

Minute

Licensing Committee

Thursday, 9 March 2023, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Duncan A Tullock, Kristopher D Leask, David Dawson, Steven B Heddle, Rachael A King, W Leslie Manson, Gwenda M Shearer and Owen Tierney.

Clerk

- Angela Kingston, Committees Officer.

In Attendance

- Gavin Mitchell, Head of Legal and Governance.
- Sheila Tulloch, Service Manager (Legal Services).
- Pat Robinson, Service Manager (Accounting).
- Elaine Sinclair, Legal Clerk.

Observing

- Nick Long, Service Manager (Environmental Health).
- Lillian Rendall, Legal Clerk.

Apology

- Temporary Sergeant Gavin McDevitt, Police Scotland.

Declaration of Interest

- Councillor Steven B Heddle – Item 2.

Chair

- Councillor Duncan A Tullock.

1. Review of Fares and Charges in respect of Taxi Services on Mainland Area of Orkney

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, and after hearing a report from the Service Manager (Legal Services), the Committee:

Noted:

1.1. That, on 1 December 2022, the Committee resolved that new scales proposed by taxi operators for maximum fares and charges from 1 May 2023 for all taxi services within the Mainland area of Orkney, including the linked south isles, be approved for public consultation.

1.2. That the statutory consultation process was undertaken during the period 5 January to 6 February 2023, when the public were requested to submit representations in respect of the proposed scales, referred to at paragraph 1.1 above.

1.3. That no representations were received from the public.

The Committee resolved, in terms of delegated powers:

1.4. That the new scales for maximum fares and charges for all taxi services within the Mainland area of Orkney, including the linked south isles, attached as Appendix 1 to this Minute, be approved, to take effect from 1 May 2023.

2. Review of Licensing Fees

Councillor Steven B Heddle declared an interest in this item, his connection being that he was a registered landlord in respect of a property for which he could potentially seek a House in Multiple Occupation licence in the future, and left the meeting at this point.

After consideration of a joint report by the Corporate Director for Strategy, Performance and Business Solutions and the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, and after hearing a report from the Service Manager (Legal Services), the Committee:

Noted:

2.1. That, on 23 February 2023, when considering the revenue budget for 2023/24, the Policy and Resources Committee recommended that Corporate Directors should increase existing charges by a minimum of 10%, from 1 April 2023, if possible to do so, or as early as possible thereafter, with exceptions, where alternative arrangements were required.

2.2. That the exceptions to increasing existing charges by a minimum of 10%, from 1 April 2023, included licensing fees.

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

2.4. The proposal that, where the Council had discretion, licensing fees be increased by a minimum of 10% with effect from 1 April 2023, in accordance with the guidance outlined in section 4 of the joint report by the Corporate Director for Strategy, Performance and Business Solutions and the Corporate Director for Neighbourhood Services and Infrastructure.

Councillor Duncan A Tullock, seconded by Councillor David Dawson, moved that, where the Council had discretion, with effect from 1 April 2023, licensing fees be increased by a minimum of 10%.

Councillor Kristopher D Leask, seconded by Councillor W Leslie Manson, moved an amendment, as follows:

- That, where the Council had discretion, with effect from 1 April 2023, licensing fees be increased by a minimum of 10%, with the exception of fees for licences in respect of Houses in Multiple Occupation, which should be set as follows:
 - Up to nine occupants – £285.
 - Ten or more occupants – £382.50.
- That, any budget deficit caused by the reduction in Houses in Multiple Occupation licence fee income be met from the General Fund.

On a vote being taken 5 members voted for the amendment and 2 for the motion, and the Committee:

Resolved, in terms of delegated powers:

2.5. That, where the Council had discretion, with effect from 1 April 2023, licensing fees be increased by a minimum of 10%, with the exception of fees for licences in respect of Houses in Multiple Occupation, which should be set as follows:

- Up to nine occupants – £285.
- Ten or more occupants – £382.50.

2.6. That any budget deficit caused by the reduction in Houses in Multiple Occupation licence fee income be met from the General Fund.

2.7. That licensing fees effective from 1 April 2023, as detailed in Appendix 2 to this Minute, incorporating the amendment above, be approved.

3. Conclusion of Meeting

At 10:40 the Chair declared the meeting concluded.

Signed: Duncan A Tullock.



ORKNEY
ISLANDS COUNCIL

Scales of Maximum Fares and Charges in respect of all Taxi Services in the Mainland Area of Orkney and Linked South Isles 2023/24

Description.			
First mile.	Tariff 1. £5.00.	Tariff 2. £6.00.	Tariff 3. £7.00.
For each mile thereafter.	Tariff 1. £2.00.	Tariff 2. £2.40.	Tariff 3. £2.90.
Extras – all tariffs.		£2.00.	
Waiting time – all tariffs.		£27.00 per hour.	
Additional.			
Car fouling – all tariffs.		£150.00.	
Touring rate – all tariffs – vehicles licensed to carry up to 4 passengers.		£50.00 per hour.	
Touring rate – all tariffs – vehicles licensed to carry more than 4 passengers (maximum of 8 passengers).		£75.00 per hour.	
Vehicles carrying more than 4 passengers (maximum of 8 passengers).		All tariffs multiplied by 1.5.	
Tariff Information.			
Tariff 1.	normal operating times – 07:00 to 20:59 daily except as otherwise stated herein.		
Tariff 2.	21:00 to 06:59 daily. 21:00 Saturday until 06:59 Monday. 07:00 to 20:59 County Show Day.		
Tariff 3.	County Show Day 21:00 to 06:59 the next day. Christmas holiday 19:00 on 24 December to 06:59 on 27 December. New Year holiday 19:00 on 31 December to 06:59 on 3 January.		

Extras.	
(a)	carriage of animals (excluding assistance dogs).
(b)	journeys to and from Airport.
A limit of £2.00 for extras will apply.	
In addition, provision has been made for a supplementary booking charge of up to a maximum of £20.00 to compensate for the cost of the outward journey for hires which commence 3 miles or more away from the taxi or taxi base (whichever is the nearer) and the customer wishes to travel further away. This charge may only be demanded if the customer is informed of the amount of the charge at the time of booking.	
When a taxi (or a private hire car fitted with a taxi meter) is called but not used, a charge shall be allowed as if it had been occupied from the time it left the stance or garage.	
Car Fouling.	
Maximum of £150.00 payable by an offending passenger, where a vehicle requires to be removed from service for cleaning in order for it to be restored to a usable state and condition.	
Touring Rate.	
Vehicles licensed to carry up to 4 passengers – minimum charge of £50.00.	
Vehicles licensed to carry more than 4 passengers (maximum of 8 passengers) – minimum charge of £75.00.	
Agreed:	
Effective From:	

Licences, Approvals, Registrations and Permits

Licensing Fees.	2023/24 £.
Animal boarding for 1 year.	162.00.
Breeding of dogs for 1 year.	162.00.
Caravan sites for 5 years (other than holiday sites).	879.00.
Caravan sites renewal for 5 years (other than holiday sites).	50% of fee current at time.
Cinemas for 1 year (capacity up to 100 persons).	168.00.
Cinemas for 1 year (capacity over 100 persons).	330.00.
Dangerous wild animals for 1 year.	162.00.
Houses in multiple occupation for 3 years (capacity up to 9 occupants).	285.00.
Houses in multiple occupation for 3 years (capacity for 10 or more occupants).	382.50.
*Indoor sports entertainment for 1 year.	156.00.
Indoor sports entertainment for 3 years.	413.00.
*Knife dealers for 1 year.	133.00.
Knife dealers for 3 years.	350.00.
*Late hours catering for 1 year.	198.00.
Late hours catering for 3 years.	524.00.
*Market operators for 1 year.	299.00.
Market operators for 3 years.	517.00.
*Metal dealers for 1 year.	156.00.
Metal dealers for 3 years.	413.00.
Performing animals for life of animal.	157.00.
Performing animals – additional – for life of animal.	50% of fee current at time.
Pet shop for 1 year.	162.00.
*Public entertainment for 1 year.	168.00.
Public entertainment for 3 years.	435.00.
Raised structures.	99.00.
Riding establishments for 1 year.	162.00.
*Second hand dealers for 1 year.	156.00.
Second hand dealers for 3 years.	413.00.
Sex shops for 1 year.	2313.00.
*Skin piercing and tattooing for 1 year.	259.00.

Licensing Fees.	2023/24 £.
Skin piercing and tattooing for 3 years.	684.00.
*Street traders for 1 year including ID badges.	156.00.
Street traders for 3 years including ID badges.	413.00.
*Taxi and private hire car booking offices for 1 year.	168.00.
Taxi and private hire car booking offices for 3 years.	454.00.
*Taxi or private hire car licences for 1 year including plates.	281.00.
Taxi or private hire car licences for 3 years including plates.	740.00.
Taxi or private hire car licence plate – external.	42.00.
Taxi or private hire car licence plate – internal.	21.00.
*Taxi or private hire car drivers for 1 year including ID badges.	78.00.
Taxi or private hire car drivers for 3 years including ID badges.	198.00.
Venison dealers for 3 years.	117.00.
*Window cleaners for 1 year including ID badges.	78.00.
Window cleaners for 3 years including ID badges.	205.00.
Zoos for 4 years.	558.00.
General	
Replacement / copy licence.	35.00.
ID Badge including replacement.	35.00.

Information:

Licence fees are non-refundable.

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

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

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

9 March 2023.