whether applicants have any criminal convictions. Members are reminded that similar business such as shop keepers do not have this as a requirement either.

Implications

Policy	Changes to Policy
Finance and value for money	None at present
Legal	None
Procurement	None
Human Resources	None
Property	None
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Not applicable
Risk Assessment	Not applicable
Crime & Disorder	No immediate or direct implications.
Customer Consideration	Before making changes to policy consultation with those affected should take place.
Carbon reduction	Not applicable
Health and Wellbeing	None
Wards	All

Background papers:

Appendix A Responses to consultation
Appendix B Proposed Street Trading Policy

Appendix C Fees

Report sign off.

Authors must ensure that officers and members have agreed the content of the report:

	Full Name of Officer
Monitoring Officer/Legal	
Executive Director of Finance & S151 Officer	
Relevant Executive Director	
Chief Executive	
Portfolio Holder(s)	

Author and Contact Details

Tasmin Hardy, Licensing Manager
Tasmin.hardy@northumberland.gov.uk

Appendix A –Proposed Policy document

Appendix B –Online responses

Appendix C. Fees

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Northumberland County Council

STREET TRADING POLICY

Approved by Northumberland County Council on

Version	6.5
Owner	Tasmin Hardy
Author	Helen Tait
Date of next Review	

PUBLIC PROTECTION SERVICE
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

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LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

1.0 Street Trading — Adoption of Legislation

1.1 On the 6th July 2011, Northumberland County Council resolved, in accordance with Section 3 of the Local Government (Miscellaneous Provisions) Act 1982 to adopt Schedule 4 of the Act. These are powers to designate streets for the purpose of the Act and to establish a street trading scheme. It came into effect on the 22nd August 2011. This policy sets out how the council intends to control and regulate street trading activities within the administrative area of Northumberland.

2.0 Objectives of the Policy

- To protect health through the control of street trading within the County of Northumberland.
- To improve standards of food safety, health and safety and environmental management and enhance the image of the district.
- Ensuring that traders operate within the law and act fairly in their dealings with the public.
- Preventing and detecting statutory nuisance, unsafe practices and anti-social behaviour.
- To set out in a fair and transparent manner, how the Council intends to harmonise the terms and conditions across Northumberland in licensing street trading provision.

3.0 Equal Opportunities Statement

3.1 This policy takes into account the aims Northumberland County Council's Equal Opportunities Policy which is committed to achieving equality for all by removing direct and indirect discrimination on the grounds of:

- Age
- Gender or transgender identity
- Race, colour, nationality, national or ethnic origin, being a traveller or gypsy
- Disability, including people with a hearing impairment, people with a visual impairment, people with learning disability, people with a mental illness, and people living with HIV and AIDS
- Religious belief or non-belief, or other beliefs
- Marital status, family circumstances, or caring responsibilities ● Sexual orientation
- Income, employment status or housing circumstances
- Membership or non-membership of trade unions, or involvement in trade union activity
- Offending Status

- Any other ground that cannot be shown to be justified

4.0 Definitions

"Authorised Officer"	An officer of the Council authorised by it to act in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1982.
"Consent"	A consent to trade on a street granted by the Council, pursuant to Paragraph 7, Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
"Consent Holder"	The person or company to whom the consent to trade has been granted by the Council.
"Consent Street"	Means a street in which street trading is prohibited without the consent of the Council.
"Council"	Means Northumberland County Council.
"Street"	Means any road, footway or other area to which the public have access without payment, or any part of a street, including all roads, footways and areas open as a matter of fact to the public without payment within the distance of 30 metres from the centre of those streets which are part of the public highway.

5.0 Street Trading Events for which fees are non-payable

5.1 Northumberland County Council will not require the payment of fees UNDER THIS POLICY for the following activities:

- a. An event that is community-based and run, for non-commercial purposes, such as a fete or school fund raising activity. Where any of the profit of the trading is retained by the trader for private gain, and not passed to the organisers of the event for use in, or by, the community concerned then the trader will not benefit from the fee exemption (unless a fee is charged to those entering the event);
- b. Sales of articles by householders on land within the boundary of their home providing that this is not a commercial concern e.g. selling home grown fruit and vegetables, homemade jams etc. Such sales are seen as disposal of surplus domestic produce rather than trading.

5.2 Street trading events for which fees are not payable will be exempt from the full application process but organisers of such events must give prior notification of their event to the Council at least 14 days prior to the event taking place, stating:

- The name and address of the organiser
- Type/nature of event
- Day and time of event and
- Event duration.

5.3 Each application will be judged according to its merits.

6.0 Definition of Street Trading

6.1 The selling or exposing or offering for sale of any article (including a living thing) in any street.

6.2 The following are not street trading for the purposes of this policy:-

- A pedlar with a pedlars certificate
- Anything done in a market or fair, the right to hold which was acquired by virtue of a grant (including a presumed grant) acquired or established by virtue of an enactment or order.
 - ❖ Note: Special market events may fall within the scope of this policy but where the events are of a "charitable purpose" will be dealt with under the Police, Factories, etc. (Miscellaneous Provisions) Act 1916 (street collections or sales). This policy is aimed at promoting events and encouraging more traders to attend them. (MARKET TRADERS SHOULD SEEK ADVICE FROM THE APPROPRIATE PAGES ON THE AUTHORITY'S WEBSITE, www.northumberland.gov.uk)
- Trading in a trunk road picnic area provided by the secretary of State under section 112 of the Highways Act 1980.
- Trading as a news vendor selling only newspapers/magazines
- Trading which is carried on at premises used as a petrol filling station or is carried on at premises used as a shop or in a street adjoining premises so used and as part of the business of the shop.
- Selling things, or offering or exposing them for sale, as a roundsman e.g. window cleaner.
 - ❖ Note: These have defined routes and defined customers. Ice cream sales will not normally be exempt from street trading controls on the grounds that they are not a roundsman.
- The use for trading under Part VIIA of the Highways Act 1980 of an object or structure placed on, in or over a highway.
- The operation of facilities for recreation and refreshment under Part VIIA of the Highways Act 1980
- The doing of anything authorised by regulations made under section 5 of the Police, Factories etc. (Miscellaneous Provisions Act 1916)
- TRADING BY MEANS OF A PAVEMENT CAFÉ. PROPRIETORS SHOULD SEEK ADVICE FROM THE APPROPRIATE PAGES ON THE AUTHORITY'S WEBSITE, www.northumberland.gov.uk)

7.0 Fees

7.1 Street trading fees will be determined by the Council who will consider a range of payment options appropriate to the cost and duration of the consent sought.

7.2 A Street Trading consent cannot be issued for more than one year. The fees will be reviewed annually. The fees charged by the authority for consents to trade should cover the cost of administration and monitoring. The Consent shall be clearly displayed at the point of sale and produced for inspection at the request of an Authorised Officer of the Council or of an Officer from Northumbria Police.

7.3 Should the consent holder wish to vary the consent at any time during the life of the consent an administration fee will be charged. This includes the transfer of a consent.

7.4 Where a trading consent is surrendered during the life of the consent the authority will refund the fee paid on a pro rata basis, as appropriate, minus any administrative charge.

7.5 It is permissible for the authority to charge different fees for consents for different durations, different locations, (such as a pro rata rate for occasional consents), for concessionary consents in certain circumstances and for sales of different articles.

7.6 Registered charities and market traders (on market days only) who are authorised by the Council are exempt from the requirements to hold a street trading consent.

8.0 Duration of Consents

8.1 A Street Trading consent cannot be issued for more than one year but the council will consider granting consents for varying durations subject to the payment of the relevant fee

8.2 Daily consents will be limited to 6 per applicant per year.

8.3 Daily consents will be limited to 6 per site per year.

9.0 Tendered Locations

9.1 In respect of locations which have been subject to a formal tender process by the Council, best endeavours will be used to commence both the start of the tender and the street trading consent on the same date.

9.2 Note — Approval to trade from a specific location following submission of a successful tender will be subject to both payment of the agreed tender amount AND the appropriate street trading fee.

10.0 Types of Street Trading

10.1 For the purposes of this policy, the council have identified two types of street trading activity which may be defined as follows:

Fixed: the intention to trade from the same location for a continuous period in excess of thirty minutes

Mobile : the intention, having come to a stop, to undertake street trading, at that location for no more than fifteen minutes unless customers are in attendance and in any event no longer than thirty minutes.

10.2 In the case of a mobile trader, the trader shall not return to the same trading location or engage in street trading within 200 metres of a previous trading location within any twenty four hour period

11.0 Determination of the Application

11.1 The Public Safety Unit Manager, acting under delegated powers, will use the criteria listed below in determining any Street Trading Consent. Similarly, any objections received will be considered against these criteria. All criteria should normally be satisfied in each case, with equal weight applied to each of the criteria listed. Each case will be assessed on its merits and individual circumstances, where appropriate, may be taken into consideration.

12.0 Type of Goods for Sales

12.1 The suitability of goods to be sold will be determined on a case by case basis. The Council will be mindful of, and will take account of, all relevant matters, including local shopping needs, diversity, balance and conflict with nearby commercial shops and trading vehicles.

12.2 The following are likely to be considered not suitable:

- Age restricted products;
- Second hand gas and electrical appliances;
- Pets & livestock;
- Explosive and inflammable products;
- Motor vehicles;
- Alcohol
- Other goods as may be identified by the Licensing and Regulatory Committee

12.3 The types of goods approved as part of this policy for street trading will include those below (subject to the pitch location) but this list is not exclusive:

- Arts/Crafts
- Jewellery

- Candles
- Paintings (include portraits/face painting)
- Balloons
- Confectionary/Nuts/Doughnuts
- Ice cream
- Hot potato vendors
- Crepes/Waffles

13.0 Site Criteria including Conditions

13.1 When granting or renewing a trading consent the authority may attach such conditions as considered necessary to the individual application. The Council retains the right to vary the conditions of a street trading consent at any time. The conditions may specify the exact location trading may take place from and the times of trading.

13.2 The Council will normally grant a street trading consent unless, in its opinion: -

- A significant effect on road safety would arise either from the siting of the trading activity itself, or from customers visiting or leaving the site;
- Where there are concerns over the recorded level of personal injury accidents in the locality where the street trading activity will be sited;
- There would be a significant loss of amenity caused by traffic, noise, rubbish, potential for the harbourage of vermin, odour or fumes;
- There is a conflict with Traffic Orders such as waiting restrictions;
- The site or pitch obstructs either pedestrian or vehicular access, or traffic flows, or places pedestrians in danger when in use for street trading purposes;
- The trading unit obstructs the safe passage of users of the footway or carriageway, or ● The pitch interferes with sight lines for any road users such as at road junctions, or pedestrian crossing facilities;
- The site does not allow the Consent Holder, staff or customers to park in a safe manner; ● The street trading activity is carried out after dusk and the site is not adequately lit to allow safe access and egress from the site for both customers and staff;
- If the area stated is in a residential location where trading would not normally take place;
- If the consent holder is trading in a manner that is likely to cause a nuisance or annoyance;
- That any site does not have written permission from the landowner, or this permission has not been submitted to the appropriate licensing department of the Council with the application; or
- The site is within the immediate vicinity of a school. The sale of food and confectionary may not be allowed between the hours of 10 am and 2pm Monday to Friday in circumstances where there is adverse impact upon the school or the pupils who attend the school. This restriction will be lifted outside of term time as defined by Northumberland County Council.

13.3 All applications will be considered individually and on merit. Consents will be valid for a maximum period of one year.

13.4 It is the responsibility of each individual trader to seek advice from the Council's Planning Services as to whether planning consent is required. This is likely to be more pertinent if the trader is likely to operate for more than 28 days in any one year.

14.0 Locations

14.1 In considering the suitability of a street trading location account will be taken of:

- Road safety
- Existing traffic restrictions
- Obstruction of free and safe passage

Loss of public amenity.

15.0 Application Process

15.1 An application for a street trading consent must be made in writing on the Council's approved application form. Application forms and information packs are available from the authority or are downloadable from the website.

15.2 An applicant for a licence must be aged eighteen or over.

15.3 A "duly" made application must include or be accompanied by the following:

- 1) A completed and signed Street Trading Consent Application Form.
- 2) The fee as appropriate for the periods of trading applied for.
- 3) Where the proposed street activity is from a fixed position, a copy of a map of at least 1:125 scale. The map should clearly identify the proposed site position by marking the site boundary with a red line.
- 4) For any fixed site, written permission from the landowner for the use of the land.
- 5) One colour photograph of the stall, van, barrow, cart etc. that will be used for the street trading activity.
- 6) An original copy of the certificate of insurance that covers the street trading activity for third party and public liability risks.
- 7) A personal statutory declaration as to the applicants "fitness and propriety" including the disclosure of unspent convictions.
- 8) If relevant, evidence of registration under the Food Safety Act 1990.

15.4 On receipt of the application form an acknowledgment will be sent to the applicant.

15.5 An officer may visit the applicant and inspect the vehicle, barrow, cart, van, portable stall or other vehicle or premises which the applicant intends to trade from.

15.6 The application will be determined within 28 days of receipt, unless an objection is received from a consultee. If that all consultees confirm that they do not wish to object to an application, the application may be determined before the end of the 28 day period.

15.7 Where the application is for a daily consent the requirement for consultation may be replaced by a requirement to notify the relevant bodies of the application.

15.8 Until the application has been formally determined it is an offence to trade in the areas requiring consent to trade.

15.9 The application will either be;

- 1) Granted and a trading consent will be issued with conditions attached, upon receipt of the appropriate fee, or
- 2) Refused, in which case the administration fee will not be returned.

15.9 Additional visits may be made to holders of trading consents throughout the consent period to assess compliance with the conditions or to undertake any other duty placed on the Authority, such as food hygiene inspections.

15.10 Trading consents are granted to individuals. The person who is the consent holder is required to be present at the vehicle, barrow, cart, van, portable stall or other vehicle or premises which are traded from during trading hours. The consent holder may nominate an assistant to cover their absence. Advice on this should be sought from the Licensing team.

15.11 For special events such as Christmas Markets or Continental Street Markets, the Council will issue one consent to the person organising the event, rather than to each individual trader.

16.0 Renewal of Trading Consents

16.1 An application to renew a trading consent must be received by the authority at least 14 days before the expiry of an existing consent and must be accompanied by the appropriate fee and relevant documentation.

17.0 Revocation of a Trading Consent

17.1 If an authorised officer of the authority is of the opinion that the holder of the trading consent has contravened the conditions attached to the consent, the consent may be revoked.

17.2 The authorised officer will present a report to the Public Safety Unit Manager who will consider this in consultation with the Chair of the Licensing and Regulatory Committee for consideration.

17.3 Comments from the consent holder would be sought to accompany the report.

18.0 Consultations on Applications Made

18.1 On receipt of the application form, the Licensing Authority will send a copy of the application to each of the following consultees where appropriate:

- The Highway Authority
- Northumbria Police
- The local town or parish council
- Trading Standards Service
- Community Safety Team
- N.C.C. Planning Authority

Parish and Town Councils would not normally be consulted in the case of mobile Ice Cream sellers requesting a 'Whole Northumberland County Council ' consent*

18.2 In addition to the above, further consultation may also be carried out with property owners within 100 metres of the proposed site.

18.3 Written observations from the above organisations and occupiers of properties will be sought and taken into consideration when determining an application.

18.4 In the event that the Service Director of Housing and Public Protection, following consideration of any representations arising from the consultation or otherwise, is minded to refuse, modify or attach conditions to a consent, those representations will be made available to the applicant unless it would not be in the public interest to do so, or they contain sensitive or confidential information.

18.5 Further, in the event of an appeal against the decision of the Public Safety Unit Manager the representations will be published and made publicly available unless it would not be in the public interest to do so, or they contain sensitive or confidential information.

18.6 No consultation will be required for renewals of consent provided there are no significant material changes to intended manner of trading and there have been no reasons for refusal or modification during the consent period.

19.0 Consent Holder

19.1 The consent holder shall not dispose or transfer his/her consent for street trading to another person without the consent of the Council. In the event of the death of the consent holder, the consent may be operated by the next of kin for up to fifty-six days until such time as a formal consent transfer can be undertaken.

20.0 Amendments or Variations to Trading Consents

20.1 In certain circumstances, the Council may wish to add, alter or amend the conditions on a trading consent. If this is the case, then the authorised officer will notify the consent holder of their intention and the consent holder will be given the opportunity to make any representations against this variation of the trading consent.

20.2 The authorised officer will present a report to the Director of Housing and Public Protection for consideration, and they will take into consideration the representations made, if any.

20.3 Any amendments or variations to consents or conditions that are requested by consent holders must be made in writing. An administration fee will be charged to the consent holder for any amendments or variations made.

20.4 There is no statutory right of appeal against the Council's decision to refuse, amend or vary a consent, but the Council will, as set out in this policy, make provisions for appeals to be heard by a sub-committee of the Licensing and Regulatory Committee.

21.0 Guidance on the Relevance of Convictions

21.1 The details of any convictions will be treated in strict confidence. If an applicant has previously been convicted of an offence this will not necessarily debar them from holding a consent unless the authority considers that the conviction renders them unsuitable. In making this decision the Council will consider the nature of the offence and how long it has been since they were convicted in accordance with the following information. In considering previous convictions the following matters will be taken into account:

- a) Whether the conviction is relevant;
- b) The seriousness of the offence;
- c) The length of time since the offence occurred;
- d) Whether there is a pattern of offending behaviour;
- e) Whether that person's circumstances have changed since the offence occurred;
- f) The circumstances surrounding the offence and the explanation offered.

22.0 Dishonesty

22.1 The holders of a street trading consent and their assistants have to be persons who can be trusted. It is easy for a dishonest trader or assistant to take advantage of the public. Members of the public using a street trading outlet expect the holder and any assistant to be honest and trustworthy. For these reasons a serious view will be taken of any conviction involving dishonesty. In general, an applicant for the grant or renewal of a street trading consent is unlikely to be granted a street trading consent where the application is made within 3 years from the date of conviction. Similarly a person wishing to be registered as an assistant to a street trading consent holder is unlikely to be registered where registration is sought within 3 years from the date of conviction.

23.0 Violence

23.1 As street traders and their assistants have close contact with the public, a firm line will be taken with applicants who have convictions for violence. Generally, a period of 3 years free of conviction will be required before an application is likely to be considered favourably.

24.0 Drugs

24.1 An applicant with a conviction for a drug related offence should be required to show a period of at least 3 years free of convictions before an application is entertained, or 5 years after detoxification treatment if he/she was an addict.

25.0 Indecency Offences

25.1 As street traders regularly come into contact with young children, applicants with convictions for indecent exposure, indecent assault, importuning, or any of the more serious sexual offences, should be refused until they can show a substantial period (minimum of 5 years) free of such offences. More than one conviction of this kind should preclude consideration for a minimum of 5 years. In either case if consent is granted a strict warning as to future conduct will be issued.

26.0 Motoring Convictions

26.1 Motoring offences are unlikely to be relevant when deciding if an applicant for a street trading consent or to be registered as an assistant to the holder of a street trading consent is a suitable person. However, there may be instances where the offences are not isolated and are of a very serious nature. In such circumstances the applicant should be required to show a period of 2 years free of conviction.

27.0 Formal Cautions and fixed penalty notices

27.1 For the purposes of these guidelines, the Council may treat Simple Cautions (previously Formal Cautions), issued in accordance with Home Office guidance, and fixed penalty notices as convictions.

28.0 Regulatory Sub-Committee Hearings

28.1 A Sub-Committee comprised of members from the Licensing and Regulatory Committee will be set up to hear any appeal of a decision of the Public Safety Unit Manager following the refusal, modification, or attachment of a condition imposed on a consent. The panel of members will be made up of not less than three elected members.

28.2 In all cases, the hearing will be conducted in accordance with the Licensing and Regulatory Committee general hearing rules. The Committee will consider the matter as if it is making the decision without it previously having been decided.

29.0 Offences

29.1 Under the Local Government (Miscellaneous Provisions) Act 1982, a person who;

- Engages in street trading in a consent street without being authorised to do so;
- Being authorised by a street trading consent to trade in a consent street, trades in that street o from a stationary van, cart, barrow or other vehicle; or o from a portable stall, without first having been granted permission to do so;
- Contravenes a condition imposed in agreeing to permit street trading

shall be guilty of an offence.

29.2 It shall be a defence for a person charged with an offence above to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence.

29.3 Any person who, in conjunction with an application for a street trading licence or for a street trading consent, makes a false statement which he knows to be false, in any material respect, or which he does not believe to be true, shall be guilty of an offence.

29.4 Any action taken by the authority with regard to the above offences will have regard to the Councils appropriate enforcement policy.

29.5 A person found guilty of an offence shall be liable on summary conviction to a fine not exceeding level 3 on standard scale.

For further information in relation to street trading please contact:-

Northumberland County Council
Licensing Department

Stakeford Depot
East
Stakeford
NE62 5TR

[View](#)

Tel: 0845 600 6400

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View results

Respondent

1

Anonymous

05:47

Time to complete

1. Name/ company name

Hannah Knowles Forged Flavours Ltd

2. Are you a licence holder *

Yes

No

3. Do you think that there should be the introduction of a daily consent application process and fee? *

Yes

No

4. Additional Comments

Daily and monthly fees should be introduced to allow smaller businesses and startups to operate in Northumberland in line with offerings from the other councils of the North East

5. The below are exempt from the application process and fee. Do you think the current list of exemptions to the application process and fee are appropriate?

- Fetes, carnivals or similar community based and run events
- Non — commercial or charitable events
- Farmers' Markets (MARKET PLACE PRIMARILY FOR LOCAL PRODUCERS TO SELL THEIR OWN PRODUCE DIRECTLY TO CONSUMERS)
- Sales of articles by householders on land contiguous with their own homes.
- Community fairs and craft events
- Events celebrating local anniversaries
- Operators of statutory services whose trading is ancillary to its main activity e.g., mobile libraries who sell restricted goods to the community as part of their service. *

Yes

No

6. What additions or removal do you feel would be appropriate? *

Craft events should be subject to a fee as are food events. Food is a craft.

7. Should the application process include the requirement that applicants provide a DBS certificate with applications. ? *

Yes

No

8. Additional Comments

9. Are there any other areas of the policy you feel should be considered? *

Yes

No

10. Additional comments

View results

Respondent

2

Anonymous

00:52

Time to complete

1. Name/ company name

Yes

2. Are you a licence holder *

Yes

No

3. What licence do you hold *

Static

Mobile

Concessionary

4. Do you think that there should be the introduction of a daily consent application process and fee? *

Yes

No

5. Additional Comments

Yes

6. The below are exempt from the application process and fee. Do you think the current list of exemptions to the application process and fee are appropriate?

- Fetes, carnivals or similar community based and run events
- Non — commercial or charitable events
- Farmers' Markets (MARKET PLACE PRIMARILY FOR LOCAL PRODUCERS TO SELL THEIR OWN PRODUCE DIRECTLY TO CONSUMERS)
- Sales of articles by householders on land contiguous with their own homes.
- Community fairs and craft events
- Events celebrating local anniversaries
- Operators of statutory services whose trading is ancillary to its main activity e.g., mobile libraries who sell restricted goods to the community as part of their service. *

Yes

No

7. What additions or removal do you feel would be appropriate? *

Yes

8. Should the application process include the requirement that applicants provide a DBS certificate with applications. ? *

Yes

No

9. Additional Comments

Yes

10. Are there any other areas of the policy you feel should be considered? *

Yes

No

11. Additional comments

Yes

View results

Respondent

3

Anonymous

01:48

Time to complete

1. Name/ company name

Pegswood Parish Council

2. Are you a licence holder *

Yes

No

3. Do you think that there should be the introduction of a daily consent application process and fee? *

Yes

No

4. Additional Comments

5. The below are exempt from the application process and fee. Do you think the current list of exemptions to the application process and fee are appropriate?

- Fetes, carnivals or similar community based and run events
- Non — commercial or charitable events
- Farmers' Markets (MARKET PLACE PRIMARILY FOR LOCAL PRODUCERS TO SELL THEIR OWN PRODUCE DIRECTLY TO CONSUMERS)
- Sales of articles by householders on land contiguous with their own homes.
- Community fairs and craft events
- Events celebrating local anniversaries
- Operators of statutory services whose trading is ancillary to its main activity e.g., mobile libraries who sell restricted goods to the community as part of their service. *

Yes

No

6. What additions or removal do you feel would be appropriate? *

None

7. Should the application process include the requirement that applicants provide a DBS certificate with applications. ? *

Yes

No

8. Additional Comments

9. Are there any other areas of the policy you feel should be considered? *

Yes

No

10. Additional comments

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Appendix B

Street Trading Fees

	Current Fees £	Proposed Fees £
Static trader day	none	85
Static trader 6 months	400	440
Static trader Annual Licence	750	825
Mobile trader 6 months	550	550
Mobile trader Annual	1000	1100
Concessionary	Free	Free

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Northumberland County Council

Licensing and Regulatory Committee

Date: 15 February 2023

TITLE OF REPORT Hackney Carriage and Private Hire Licensing Policy – Fire Extinguishers and First Aid Kits

Report of Philip Soderquest, Director of Housing & Public Protection

Cabinet Member: Cllr Colin Horncastle, Portfolio Holder, Community Services

Purpose of Report

To update Members on the consultation and debate the recommendations below regarding the requirements for hackney carriage and private hire vehicles to carry fire extinguishers and first aid kits.

Recommendations:

- A) Agree the removal of the following conditions from the conditions attached to hackney carriage and private hire vehicles.
- A suitable and appropriate fully charged fire extinguisher shall be kept in all licensed vehicles in a secure position at all times. All fire extinguishers must be checked every 12 months, prior to vehicle testing. Such a check shall be carried out in accordance with the requirements of BS5306 Part 3 and Part 8 by a registered competent company. The date of the test and signatures must be clearly visible on a sticker attached to the extinguisher, along with the vehicle registration number.
 - Suitable and sufficient first-aid facilities must be carried at all times in the vehicle having regard to the maximum number of passengers that the vehicle has been licensed to carry.

Or

- B) Retain the conditions and consider whether suitable and sufficient training should be provided to drivers on the use of fire extinguishers.

Link to Corporate Plan

This report is relevant to the Living and Enjoying priorities included in the NCC Corporate Plan 2021-2024

Key Issues

The Council has a policy in relation to the operation and use of hackney carriage and private hire vehicles, the primary purpose of which is to ensure the safety of the travelling public

The current policy stipulates conditions are attached to all vehicles licenses, including for both types of vehicles to have within it, a fire extinguisher and first aid kit.

Although the conditions require the licence holder to ensure the equipment is within the vehicle, there is no associated condition for the driver to have undergone appropriate training in the use of the equipment, which is provided for the purposes “first aid” only. It has always been expected that in the event of a major fire, or medical emergency, that the driver would seek assistance and call 999.

On 26th October 2022, the Licensing and Regulatory Committee agreed to a consultation on the proposal to remove the relevant conditions.

The consultation ran for 12 weeks up to the 25th of January 2023.

90 responses were received. Out of the responses received 77 agreed with the proposal to remove the condition and 13 disagreed.

There are 37 additional comments. (Appendix A)

BACKGROUND

The principal legislation associated with Hackney Carriage and Private Hire licensing and associated matters is contained within the:

- Town Police Clauses Act 1847
- Local Government (Miscellaneous Provisions) Act 1976
- Transport Act 1985

Whilst the law provides a framework for licensing and sets out in general terms the standards to be met before a licence may be approved, it is not prescriptive and allows

local authorities to develop local arrangements and to attach conditions to licences which are considered “reasonably necessary”.

The licences administered by the Council under the above legislation are:

- Hackney Carriage Proprietors licence
- Hackney Carriage Drivers licence
- Private Hire Vehicle Proprietors Licence
- Private Hire Drivers Licence
- Private Hire Operators Licence

Under The Health and Safety (First-Aid) Regulations 1981, it refers to the fact that first aid kits may be a legal requirement and need to be provided by employers for employees.

The National Fire Chief Council provided the following as part of a Consultation report for the Department of Transport in 2022, regarding the Taxi and Private Hire Vehicle Licensing Best Practice Guidance for Licensing Authorities in England in reference to Emergency Equipment.

- The National Fire Chief Council (NFCC) recommend that licensing authorities require fire extinguishers to be provided in vehicles, should ensure that suitable and sufficient training is received by the drivers.
- The NFCC’s advice is that if a licensing authority elects not to require drivers to undertake training on the safe way to tackle a vehicle fire, vehicles should not be required to carry fire extinguishers and drivers advised to get out and stay out of the vehicle and call 999, rather than attempting to firefight.

The information below on car fires has been provided by Northumberland Fire & Rescue Service.

Totals

Cal Year	Number
2022 YTD*	98
2021	87
2020	106
2019	124
Total	415

Causes

Cause	2022	2021	2020	2019	Total
Accidental	22	37	47	52	158
Deliberate - others property	37	21	45	55	158
Deliberate - own property	0	2	0	0	2
Deliberate - unknown owner	15	11	2	2	30
Not known	24	16	12	15	67
Total	98	87	106	124	415

Home Office data from Fire and Rescue incident stats for car fires;

2018/2019 13235 fires of which 7158 were accidental (54%)

2019/2020 12696 fires of which 6734 were accidental (53%)

2020/2021 10850 fires of which 5914 were accidental (55%)

2021/2022 10838 fires of which 6479 were accidental (60%)

Implications

Policy	Changes to Policy
Finance and value for money	None at present
Legal	None
Procurement	None
Human Resources	None
Property	None
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Not applicable
Risk Assessment	Not applicable
Crime Disorder &	No immediate or direct implications.

Customer Consideration	Before making changes to policy consultation with those affected should take place. The hackney carriage and private hire trade have been consulted on the proposal.
Carbon reduction	Not applicable
Health and Wellbeing	None
Wards	All

Background Papers

Appendix A Additional comments from consultations.

Report sign off.

Authors must ensure that officers and members have agreed the content of the report:

	Full Name of Officer
Monitoring Officer/Legal	
Executive Director of Finance & S151 Officer	
Relevant Executive Director	
Chief Executive	
Portfolio Holder(s)	

Author and Contact Details

Tasmin Hardy, Licensing Manager
Tasmin.hardy@northumberland.gov.uk

ID	Name/Company name	Are you a licence holder	What Licence do you hold?	It is proposed to remove the following condition from hackney carriage and private hire vehicle licences. A suitable and appropriate fully charged fire extinguisher shall be kept in all licensed ...	Additional Comments	It is proposed to remove the following condition from hackney carriage and private hire vehicle licences. Suitable and sufficient first-aid facilities must be carried at all times in the vehicle ...	Additional Comments2
1	Executive Taxis	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Private Hire Driver; Private Hire Vehicle; Private Hire Operator;	Yes		Yes	
2	Triple J Private Hire Limited	Yes	Private Hire Operator; Private Hire Driver; Private Hire Vehicle; Hackney Carriage Vehicle; Hackney Carriage Driver;	Yes		Yes	
3	Mike Withington	Yes	Private Hire Driver;	No	Should be compulsory not only in private hire but all categories carrying members of the public. Including UBERS	No	Same comments as above. All drivers must also be trained in first aid. Including ubers. Plus compulsory refresher courses.
4	Tweed Taxis	Yes	Hackney Carriage Driver;	Yes		Yes	
5	Tweed Taxis	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle;	Yes		Yes	
6	Gate Morpeth Taxis Ltd	Yes	Hackney Carriage Driver;	Yes		Yes	
7	kevin lee	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Private Hire Driver; Private Hire Vehicle; Private Hire Operator;	Yes	I am NOT a trained fire fighter so i would NOT use the extinguisher as my card are insured.	Yes	I am NOT a trained first aider and if i did use the first aid kit i would leave myself open to prosecution if something went wrong. Therefore i vote to get rid of the first aid kits
8	Airport taxis	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle;	Yes	As we are not trained to use either they should be removed, the fire service recommends getting out and staying out and let them deal with fires	Yes	Not first aid trained so can't do first aid
9	David Duff	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Private Hire Driver;	Yes	About time these were scrapped every other licencing authority in the North East have got rid of fire extinguishers	Yes	Pointless carrying first aid kits when not 1st aid trained and having to buy every time they go out of date
10	Mark Heston	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle;	Yes		Yes	
11	Keith weedy	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle;	Yes	Never used either in 37 years as a taxi driver most councils have abolished them so should Northumberland county council.	Yes	
12	3 bridges taxis	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle;	No		No	

13 Paula's Taxis	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; No		Although not trained to use im happy to have it on board	Yes	I have no training in first aid therefore wouldnt be happy using it, to attempt to administer the aid required from a first aid kit. Cpr ,and epipen administration is different
14 Roger Triplow / Rogers Taxis	Yes	Hackney Carriage Vehicle; Hackney Carriage Driver; Yes			Yes	
15 TARGET TAXIS	Yes	Private Hire Operator; Yes			Yes	
16 David Hansen Taxis	Yes	Hackney Carriage Driver; Yes		I would not attempt to fight a car fire with a hand held extinguisher . Get your passengers safe n phone the professionals	Yes	Dont need them wouldnt treat anybody with it ..
17 KERRY REED	Yes	Hackney Carriage Driver; Yes			Yes	
18 Tristan dunlavy	Yes	Private Hire Driver; No		You are carrying the public and need to look after them,	No	Everyone should have to carry a 1st aid
19 Maurice Robson	Yes	Hackney Carriage Driver; Private Hire Driver; No		Requires no training to operate	Yes	First aid should not be administered other than by a trained individual.
20 Whiston Taxi Service	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Yes		I've never had to use it but I do have about 6 extinguishers in my garage as it's easier to buy a new one than find a company who tests them. I will still carry one but its just an extra expense to my licence.	Yes	Again I've never had cause to use it but I would still carry one although it shouldn't be a condition of the licence.
21 Keith's taxis	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Private Hire Driver; Private Hire Vehicle; Private Hire Operator; Yes		I have a fire extinguisher with a capacity of 500mls just over 1 pint what good is this going to do in the event of a vehicle fire. It's that small as the fire extinguisher conditions does not say what kind or what size fire extinguisher must be carried in the vehicle.	Yes	
22 Taylormade	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; No			No	
23 Ken Taylor KT TAXIS	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Private Hire Driver; Yes		Total Waste of time. Fire Brigade advice. If it on fire get well away with any passengers to safety and let the emergency service deal with it.	Yes	Not qualified and could be liable if I administer first aid and someone has an allergic reaction to it.

					the advice from the fire brigade is get out, call us out, stay out, it is not "get out, find your fire extinguisher, try to figure out how to use it whilst under pressure, realise your clothes are on fire, and pray someone will call us out"	
					these objects are also quite heavy, and have been known to be used as a weapon against drivers, so are actually extremely dangerous to have within the vehicle at all.	Since the use of such items can lead to allergic reactions, and are not to be administered by anyone other than a medical professional or suitably trained person, there is no benefit to having such devices on board, furthermore, they contain a pair of scissors which can be used as a deadly weapon in the hands of an aggressive drunken passenger.
24	National Private Hire and Taxi Association (NPHTA)	No		Yes		
25	Malcolm Ash	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle;	Yes	The reason behind my agreeing with the proposal is quite simply most drivers do not know how and are not qualified to use a fire extinguisher.	I only agree with the proposal because most drivers are not qualified to administer first aid and could find themselves in trouble if even for the best of reasons if they use a first aid kit from their car on a third party.
26	Lawrence Saunders. JL Taxis	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle;	No	It would be cost less to renew every year than have to test the extinguisher in my time I have done the job of testing extinguishers.	
27	Karl's Taxis	No		No		
28	K J Harkin Ltd	Yes	Private Hire Operator;	Yes	I believe if a vehicle is on fire it should be dealt with by professionally trained firefighters. Untrained individuals may cause more danger to themselves, their passengers and the general public.	As with fire extinguishers, untrained individuals carrying out any form of first aid can cause more harm than good
29	Mustafa Yildiz	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Private Hire Driver;	Yes	It has been a waste of money over the years purchasing Fire extinguishers we are not authorised to use in the event of a fire just to comply with licencing regulations	Same stands for the First Kits we are not authorised to use in the event of an accident
30	Derek Robson	Yes	Hackney Carriage Vehicle; Hackney Carriage Driver;	Yes	It to dangerous to use You have to think of your own safety and if you have passengers on board there safely as well.	This day and age you could cause more damage than good Also as a taxi driver you don't no peoples health conditions they might be allergic to what ever you put on them And that's means as a driver you could be liable
31	Ap hemmingfield	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle;	Yes		

32	GEORGE RICHARDSON	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Yes	We are taxi driver not trained fire fighters or paramedics . In 35 years taxiing I have never needed to use a fire extuingsisher had the odd elastoplast out of 1st aid box . Unnecessary expense.	Yes	
33	Billy Mackay	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Yes		Yes	
34	Richie Veitch	Yes	Hackney Carriage Driver; Private Hire Driver; Yes		Yes	
35	Wendys taxis	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Yes		Yes	Not first aid trained and will not be responsible for giving first aid
36	Mikes taxis	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Private Hire Driver; Yes		Yes	
37	Matthew Pattison	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Yes		Yes	
38	Ronald Ingledeu	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Yes	I don't see the point of having them in the car as they wouldn't be capable to put out any fires based on the size of the extinguisher. Also there's always a threat of it being used as a weapon against the driver of the taxi	Yes	I'm not first aid trained so I'm not in a position to administer any sort of medical care. Also if there's any reaction to a passenger I.E reaction to having a plaster that leaves me wide open
39	Hexham and Slaley Taxis	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Yes	decades and I have a pile of unused fire extinguishers and first aid boxes that have never been used over many years and this applies to all the taxi drives that I know. However the one time that fire extinguisher accidentally went off in a taxi according to Tony Morn it caused the taxi to crash and kill the passenger. Given this fact it is a complete waste of time and money to force people to have such items and not carbon friendly. We are facing enough problems without needless rules that cost money and only make life harder. There is also the vital issue that once I use a first aid kit on someone I become legally liable if something goes wrong. What seems like good idea sitting at an exquisite remove does not stand up to the rule of	Yes	I have been a taxi driver for decades and I have a pile of unused fire extinguishers and first aid boxes that have never been used over many years and this applies to all the taxi drives that I know. However the one time that fire extinguisher accidentally went off in a taxi according to Tony Morn it caused the taxi to crash and kill the passenger. Given this fact it is a complete waste of time and money to force people to have such items and not carbon friendly. We are facing enough problems without needless rules that cost money and only make life harder. There is also the vital issue that once I use a first aid kit on someone I become legally liable if something goes wrong. What seems like good idea sitting at an exquisite remove does not stand up to the rule of common sense at the coal face.

40	Corbridge Private Hire Ltd	Yes	Private Hire Driver;Private Hire Vehicle;Private Hire Operator;	Yes		Yes
41	Mike Pigott	Yes	Private Hire Driver;Private Hire Vehicle;	No		No
42	Alex Elliott	Yes	Private Hire Driver;	Yes	The size of most fire extinguishers fitted to taxis they would maybe put a cigarette out!! They cost £10 to £20 so it would be cheaper for most companies to replace them every year than pay a company to check them! But why bin a perfectly good fire extinguisher!! At the end of the day if there was a fire in a car the first thing is get everyone out to safety.	No
43	A1 cabs	Yes	Hackney Carriage Driver;	Yes	We have been advised by local firefighters and paramedics not to use the equipment in our cars because we are not trained to use them	Yes
44	Jack Briggs	Yes	Hackney Carriage Driver;Private Hire Driver;	Yes		Yes
45	Budget taxis Hexham	Yes	Hackney Carriage Driver;Hackney Carriage Vehicle;Private Hire Driver;Private Hire Vehicle;Private Hire Operator;	Yes		Yes
46	Anthony McInerney	Yes	Hackney Carriage Driver;Private Hire Driver;Private Hire Vehicle;	Yes		Yes
47	Richard Bradley	Yes	Hackney Carriage Driver;Hackney Carriage Vehicle;	Yes	Yes both items should be removed as I'm not 1st Aid trained or a trained firefighter.	Yes
48	Prudhoe Taxis	Yes	Hackney Carriage Driver;Hackney Carriage Vehicle;Private Hire Driver;	Yes	Does Northumberland Fire Service not tell us to walk away from a burning car and not endanger our own lives?	Yes
					We have been advised by local firefighters and paramedics not to use the equipment in our cars because we are not trained to use them	
					Most of the taxi drivers i Know are not First Aiders therefore would not want to carry out first aid	

49	Taxi Kev	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Yes	Highly agree with this proposal, in 20 years of driving taxis i've never once had to use a fire extinguisher and after seeking advice from professionally trained fire fighters on the correct way to use or apply i was told you should make no attempt to put your life at risk, you should vacate the vehicle and stay at a safe distance incase of any explosion. So i'm not risking my life for a vehicle. I'm a taxi driver not a fire fighter.	Yes	Highly agree with this proposal, in 20 years of driving taxis i've never once had to use a first aid kit for a customer and i probably never will especially in todays age were you are liable to be sued for any reason, I am very hesitant to assist incase of prosecution for making things worse or someone having an allergic reaction to something as simple as the adhesive on a plaster, I'm a taxi driver not a medical professional.
50	Zafar Sharif T/a Crest Taxis	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Yes	I have been a Taxi Driver in Newcastle and Northumberland for 39 years (and work 6 days per week) in All that time I Only had one occasion to use it and that was on an engine bay fire on the A1, and we used two 1kg extinguishers to No avail, the vehicle was destroyed within 15 mins. The extinguisher in of No Use as its Not big enough nor are we trained fire fighters. If my vehicle caught alight, the only practical things I can do is get my passenger's a safe distance and try and remove what you can before waiting for the fire brigade to respond. In 99% of the time the vehicle would be destroyed. This condition should have been removed years ago and quite a few councils have already done so.	Yes	Again in 39 years of Taxi driving, I have had one occasion to use it for my own cut finger. We are Not medically trained to use it on anyone. Any heathcare professional (Paramedic, Doctor or Nurse) would have their own equipment and medical supple to use and would NOT be inclined to use our first aid kits, so Why do we need to carry one ? Again this condition should be removed asap.
51	Amanda allerton	Yes	Hackney Carriage Driver; Private Hire Driver; Hackney Carriage Vehicle; Private Hire		Yes	Carrying some of those heat shielding foil blankets would be more appropriate
52	Castle cars	Yes	Hackney Carriage Driver; Private Hire Operator; Hackney Carriage Vehicle; Private Hire		No	
53	Paul blades	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Yes		No	

54	Kenneth Muckle	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Private Hire Driver; Private Hire Vehicle; Private Hire Operator;	No	definitely requires more clarity to avoid ad hoc requirements whilst testing in particular. ie secure position but recent advices received to be placed on front passenger seat, sure this requirement is contained in " Construction and Use" regulations. I am aware that wheelchair accessible vehicles required two fire extinguishers but this could just be a requirement by an alternative licensing Authority. A point I wish to add is a driver should not be re entering a vehicle to access the fire extinguisher, first priority being to evacuate the passengers. Also should be secured away from access of passengers as they could be used as a weapon or discharged with in. May we also question foam or powder I am advised that the are both equally effective but	No	Again Mixed Feeling. Think again first aid kit on minibus type vehicles may fall into "Construction and Use" regulations. Again needs to be clear direction regarding this issue. PCV testers manual has a different approach to vehicle testing on this matter. we have had the critics regarding 8 seaters requiring 18 eye patches to have sufficient facilities for all passengers permitted, Disagree with contents checked on test causing seals to be broken and non sterile handling of contents, needs direction and clarity. Staff carrying signage for first aid should be trained to use such. think tis needs proper advice and discussion not just a rubber stamp at end of consultation.
55	Morpeth Taxi Co	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle;	Yes	Whilst having had one vehicle fire in 22 years, the size of extinguisher carried in the vehicle was not enough to extinguish the fire. So just little pointless.	Yes	The first aid kit should be for the repair of the driver. To ask a driver to offer, limited first aid to all 8 passengers (assuming they have an 8 seater), or even to administer to 4 injured parties is a big ask. 999 urgent if required is better call for anyone injured in a hackney or private hire vehicle.
56	Morpeth Taxi Co	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle;	Yes		Yes	
57	Bob Howells/ABC Taxis Alnwick.	Yes	Hackney Carriage Vehicle;	Yes	My number one Priority in case of a fire in my taxi would be to assist my passengers to safety and call the emergency services, I would not think of returning to my vehicle.	Yes	I'm not a Doctor or Nurse and would not like to miss treat someone, I would obviously seek professional help, there is also the risk of been sewed for mis treatment.
58		Yes	Hackney Carriage Driver; Hackney Carriage Vehicle;	Yes		Yes	
59	forrest taxi services	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle;	Yes	waste of time havein them	Yes	waste of time havein them
60	forrest transport service	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle;	Yes	wwaste of time havein them	Yes	waste of time havein them

				2 different questions ! I think a fire extinguisher that is showing green on the indicator dial should be carried but no I don't think it necessary or cost effective to have it tested every year .	No	I don't see a downside to carrying one or a benefit to not carrying one.
61 Martin sayer	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle;	Yes			
62 Steven Gibson	Yes	Hackney Carriage Vehicle; Hackney Carriage Driver;	Yes	Never had to use fire extinguisher or first aid kit in all my licensed years (25) years as a Taxi Driver. Would not want to use fire extinguisher if my car went on fire, the safest thing to do is to get away from vehicle. As to first aid kits we are not trained to use them on passengers, ok for drivers use only.	Yes	
63 George hart	Yes	Hackney Carriage Driver;	Yes		Yes	
64 Robert dodd	Yes	Hackney Carriage Driver;	Yes		Yes	
65 A1 Taxis	Yes	Hackney Carriage Vehicle;	Yes		Yes	
66 Wendy hart	Yes	Hackney Carriage Vehicle;	Yes		Yes	
67 Neil lowther	Yes	Hackney Carriage Driver;	Yes		Yes	
68 John Hindhaugh	Yes	Hackney Carriage Driver;	Yes		Yes	
69 Paul Hindhaugh	Yes	Hackney Carriage Driver;	Yes		Yes	
70 Albert Crate	Yes	Hackney Carriage Driver;	Yes		Yes	
71 Leanne Ray	Yes	Hackney Carriage Driver;	Yes		Yes	
72 Phil Darling	Yes	Hackney Carriage Driver;	Yes		Yes	
73 Steven Duddridge	Yes	Hackney Carriage Driver;	Yes		Yes	
74 Jason Carty	Yes	Hackney Carriage Driver;	Yes		Yes	
75 Garry Cook	Yes	Hackney Carriage Driver;	Yes		Yes	
76 mark twyman	Yes	Private Hire Driver; Private Hire Operator; Private Hire Vehicle;	No	these should always be kept and up to date in a public service vehicle which what really taxis and private hire vehicles are does some peoples insurance not require them to carry these it also gives you peace of mind in case of fire on your vehicle	No	these should be carried at all times in a public service vehicle which taxis and public service vehicles are are you not supposed to carry a first aid kit covered in the clause of your taxi ins
77 Elaine Caisley	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle;	Yes	In 17 years of taxi driving I have never used my first aid kit or fire extinguisher.. regarding the first aid kit I have been told that I am not allowed to administer first aid anyway as I am not a trained first aider ?	Yes	See above
78 Phoenix Taxis	Yes	Private Hire Operator;	Yes	There is no need for a taxi driver to be tackling fires. The job should be left to professional firemen	Yes	If anyone needs first aid the appropriate emergency service should be called by the driver. that should be the extent of the driver's involvement in administering first aid therefore the first aid facilities are needless

79	Bashers Cabs	Yes	Hackney Carriage Driver;	Yes	We are not trained to use them and just an extra expense	Yes	We are not trained to use them and I think you could have one but not as part of the test
80	Admire Taxis	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle;	Yes		Yes	
81	Ian Short	Yes	Hackney Carriage Driver;	Yes		Yes	
82	Call A Car Taxis	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Private Hire Driver;	No		Yes	
83		Yes	Hackney Carriage Driver; Private Hire Driver;	Yes	It will have to be changed for school transport policy as well because condition of contract states that s first aid kit and fire extinguisher have to be in school transport vehicles so if both don't get changed its pointless changing one	No	
84	Judith reed	Yes	Hackney Carriage Driver;	Yes	Not trained to use this and not fit for purpose	Yes	Not first aid trained
85	Michel Birkinshaw	Yes	Hackney Carriage Driver; Private Hire Driver; Private Hire Vehicle; Private Hire Operator;	Yes	While I personally will continue to carry a fire extinguisher, I do feel that it should be up to each PHO to choose whether they carry one in their vehicles.	Yes	I'm not first aid trained and have no idea what to do with my first aid kit. I've never had to use it in over 5 years. As remote as Northumberland is, we are only 30 minutes maximum away from any hospital.
86	Kevin Lee	Yes	Hackney Carriage Driver; Hackney Carriage Vehicle; Private Hire Driver; Private Hire Vehicle; Private Hire Operator;	Yes		Yes	
87	Krystian Dmytrzyk	Yes	Hackney Carriage Vehicle; Hackney Carriage Driver;	Yes		Yes	
88	Steven findlay	Yes	Hackney Carriage Vehicle; Private Hire Vehicle;	Yes	Fire extinguishers should only be used by people who have been fire safety trained. Using without proper training could inflict more injury towards the person using it.	Yes	If you are not first aid qualified you should not be performing first aid upon a person. It could leave the person performing the first aid open to law suits if anything is performed wrong.
89	David James Lee	Yes	Hackney Carriage Driver;	Yes		Yes	
90	Mick holland	Yes	Hackney Carriage Driver; Private Hire Driver;	Yes	Not fire safety trained Could cause more injury to myself trying to extinguish a fire	No	Sound be first aid trained to use the equipment

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Northumberland County Council

LICENSING AND REGULATORY COMMITTEE

DATE: 15 FEBRUARY 2023

Hackney Carriage Tariff

Report of Philip Soderquest, Director of Housing and Public Protection

Cabinet Member: Cllr. Colin Horncastle – Portfolio Holder Community Services

Purpose of report

To seek the view of the Committee on a review of the current hackney carriage tariffs.

Recommendations

Members note the contents of the report and

A) Propose a new tariff for consultation

or

B) Resolve that the tariff is to remain as currently set.

Link to Corporate Plan

This report is relevant to the Living and Enjoying priorities included in the NCC Corporate Plan 2021-2024

Key issues

The Council is responsible for setting the hackney carriage tariff, which represents, when the vehicle is operated within its licensing zone, the maximum tariff that may be charged.

On 15th June 2022, the Licensing and Regulatory Committee resolved to increase the hackney carriage tariffs by approximately 5%. The new tariff came into force on 4th July 2022.

An undertaken was made to review the tariff in one year.

Background

Under the Local Government (Miscellaneous Provisions) Act 1976, Section 65, the Council has the power to determine the charges that may be made in respect of journeys undertaken in a hackney carriage.

There are 4 elements in relation to the setting of a tariff: Timing of the tariffs, flag fall, intervals at which fare increases and extra charges.

The current set of tariff applies to all licence zones and is made up of 6 separate tariffs. 3 tariffs relate to vehicle for up to 4 passengers, the remaining 3 tariffs cover larger vehicles carrying 5 to 8 passengers.

The current set of tariffs is attached at **Appendix A**

In order to vary the hackney carriage tariffs a notice must be published in the local newspaper specifying the proposed new tariff and the date it is to come into effect. Any representations received must be considered and a new date must be set, within 2 months of the original date, for the implementation of the tariff with or without modifications

Should the Committee determine to amend the tariff, Officers will arrange for the public notices to be placed in appropriate local papers. Where no representations are received the tariff would come into effect the day after the end of the consultation period. If representations are received, they will be considered by the next relevant committee.

The current Bank of England interest rate is 4%, was last reviewed on 2nd Feb 2023. Additional information is attached as Appendix B.

Information relating to general fuel prices is attached as Appendix C.

Implications

Policy	None
Finance and value for money	
Legal	Legal requirement to advertise any amendment to the tariff.
Procurement	
Human Resources	
Property	

Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
Risk Assessment	none
Crime & Disorder	none
Customer Consideration	Before making changes to tariff formal consultation is required.
Carbon reduction	
Health and Wellbeing	
Wards	All

Background papers:

Report sign off.

Authors must ensure that officers and members have agreed the content of the report:

	Full Name of Officer
Monitoring Officer/Legal	
Executive Director of Finance & S151 Officer	
Relevant Executive Director	
Chief Executive	
Portfolio Holder(s)	

Author and Contact Details

Tasmin Hardy, Licensing Manager
Tasmin.hardy@northumberland.gov.uk

Appendix A - Current Hackney Carriage Tariff 2022
 Appendix B – Information relating to interest rates
 Appendix C – Information relating to fuel prices.

Appendix A

Hackney Carriages Official Fare Charges

4th July 2022

Section 65 Local Government (Miscellaneous Provisions) Act 1976

TARIFF 1

For the first 500 yards or part thereof £2.60

For each subsequent 86 yards or part thereof 10p

Waiting time: per 30 seconds or part thereof 20p

TARIFF 2: Between 11pm and 7am and all day Sundays and Public Holidays

For the first 500 yards or part thereof £3.10

For each subsequent 68 yards or part thereof 10p

Waiting time per 30 seconds or part thereof 20p

TARIFF 3: Between 6pm on 24 December and 3am on 27 December and between 6pm on 31 December and 3am on 2 January

For the first 500 yards or part thereof £5.00

For each subsequent 86 yards or part thereof 20p

Waiting time: per 30 seconds or part thereof 40p

Tariffs 4, 5 & 6 must only be used where more than four passengers (excluding the driver) are carried in a hackney carriage licensed for that purpose.

TARIFF 4 (More than four passengers)

For the first 500 yards or part thereof £2.90

For each subsequent 86 yards or part thereof 10p

Waiting time: per 30 seconds or part thereof 20p

TARIFF 5: (More than four passengers) Between 11pm and 7am and all day Sundays and Public Holidays

For the first 500 yards or part thereof £3.40

For each subsequent 68 yards or part thereof 10p

Waiting time per 30 seconds or part thereof 20p

TARIFF 6: (More than four passengers) Between 6pm on 24 December and 3am on 27 December and between 6pm on 31 December and 3am on 2 January

For the first 500 yards or part thereof £5.00

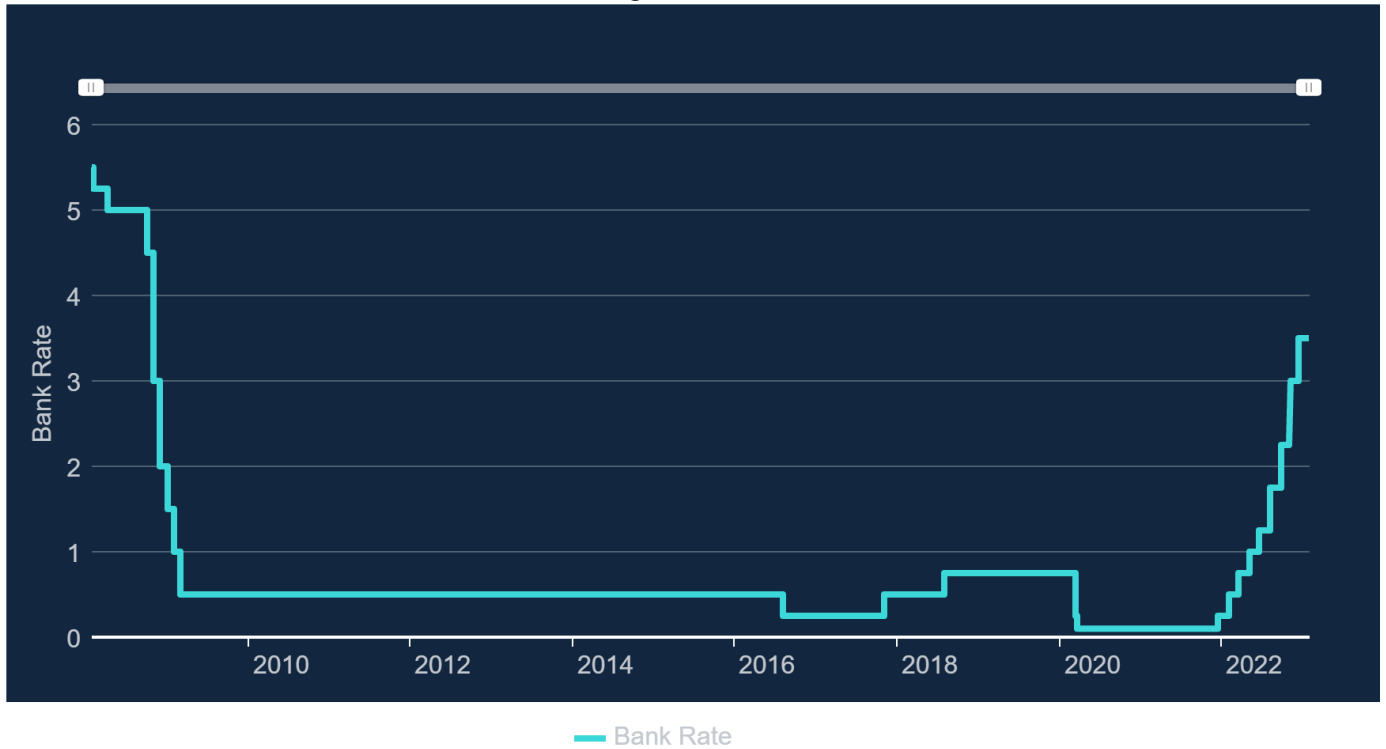
For each subsequent 86 yards or part thereof	20p
Waiting time: per 30 seconds or part thereof	40p
Soiling Charge (except children under 14 years of age)	£63.00
Dogs (excluding guide dogs) or other animal	£1.10
Each item of Luggage, pram, wheeled trolley	£1.10

For non-cancellation of bookings where taxi supplied and dispatched but not required on arrival at the pick-up point the fares to be calculated from dispatch point at the tariff rates.

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Saved from:

<https://www.bankofengland.co.uk/boeapps/database/ShowChart.asp?html.x=yes&Datefrom=-180&Dateto=&SeriesCodes=IUDBEDR&UsingCodes=Y&VPD=Y&VFD=N&label1=Bank%20Rate&label2=&>



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Energy Prices Road Fuels and Other Petroleum Products

Weekly Road Fuel Prices

Publication date: 24-Jan-2023

Data period: New data for week commencing 23 January 2023

Next update: 31-Jan-2023

About this data

BEIS' weekly road fuel price statistics provide average UK retail ('pump') prices on a weekly basis. The data is used to monitor road fuel prices in the UK, and to compare UK road fuel prices with other EU countries. Weekly price data is published on the BEIS website the day after collection.

Further information

[Weekly Petrol Prices](#) (opens in a new window)

[Road fuel price statistics data sources and methodologies](#) (opens in a new window)

[BEIS policy BEIS standards for official statistics](#) (opens in a new window)

[Digest of United Kingdom Energy Statistics \(DUKES\): glossary and acronyms](#) (opens in a new window)

Contacts

Energy Prices Statistics Team

020 7215 5073

energyprices.stats@beis.gov.uk

BEIS Press Office (media enquiries)

0207 215 1000

newsdesk@beis.gov.uk

Weekly Road Fuel Prices - Longer term Trend Chart

Weekly road fuel prices

