

# NOTICE OF MEETING

**Meeting:** GENERAL PURPOSES AND LICENSING COMMITTEE

**Date and Time:** FRIDAY, 9 MARCH 2018, AT 9.30 AM\*

**Place:** COUNCIL CHAMBER, APPLETREE COURT,  
LYNDHURST

**Telephone enquiries to:** Lyndhurst (023) 8028 5000  
023 8028 5588 - ask for Melanie Stephens  
Email: [melanie.stephens@nfdc.gov.uk](mailto:melanie.stephens@nfdc.gov.uk)

**PUBLIC PARTICIPATION:**

\*Members of the public may speak in accordance with the Council's public participation scheme:

- (a) immediately before the meeting starts, on items within the Committee's terms of reference which are not on the public agenda; and/or
  - (b) on individual items on the public agenda, when the Chairman calls that item.
- Speeches may not exceed three minutes. Anyone wishing to speak should contact the name and number shown above.

**Bob Jackson**  
Chief Executive

Appletree Court, Lyndhurst, Hampshire. SO43 7PA  
[www.newforest.gov.uk](http://www.newforest.gov.uk)

**This Agenda is also available on audio tape, in Braille, large print and digital format**

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## AGENDA

### Apologies

#### 1. MINUTES

To confirm the minutes of the meeting held on 12 January 2018 as a correct record.

#### 2. DECLARATIONS OF INTEREST

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

3. **PUBLIC PARTICIPATION**  
To note any issues raised during the public participation period.
4. **RETURNING OFFICERS' FEES AND EXPENSES** (Pages 1 - 10)  
To consider the Returning Officers' Fees and Expenses for 2018-19.
5. **PAY 2018 UPDATE** (Pages 11 - 14)  
To agree the proposed changes to the Council's pay award for 2018.
6. **STATUTORY FINANCIAL OFFICER ROLE WITH THE MANAGEMENT STRUCTURE** (Pages 15 - 20)  
To note the changes to the Council's management structure and agree subsequent changes to the Council's salary scales.
7. **HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY** (Pages 21 - 30)  
To consider changes to the Hackney Carriage and Private Hire Licensing Policy.
8. **COSMETIC PIERCING AND SEMI-PERMANENT MAKEUP - PROPOSED CHANGES TO REGISTRATION FEES AND BYELAWS** (Pages 31 - 34)  
To consider proposed charges to cosmetic piercing registration and relevant byelaws and make recommendations to the Council.
9. **ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT**

To: **Councillors**

S J Clarke (Chairman)  
L R Puttock (Vice-Chairman)  
G C Beck  
G R Blunden  
S P Davies  
Ms L C Ford  
R L Frampton  
A T Glass

**Councillors**

L E Harris  
Mrs P Jackman  
J M Olliff-Cooper  
D N Tungate  
A S Wade  
J G Ward  
Mrs P A Wyeth

### RETURNING OFFICERS' FEES AND EXPENSES

#### 1. INTRODUCTION

- 1.1 The fees and expenses for Returning Officers in Hampshire and the Isle of Wight to conduct local elections are agreed by a working party of representatives of Hampshire County Council and other Local Authorities in the area. This practice (approved by the Council) ensures uniformity across councils and has been in place for many years. The scale of fees and expenses is published on this and other councils' websites. The current (2017/18) scale is available to view at <http://www.newforest.gov.uk/CHttpHandler.ashx?id=33289&p=0>

#### 2. PAY POLICY STATEMENT AND ADJUSTMENTS IN FEES

- 2.1 The Council's Pay Policy Statement 2018/19, approved by the Council on 26 February 2018, provides for the Returning Officer's scale of fees and expenses to be submitted to the General Purposes and Licensing Committee. Accordingly, the fees and expenses agreed by the county-wide Working Party for 2018/19 are attached for the Committee's consideration.
- 2.2 In setting the fees, the Working Party has to be mindful of the Government's decision to increase the national living wage each year. It will rise from the current £7.50 to £7.83 per hour with effect from 1 April 2018, an increase of approximately 4%.

#### 3. FINANCIAL IMPLICATIONS

- 3.1 Costs of elections are borne by the body, or responsible authority for the body or individual, being elected. The next quadrennial elections for the District and Parish Councils is scheduled for May 2019 (by which time it is expected that the national living wage would have risen again), but the effect of the increase in the national living wage for 2018/19 will be in the region on the cost of the District Council's elections in 2019 will be approximately £2,560.

#### 4. ENVIRONMENTAL, CRIME & DISORDER AND EQUALITY & DIVERSITY IMPLICATIONS

- 4.1 There are none.

#### 5. RECOMMENDATION

- 5.1 That the fees and expenses for Returning Officers for 2018/19, as set out in Appendix 1, be approved.

#### Further information:

Rosemary Rutins  
Service Manager, Democratic Services &  
Member Support  
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Email: [rosemary.rutins@nfdc.gov.uk](mailto:rosemary.rutins@nfdc.gov.uk)

#### Background Papers:

Published documents

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(2018/2019)

**LOCAL GOVERNMENT ACT 1972****HAMPSHIRE AND ISLE OF WIGHT****SCALE OF COSTS, CHARGES AND EXPENSES AT ELECTIONS OF  
COUNTY COUNCILLORS, DISTRICT COUNCILLORS AND PARISH COUNCILLORS****PART 1 - FOR SERVICES AND EXPENSES**

Fees for conducting the election, giving the prescribed notices, preparing and supplying nomination papers, distributing, filling up, verifying and adjudicating upon the same, appointing Deputy Returning Officers, arranging for or conducting the poll, counting the votes, declaring results and making return of same, and generally performing all the duties which a Returning Officer is required to perform under the Act or the Rules and Regulations made under it, and including all disbursements and expenses other than those for which special provision has been hereinbefore made, shall be as set out below save that where there is currently in force a scale which provides for the payment of a greater amount by way of fees and costs, such scale shall remain in full force in those respects in which it is more favourable.

Where a Returning Officer acts as Presiding Officer, he or she is also entitled to the Presiding Officer's fee; he or she is not entitled to the fee for counting.

Where a Deputy Returning Officer acts as Presiding Officer, he or she is also entitled to the Presiding Officer's fee and, where he or she has been appointed to attend at the count for the purpose of declaring the result of the poll and carrying out any other duty deputed by the Returning Officer, he or she is also entitled to the fee prescribed in Part 2 of this scale.

<b>DISTRICT COUNCILS:</b>	<b>For the first 1000 local government electors within each electoral area</b>	<b>For each additional 500 local government electors or fractional part of 500</b>
<b>Contested elections:</b>		
including the preparation, first revision and the issue of poll cards on the occasion of an election:	£100.00	£38.00
<b>Uncontested elections:</b>	£67.00 for each electoral area	

<b>PARISH COUNCILS:</b>	<b>For the first 500 local government electors within each electoral area</b>	<b>For each additional 100 local government electors or fractional part of 100</b>
<b>Contested elections:</b>		
Where the election is for Parish Councillors only:	£64.00	£12.00
Where the elections are for District Councillors and Parish Councillors on the same day:	£42.00	£6.00
<b>Uncontested elections:</b>		
Where the election is for parish Councillors only:	£36.00	
Where there are District and Parish Council elections on the same day:	£24.00	

## COUNTERMANDED ELECTIONS

In the event of an election being countermanded, the fees for an uncontested election shall be paid, plus **£20.10** if the election is countermanded after the latest time for withdrawal of candidature.

## POSTAL VOTING

In the event of a contest, the fee payable to the Returning Officer for services in connection with the despatch and receipt of ballot papers of persons entitled to vote by post shall be:

<b>(a)</b> for one electoral area for which an election is held on any one day if the number of persons entitled to vote by post does not exceed 50:	£24.00
for each additional 50 or fraction thereof:	£3.00
<b>(b)</b> for each of the remaining electoral areas for which elections are held on the same day, if the number of persons entitled to vote by post does not exceed 50:	£8.00
for each additional 50 or fraction thereof:	£3.00

## POLLS CONSEQUENT UPON PARISH MEETINGS

For every poll consequent on a parish meeting where such poll is not taken as to the elections of parish councillors, to cover all the services of the Returning Officer and, if the poll is taken on more than one question on the same day in any parish, only one fee to be charged:

<b>(a)</b> For the first 500 local government electors in a parish	£64.00
<b>(b)</b> For each additional 100 local government electors or fractional part of 100:	£12.00

If the poll is not taken in consequence of the withdrawal of any candidates, for services preliminary to the poll: **£36.00**

Disbursements in connection with these polls are to be made in accordance with Part 2 of this scale.

## TRAINING

<p>For <b>Providing Training to Presiding Officers and Poll Clerks, per session</b> (suggested ratio 1 trainer per 20/25 staff)</p> <p>Where a training session is undertaken by a person other than the Returning Officer, the fee shall be payable to that person accordingly</p>	£167:00
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## **PART 2 - DISBURSEMENTS**

<ul style="list-style-type: none"> <li>• for use and fitting up of a building for polling or constructing a polling station with its fittings and compartments }</li> <li>• for the hire of a venue for postal vote processing or the count, where a commercial rate is payable and recoverable in accordance with the current Parliamentary Election Guidance Notes }</li> <li>• for each ballot box required to be purchased }</li> <li>• for the use of each ballot box when hired }</li> <li>• for stationery, postages, telephone }</li> <li>• for printing and providing poll cards }</li> <li>• for printing and providing ballot papers }</li> <li>• for each stamping instrument }</li> <li>• for copies of the register of electors }</li> <li>• for printing and providing notices, nomination forms and other documents required in and about the election and cost of publishing same }</li> </ul>	Actual and necessary cost
<b>PRESIDING OFFICER</b> – for each Presiding Officer	£240.00
For the Presiding Officer where more than one election is held on the same day:	The fee for a Presiding Officer plus £25.00

<b>POLL CLERK</b> - for each Poll Clerk	£150.00
For each Poll Clerk employed for part only of the period of the poll:	The hours worked to be paid at the Poll Clerk's hourly rate, plus up to 25% of that total at the discretion of the Returning Officer
For the Poll Clerk where more than one election is held on the same day:	The fee for a Poll Clerk plus £15.00
<b>COUNTING ASSISTANT</b> - for each Counting Assistant	£14:00 per hour for a daytime count £17:00 per hour for a night time, weekend or bank holiday count (A night time count is a count that starts once polling closes and runs through the night)
<b>COUNTING SUPERVISOR</b> - for each Counting Supervisor	The fee for a Counting Assistant plus £60:00
<b>SENIOR SUPERVISOR</b> - for each Senior Supervisor (number and duties to be determined locally)	The fee for a Counting Supervisor plus £50:00
<b>COUNT MANAGER</b> – for each Count Manager (number and duties to be determined locally)	The fee for a Senior Supervisor plus £100:00

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<p>For each <b>DEPUTY RETURNING OFFICER</b> appointed to conduct the count in the absence of the Returning officer(<i>where for example two counts are being conduct simultaneously but in geographically different locations warranting the DRO taking full responsibility for a Count</i>)</p>	<p>£77.00 for each electoral area, except that where the count for more than one electoral area is conducted by the same DRO, a further £61.00 be paid for the second electoral area and thereafter at the rate of £36.00 for each electoral area. The fee shall be increased by 60% in any electoral area where the number of electors exceeds 5000.</p>
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<p>For <b>Returning Officer's travelling expenses</b> where necessary to make arrangements for the poll and for the conveyance of ballot boxes and papers etc to and from the polling place:</p> <p>For <b>Presiding Officers, Poll Clerks and Counting staff travelling expenses</b> including collection of the ballot box and delivery to place of count:</p>	<p>} Second class railway or bus fare }or, where not available, sums actually          } and necessarily incurred. For private          } cars (to be shared wherever practicable)          } the current AMAP (HM Revenue and Customs) rate          }          }</p>
<p>For <b>clerical and other assistance</b> not specifically mentioned in this scale, including the employment of persons in connection with the <b>preparation and issue of official poll cards</b>, including charges for employers' share of national insurance and superannuation contributions where payable</p>	<p>£51.00 per electoral area plus, in contested elections, £35.00 for each 500 electors or part thereof. (<b>NOTE:</b> This is a maximum allowance and it is not an entitlement)</p>
<p>For the remuneration of persons employed for the <b>despatch and receipt of ballot papers of persons entitled to vote by post</b> (in each electoral area)</p>	<p>Actual and necessary cost</p>
<p>Expenses in connection with the provision of <b>security measures</b></p>	<p>Actual and necessary cost</p>
<p>Expenses in connection with the hire of <b>mobile telephones</b></p>	<p>Actual and necessary cost</p>
<p><b>Polling Station Inspectors</b> (suggested ratio – 1 Inspector per 15 stations)</p> <p>At the discretion of the Returning Officer, an appropriate payment may be made for a second team of polling stations inspectors, to assist with the collection of postal votes therefrom.</p>	<p>The fee for a Presiding Officer</p>
<p>For each <b>Presiding Officer and Poll Clerk who attends a training session</b></p>	<p>£40.00</p>

**PART 3 - COUNTY COUNCIL ELECTIONS**

In respect of Hampshire County Council Elections:

1. The County Returning Officer shall not receive a fee. No fees for election duties are included in Hampshire County Council Chief Officer salaries, nor are any additional fees payable for such responsibilities.
2. Deputy County Returning Officers (Local Returning Officers) shall receive the Returning Officer fee payable for District Elections set out in Part 1 of this Order net of superannuation
3. Deputy County Returning Officers (Local Returning Officers) shall receive the amount payable for District Elections set out in Part 1 of this Order in respect of postal voting and training
4. In respect of Disbursements(Part 2), the Deputy County Returning Officers (Local Returning Officers) shall receive the amounts set out in Part 2 of this Order payable for District Elections
5. The terms of this order shall be construed accordingly eg 'each electoral area' shall be taken to mean each County Electoral Division (as opposed to Ward)

**NOTES:**

1. "Electoral area" means any district, ward or parish council for which a separate election is held.
2. The fees prescribed for Presiding Officers and Poll Clerks are for the hours of poll from 7am to 10pm. In the event of an election or poll for a non-principal area where the hours of poll are fewer in number, the fees payable to Presiding Officers and Poll Clerks shall be at the discretion of the Returning Officer.
3. With regard to Business Improvement Districts (BIDs), each BID area shall be treated as one electoral area and this schedule shall be used as the basis for calculating both the Ballot Holder's fee and the clerical support fees.
4. With regard to other electoral activities and events where there is not a fees and charges order set by Government (this includes but is not limited to business and residential neighbourhood planning referendums, council tax referendums and local polls) this schedule shall be used as the basis for calculating the fees and charges.
5. By law, all expenditure properly incurred by a returning officer in relation to the holding of an election of a councillor for a principal area must be paid by that council in so far as such expenditure does not, in cases where there is a scale fixed for the purpose by the council for that area, exceed that scale.

***Printed and Published by Mark Heath, Chairman of the Hampshire and Isle of Wight Election  
Fees Working Party***

February 2018

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## GENERAL PURPOSES AND LICENSING COMMITTEE – 9 MARCH 2018

### PAY 2018 - UPDATE

#### 1. INTRODUCTION

- 1.1 The purpose of this report is to provide a basis for the Council to consider its' local pay arrangements.

#### 2. BACKGROUND

- 2.1 NFDC moved to local pay scale and structure in April 1990, the structure over this time has been modified to take account of the local market and the pay scales have been regularly reviewed and amended accordingly.
- 2.2 Last year the Council implemented a two phase approach to bands 1-4. The first phase was focussed at employees on the lowest pay to improve their terms and conditions. This included introducing a lowest hourly rate of £8.
- 2.3 The second phase will take effect from 1 April 2018. This would mean having three spine points within each band.
- 2.4 The December Medium Term Financial Plan (MTFP) position was based on an assumed 1% pay award for 2018.

#### 3. PROPOSED CHANGES

- 3.1 It is proposed that spine column point (scp) 11 is deleted from the bottom of band 1 from April 2018. Currently everyone in band 1 is on scp 11 due to the changes in July 2017 but due to the normal increment process would progress to scp 12 from April 2018.
- 3.2 Spine column point 12 would have an hourly rate of £8.50.
- 3.3 All other spine points would remain as they are with a 2% cost of living rise applied.
- 3.4 Once any national agreement is reached, the Council would be able to further review this pay award in the light of the national agreement.
- 3.5 A copy of the suggested pay scales for the local pay deal from April 2018 is attached as **Appendix 1** for information.

#### 4. FINANCIAL IMPLICATIONS

- 4.1 The cost of implementing the proposed changes for 2018 would be £245,000.

#### 5. ENVIRONMENTAL, CRIME & DISORDER & EQUALITY & DIVERSITY IMPLICATIONS

5.1 There are none.

## **6. EMPLOYEE SIDE COMMENTS**

6.1 Employee Side (unison) note the contents of the report.

6.2 Employee Side support the second phase of the approach to pay bands 1-4 as agreed by the Employee Engagement Panel and General Purposes & Licensing Committee in June 2017. The intention to offer a cost of living rise to employees effective from 1 April 2018, in lieu of the ongoing discussion over the national pay offer is also supported.

## **7. EMPLOYEE ENGAGEMENT PANEL COMMENTS**

7.1 The Panel met on 15 February 2018 and were happy to support the proposal. They also agreed that further negotiation would be entered into, subsequent to any national pay agreement being reached.

## **8. RECOMMENDATIONS**

8.1 That the Committee recommends to the Council that the proposed changes to the local pay arrangements, as set out in Appendix 1, be implemented from 1 April 2018.

### **For Further Information:**

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Service Manager Human Resources  
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### **Background Papers**

Published documents

## New Forest District Council - 1st April 2018

Leave Days		Hourly Rate	SCP	BAND 1	BAND 2	BAND 3	BAND 4	BAND 5	BAND 6	BAND 7	BAND 8	BAND 9	BAND 10	BAND 11	Chief Exec (CX)
27	£115,807	£60.0257	CX3												£115,807
27	£112,333	£58.2250	CX2												£112,333
27	£108,963	£56.4783	CX1												£108,963
27	£103,086	£53.4321	81												
27	£100,088	£51.8781	80												
27	£97,172	£50.3667	79												
27	£94,342	£48.8998	78												
27	£91,596	£47.4765	77												
27	£88,914	£46.0864	76												
27	£86,336	£44.7501	75												
27	£83,868	£43.4709	74												
27	£81,480	£42.2331	73												
27	£79,157	£41.0291	72											£79,157	
27	£76,899	£39.8587	71											£76,899	
27	£74,725	£38.7318	70											£74,725	
27	£72,625	£37.6434	69												
27	£70,600	£36.5938	68												
27	£68,644	£35.5799	67												
27	£66,773	£34.6101	66												
27	£64,967	£33.6740	65												
27	£63,236	£32.7768	64												
27	£61,581	£31.9190	63										£61,581		
27	£59,995	£31.0969	62										£59,995		
27	£58,430	£30.2857	61										£58,430		
27	£57,191	£29.6435	60										£57,191		
27	£56,036	£29.0449	59										£56,036		
27	£54,884	£28.4478	58										£54,884		
27	£53,741	£27.8553	57												
27	£52,804	£27.3696	56												
27	£51,847	£26.8736	55												
27	£50,898	£26.3817	54												
27	£49,958	£25.8945	53												
27	£48,997	£25.3964	52												
27	£48,052	£24.9066	51												
27	£46,929	£24.3245	50												
27	£46,159	£23.9254	49									£46,159			
27	£45,223	£23.4402	48									£45,223			
27	£44,280	£22.9514	47									£44,280			
27	£43,316	£22.4518	46									£43,316			
27	£42,340	£21.9459	45	Politically Restricted Above Point 43								£42,340			
27	£41,331	£21.4229	44									£41,331			
27	£40,017	£20.7418	43												
26	£39,457	£20.4516	42								£39,457				
26	£38,472	£19.9410	41								£38,472				
26	£37,514	£19.4444	40								£37,514				
26	£36,534	£18.9365	39								£36,534				
26	£35,590	£18.4472	38								£35,590				
26	£34,467	£17.8651	37							£34,467					
26	£33,472	£17.3494	36							£33,472					
26	£32,535	£16.8637	35							£32,535					
26	£31,684	£16.4226	34							£31,684					
26	£31,044	£16.0909	33						£31,044	£31,044					
26	£30,173	£15.6394	32						£30,173						
26	£29,297	£15.1854	31						£29,297						
25	£28,458	£14.7505	30						£28,458						
25	£27,571	£14.2907	29						£27,571						
25	£26,669	£13.8232	28						£26,669						
24	£25,644	£13.2919	27					£25,644							
24	£24,812	£12.8607	26					£24,812							
24	£24,022	£12.4512	25					£24,022							
23	£23,257	£12.0547	24					£23,257							
23	£22,546	£11.6862	23					£22,546							
23	£21,827	£11.3135	22				£21,827								
23	£21,188	£10.9823	21				£21,188								
22	£20,568	£10.6609	20				£20,568								
22	£19,967	£10.3494	19			£19,967									
22	£19,382	£10.0462	18			£19,382									
22	£18,815	£9.7523	17			£18,815									
22	£18,264	£9.4667	16		£18,264										
22	£17,730	£9.1899	15		£17,730										
22	£17,210	£8.9204	14		£17,210										
22	£16,707	£8.6597	13	£16,707											
22	£16,399	£8.5000	12	£16,399											
Employee Notice Period			One Month							Two Months			Three Months		

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## GENERAL PURPOSES AND LICENSING COMMITTEE – 9 MARCH 2018

### STATUTORY FINANCIAL OFFICER ROLE WITHIN MANAGEMENT STRUCTURE

#### 1. INTRODUCTION

- 1.1 This report reviews the role of the Statutory Financial Officer (s151) within the Council's management structure and proposes some changes.

#### 2. BACKGROUND

- 2.1 Section 151 of the Local Government Act 1972 requires every Council "to make arrangements for the proper administration of their finance affairs and shall secure that one of their officers has responsibility for the administration of those affairs." Legal opinion states that the term administration means responsibility for managing the totality of the financial affairs of the local Council in managing all of its dealings. This includes direct access to both senior managers and members.
- 2.2 Following the senior management restructuring in 2015/16, the Statutory Financial Officer (s151) role was undertaken by the Accountancy and Audit Service Manager, reporting to the Executive Head of Governance and Regulation.
- 2.3 A change was made in October 2017 following changes within the Executive Management Team with the Service Manager role reporting directly to the Chief Executive. The changes also included regular access to Executive Management Team meetings. The role is within the Portfolio of Finance and Efficiency cabinet member. Following the recent Cabinet changes, the Service Manager for Accountancy and Audit now reports directly to the Cabinet Portfolio Holder.
- 2.4 The financial areas of Accountancy and Audit (17 FTE's) currently come within the direct responsibility of the s151 officer. The area of Council Tax and Business Rates collection, together with Benefits (52 FTE's) is a significant area of the Council's financial affairs which currently is not within the direct management of the s151 officer and for which he has no direct responsibility. The recent introduction of Universal Credit which replaces some existing benefits with a financial payments system will through the transition generate additional workload for the Benefits manager and in the long term increase the Council's overall level of financial responsibility e.g. council housing tenant rent collection. The importance of Business Rates as a significant funding source to the Council will also become ever more prominent as Local Government moves towards increases in Business Rate Retention, and the potential opportunities offered by Business Rate Pools.
- 2.5 Currently the Housing and Community Service Manager in addition to the revenues and benefits function has taken on responsibility for housing tenancy management, homelessness and council housing allocations (FTE 84). This is a very broad responsibility and made more difficult at this time with the introduction of Universal Credit and ongoing demands on finding homes for people in need together with new legislation (Homelessness Reduction Act) requiring implementation during 2018.

- 2.6 The recent Corporate Peer Review commented upon the role and the positioning of the s151 Officer within the Management Structure and the need for the Council to make appropriate arrangements.

### **3. PROPOSED STRUCTURE CHANGES**

- 3.1 It is proposed that the current Accountancy and Audit Service Manager role be titled Head of Financial Services and include s151 responsibilities.
- 3.2 To enable the Head of Financial Services to be responsible for all the Council's financial affairs, it is also proposed that council tax and business rates collection and benefits come within the responsibility of the s151 Officer.
- 3.3 To facilitate the above change, it is proposed that the existing Housing and Community Service Manager will in future be responsible for Revenues, Council Tax and Business Rates Collection, Housing Benefits and oversee the transition to Universal Credit as Service Manager for Revenue and Benefits reporting directly to the Council's s151 Officer, who will continue to report directly to the Chief Executive.
- 3.4 Subject to the Committees agreement, it is proposed that the implementation of these changes will take effect from 1<sup>st</sup> February 2018.

### **4. PAY STRUCTURE IMPLICATIONS**

- 4.1 A new pay band to reflect the duties and responsibilities of the Head of Financial Services or equivalent will be created.
- 4.2 An external Pay consultant has been commissioned to ensure the correct pay is aligned to reflect the scope of the role. Their recommendation is:
- 4.2.1 The median market rate at this position is currently around £64,000 (which broadly equates to spinal column point 65 – with a suitable range being 64 to 66 with access to 2 further points for exceptional performance. See **Appendix 1**.

### **5. FINANCIAL IMPLICATIONS**

- 5.1 The financial cost will be in the region of £10,000 and will be managed within existing budgets.

### **6. EMPLOYEE SIDE COMMENTS**

- 6.1 The Employee Side note the contents of the report.

### **7. EXECUTIVE MANAGEMENT TEAM COMMENTS**

- 7.1 Executive Management Team agree that the changes proposed set out in section 3 of the report be progressed.

## **8. EMPLOYEE ENGAGEMENT PANEL COMMENTS**

- 8.1 The Employee Engagement Panel noted the contents of the report and agreed that the changes should be progressed.

## **9. RECOMMENDATIONS**

- 9.1 That the Committee agree to the creation of a new band within the Council's existing salary structure; and
- 9.2 That the Committee support the changes to the role of the Statutory Financial Officer.

### **For further information contact:**

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Or

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### **Background Papers:**

None

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## New Forest District Council - 1st February 2018

Leave Days	Salary	Hourly Rate	SCP	BAND 1	BAND 2	BAND 3	BAND 4	BAND 5	BAND 6	BAND 7	BAND 8	BAND 9	BAND 10	BAND 10A	BAND 11	Chief Exec (CX)
27	£113,536	£58.8486	CX3													£113,536
27	£110,130	£57.0831	CX2													£110,130
27	£106,826	£55.3706	CX1													£106,826
27	£101,065	£52.3845	81													
27	£98,125	£50.8607	80													
27	£95,267	£49.3793	79													
27	£92,492	£47.9409	78													
27	£89,800	£46.5456	77													
27	£87,171	£45.1829	76													
27	£84,643	£43.8726	75													
27	£82,224	£42.6188	74													
27	£79,882	£41.4048	73													
27	£77,605	£40.2246	72												£77,605	
27	£75,391	£39.0770	71												£75,391	
27	£73,260	£37.9725	70												£73,260	
27	£71,201	£36.9053	69													
27	£69,216	£35.8764	68													
27	£67,298	£34.8822	67													
27	£65,464	£33.9316	66											£65,464		
27	£63,693	£33.0137	65											£63,693		
27	£61,996	£32.1341	64											£61,996		
27	£60,374	£31.2934	63										£60,374			
27	£58,819	£30.4874	62										£58,819			
27	£57,284	£29.6917	61										£57,284			
27	£56,070	£29.0625	60										£56,070			
27	£54,937	£28.4752	59										£54,937			
27	£53,808	£27.8900	58										£53,808			
27	£52,687	£27.3090	57													
27	£51,769	£26.8332	56													
27	£50,830	£26.3465	55													
27	£49,900	£25.8644	54													
27	£48,978	£25.3865	53													
27	£48,036	£24.8983	52													
27	£47,110	£24.4183	51													
27	£46,009	£23.8476	50													
27	£45,254	£23.4563	49									£45,254				
27	£44,336	£22.9805	48									£44,336				
27	£43,412	£22.5015	47									£43,412				
27	£42,467	£22.0117	46									£42,467				
27	£41,510	£21.5157	45	Politically Restricted Above Point 43								£41,510				
27	£40,521	£21.0031	44									£40,521				
27	£39,232	£20.3349	43													
26	£38,683	£20.0504	42								£38,683					
26	£37,718	£19.5502	41								£37,718					
26	£36,778	£19.0630	40								£36,778					
26	£35,818	£18.5654	39								£35,818					
26	£34,892	£18.0854	38								£34,892					
26	£33,791	£17.5147	37							£33,791						
26	£32,816	£17.0094	36							£32,816						
26	£31,897	£16.5330	35							£31,897						
26	£31,063	£16.1007	34							£31,063						
26	£30,435	£15.7752	33						£30,435	£30,435						
26	£29,581	£15.3326	32						£29,581							
26	£28,723	£14.8879	31						£28,723							
25	£27,900	£14.4613	30						£27,900							
25	£27,030	£14.0103	29						£27,030							
25	£26,146	£13.5521	28						£26,146							
24	£25,141	£13.0312	27					£25,141								
24	£24,325	£12.6083	26					£24,325								
24	£23,551	£12.2071	25					£23,551								
23	£22,801	£11.8183	24					£22,801								
23	£22,104	£11.4571	23					£22,104								
23	£21,399	£11.0916	22				£21,399									
23	£20,773	£10.7670	21				£20,773									
22	£20,165	£10.4519	20				£20,165									
22	£19,575	£10.1460	19			£19,575	£19,575									
22	£19,002	£9.8490	18			£19,002										
22	£18,446	£9.5608	17			£18,446										
22	£17,906	£9.2809	16			£17,906										
22	£17,382	£9.0093	15		£17,382											
22	£16,873	£8.7456	14		£16,873											
22	£16,379	£8.4897	13	£16,379	£16,379											
22	£15,900	£8.2412	12	£15,900												
22	£15,434	£8.0000	11	£15,434												
Employee Notice Period				One Month						Two Months			Three Months			

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## **GENERAL PURPOSES AND LICENSING COMMITTEE – 9 MARCH 2018**

### **REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING POLICY**

#### **1. INTRODUCTION**

- 1.1 The purpose of this report is to provide additional information on the review of the Private Hire and Hackney Carriage Licensing Policy (Taxi Policy) for New Forest District Council.

#### **2. BACKGROUND**

- 2.1 The Taxi Policy was last reviewed in 2012 and is currently being revised to ensure it is current and fit for purpose.
- 2.2 The new policy will reflect changes in technology, social climate and vehicle specifications and will give a clear framework for the licensing of drivers, vehicles and operators.
- 2.3 The legislation which governs taxis and private hire trade is outdated and has not kept pace with technology. This increases the importance of a policy which provides clear standards for applicants and licence holders and provides a guide for officers and Members of the Council in any decision making process.

#### **3. PROPOSED TIMETABLE**

- 3.1 The timetable for implementation of the new policy was approved by Members at the General Purposes and Licensing Committee on 12 January 2018.
- 3.2 The draft policy is currently being reviewed by legal services prior to publishing the document for consultation from 1 April 2018.
- 3.3 An overview of the key changes to the licensing policy for Members to consider prior to commencing the public consultation are set out in Appendix 1. These include enhanced safeguarding provision, simplifying of language, new and varied conditions and a general updating of the policy.
- 3.4 All Members will be able to view the draft policy and submit comments during the consultation process between 1 April 2018 and 31 June 2018.

#### **4. CONCLUSION**

- 4.1 The General Purposes and Licensing Committee will consider the consultation responses on 7 September 2018 and any relevant amendments will be made to the licensing policy.
- 4.2 The final policy will be submitted to General Purposes and Licensing Committee in November and adopted by Full Council in December.

#### **5. FINANCIAL IMPLICATIONS**

- 5.1 Any costs associated with this review will be met by taxi licensing income.

**6. CRIME AND DISORDER IMPLICATIONS**

- 6.1 The policy will address the approach taken by the Council to tackle crime and disorder in the District.

**7. ENVIRONMENTAL/ EQUALITY AND DIVERSITY IMPLICATIONS**

- 7.1 The policy will address the approach taken by the Council to address environment and equality and diversity implications.

**8. RECOMMENDATION**

- 8.1 That the Committee notes the content of the key changes to the taxi policy as set out in Appendix 1; and approve the issue of the draft taxi policy for consultation.

**For further information contact:**

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**Background Papers:**

None



## Key Changes to New Forest District Council Taxi Policy 2018

Reference	Addition/change/replacement wording
<b>Drivers</b>	
Appendix C	<p><b>Clear definition to confirm that a medical certificate must be received from drivers before a renewal is considered. This ensures the Council receive a positive medical clearance for all applicants/drivers that are licensed by NFDC.</b></p> <p><i>No licence shall be issued until medical clearance (if required) has been established, this includes renewal applications.</i></p>
Appendix C 4.26	<p><b>Display of exemptions to provide clear sight for passengers where the driver is exempt from certain responsibilities.</b></p> <p><b><i>Exemption Certificates</i></b>  <i>The notice of exemption must be displayed in the internal plate pouch where it is visible to passengers in each vehicle the exempted driver is driving.</i></p>
Appendix G	<p><b>Code of conduct - New Appendix to address professional responsibilities for licence holders and to confirm the expectations of the Licensing Authority. This will promote and maintain good standards of the trade.</b></p>
4.2.1	<p><b>Addition of cautions that are required to be disclosed.</b></p> <p><i>Applicants are expected to act with honesty and integrity throughout the application process. There is an expectation that the information requested, for example previous convictions and cautions, will be fully and accurately disclosed. Applicants are required to disclose <b>all</b> convictions and cautions including those that would normally be considered spent as both hackney carriage and private hire drivers are included as exceptions within the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.</i></p>
4.2.6	<p><b>Explanation of what applicants can expect from a NFDC driver knowledge test which will assist with preparation and research prior to the test.</b></p> <p><i>Applicants for a new licence are required to pass the Council's driver knowledge test. This test will ensure that the applicant has sufficient knowledge in relation to:</i></p> <ul style="list-style-type: none"> <li><i>• a basic level of English language;</i></li> <li><i>• child/adult safeguarding awareness;</i></li> <li><i>• Highway Code;</i></li> </ul>

	<ul style="list-style-type: none"> <li>• <i>taxi and private hire law;</i></li> <li>• <i>Geographic knowledge of the New Forest District. The test will include questions on the unique road traffic issues in the New Forest i.e. animals and their safety.</i></li> </ul>
4.2.6	<p><b>The number of failed tests permitted has been raised to four, as it is recognised that some applicants do have problems passing the test for a variety of reasons. However, once passed we will limit the length of time that applicants can wait to apply, to keep the momentum of the application and ensure that files are not kept for a long period.</b></p> <p><i>If an applicant fails four successive knowledge tests, their application will be rejected and a period of 12 months must elapse before a new application is submitted. Four attempts and failures will be an indication that the applicant is not committed to the application.</i></p> <p><i>The file will be closed for four months after the date of the last driver knowledge test, (whether a negative or positive result) if no communication or application has been received by Licensing Services.</i></p>
4.2.7	<p><b>Enhanced safeguarding requirements to promote awareness of this subject and the challenges that can be faced by the trade.</b></p> <p><i>It is a requirement that all applicants undertake and pass the safeguarding test module before an application can be considered.</i></p> <p><i>Existing drivers may be required to undertake safeguarding training or awareness sessions from time to time during the currency of their licence.</i></p>
4.2.9	<p><b>Applicants should apply in a timely manner when renewal letters are issued in order to allow sufficient time for drivers to obtain the DBS and a medical if required.</b></p> <p><i>If a driver has allowed his/her driver licence to expire for a period of more than two months, the application will be treated as a new application and the applicant will be required to pass the driver knowledge test in addition to submitting the other requisite documents.</i></p>
Appendix F	<b>Dress code - New Appendix to promote a professional image for the trade in the New Forest District, particularly as this is a tourist destination.</b>
Appendix H	<b>Code of Conduct when working with vulnerable passengers- New Appendix to assist in setting and maintaining standards</b>

	within the trade.
<b>Vehicles</b>	
Appendix I 5.1.4	<p><b>Additional provision to address a poor quality vehicle presented for the test. Fewer failed vehicles allows for more vehicle test appointments for driver/proprietors and therefore a shorter waiting period for appointments. This also assists with the quality of vehicles in the fleet and ensures that unsuitable vehicles are not being used.</b></p> <p><i>Vehicles that are eight years and older must undertake an additional test six months after the licence grant date. Should the vehicle fail the six monthly test, the Council's vehicle examiner will issue a notice to suspend the licence until the fault(s) has been rectified and the vehicle re-tested successfully.</i></p>
Appendix M	<p><b>This ensures that journeys in a private hire vehicles not being carried out under the terms of the executive contract on which the exemption is granted and have plates displayed as per licence conditions.</b></p> <p><i>Once exempted, the licensed vehicle may <b>only</b> convey passengers under the type of contracts outlined above. Should the operator wish to cease using the vehicle exclusively for such work, the exemption may be cancelled.</i></p>
5.1.5	<p><b>The additional front plate makes NFDC vehicles more visible to the public and officers. This has safeguarding and compliance advantages.</b></p> <p><b>Signage</b>  <i>All NFDC licensed vehicles are required to display plates on both the front and rear of the vehicle. Full size plates on the rear and half size plates on the front of each vehicle. This is a key feature in helping the public to identify vehicles that are properly licensed, particularly when carrying passengers outside the District.</i></p>
5.1.5	<p><b>The door sticker further identifies a licensed vehicle to the public. It confirms that the vehicle may not be hailed or flagged down, and that all journeys must be booked through a licensed operator. This has safeguarding and compliance advantages.</b></p> <p><b>Private Hire</b>  <i>Private hire vehicles (unless benefitting from an exemption to displaying signage) must display the Council supplied signage on both the front doors of each private hire vehicle.</i></p>
5.1.6 Appendix K	<b>Calibrated and sealed taxi-meters must be fitted in hackney carriages and that at this time GPS/phone devices are not</b>

	<p><b>acceptable alternative, as they may be altered.</b></p> <p><i>It is the view of the Council that at the time of writing, GPS devices are not considered to be a suitable replacement for taxi meters, but NFDC has no objection to them being used alongside conventional taxi meters.</i></p>
5.1.8	<p><b>There are varying vehicle standards required by Councils across the UK. Vehicles that are licensed by different authorities may compromise NFDC standards and this can cause issues when vehicles are presented for testing. In addition many authorities insist on door stickers for private hire vehicles and these are not readily removed without leaving damage.</b></p> <p><i>Vehicle licences will only be issued on the condition that the vehicle to which it relates is not licensed by another Council as either a hackney carriage or private hire vehicle.</i></p>
5.1.9	<p><b>Removal of requirement for WAV drivers to receive training in wheel chair handling. Due to the low number of drivers requiring this course the provider is unable to run sufficient courses, therefore it is not feasible to ask drivers to undertake the training as there may be an unacceptable wait for places.</b></p> <p><i>Drivers of wheelchair accessible vehicles must undertake and pass a training course specified by the Council.</i></p>
5.2	<p><b>In order to be fair, it is important that any upward change in tariff is supported by the majority of the trade as they will be most affected by the change. Any review of fares is complex and involves consultation with a number of organisations.</b></p> <p><i>The Licensing Authority's Table of Fares will be reviewed when a request for a review is received and is supported by more than 50% of Proprietors.</i></p> <p><i>Any review of fares will be subject to public consultation, as required by the relevant legislation and will be approved by the Council's General Purposes &amp; Licensing Committee.</i></p> <p><i>The review of fares will take into account feedback from the public, trade and other bodies, review of motoring costs such as fuel prices, licensing fees, and a comparison with fares set by other Local Authorities.</i></p>
Appendix I Re-wording	<p><b>Wording to bring the policy in line with current developments in manufacturers specifications</b></p> <p><i>Spare Wheel – The proprietor shall ensure that the vehicle is</i></p>

	<p><i>equipped with:</i></p> <p>a) a legal spare wheel or 'space saver' tyre, or b) a serviceable emergency tyre inflation kit in accordance with the manufacturer's specification for that vehicle.</p>
Appendix J	<p><b>Wording of conditions modernised, clear and meaningful, addresses compliance requirements. This will assist proprietors, drivers and officers.</b></p> <p><i>Revised private hire vehicle licence conditions.</i></p>
Appendix K	<p><b>Wording of conditions modernised, clear and meaningful, addresses compliance requirements. This will assist proprietors, drivers and officers</b></p> <p><i>Revised hackney carriage vehicle licence conditions.</i></p>
Appendix I Re-wording	<p><b>Additional specifications to address issues that have been raised during the currency of the previous policy. This provided a clear defined requirement for the trade, officers and testing facility.</b></p> <p><i>Windows – should operate to specification. Windscreens should not be cracked, starred, or have any visual deformity, so as to impair driver vision.</i></p>
7.2.2	<p><b>Provides a clear framework for the trade and officers when dealing with transgressions.</b></p> <p><i>Warnings</i> <i>These may be issued for minor infringements. A warning letter will remain on file for a period of three years and will be referred to in the event that the licence holder is brought before the Sub-Committee for any other reason.</i></p> <p>Should three warnings be issued to any driver or vehicle proprietor the licence holder will be asked to appear before a Member of the Licensing Sub-Committee to explain their actions and pattern of behaviour.</p>
Appendix I	<p><b>This promotes a clear guide on these vehicles guidelines and safety of the public and leaves no doubt for proprietors or passengers.</b></p> <p><i>Insurance write offs</i> <i>For reasons of public safety this Council will not licence or re-licence any vehicle that has been written-off by an insurance company regardless of the category of write-off.</i></p>

Appendix I	<p><b>This provision will help the clean air policy and enhance the quality of the fleet i.e. younger vehicles, less emissions.</b></p> <p><i>Vehicles will not generally be licensed beyond 12 years of age.</i></p>
5.3	<p><b>New addition to ensure that accidents are reported and dealt with in a consistent and timely manner.</b></p> <p><i>The driver/proprietor of a licensed vehicle shall report the accident to Licensing Services as soon as is reasonably practicable and in any case within 72 hours of any occurrence or accident which causes any of the following:</i></p> <ul style="list-style-type: none"> <li><i>• damage materially affecting the safety, performance or appearance of the vehicle;</i></li> <li><i>• damage affecting the comfort or convenience of persons using the vehicle;</i></li> <li><i>• damage rendering the vehicle in contravention of the licensed vehicle guidelines.</i></li> </ul> <p><i>Following appropriate repairs, the vehicle must undergo and pass a mechanical inspection before it may be allowed to be used as a licensed vehicle.</i></p>
<b>Operators</b>	
Appendix O	<p><b>Amended operator licence conditions to highlight record keeping and communication with the authority</b></p>
Appendix E	<p><b>Amendment to address lost property and operator's responsibility.</b></p> <p><i>The Licensee shall immediately after the termination of any hiring of a licensed vehicle, or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left there; and</i></p> <p><i>Any property accidentally left in a licensed vehicle must, (within 48 hours) be handed in to the private hire operator if the journey is booked through an operator, or handed in at a Police Station.</i></p>
6.2.4	<p><b>Addition to policy to provide confirmation with reference to premises addresses.</b></p> <p><i>The Council will specify in the licence the address from which the operator may operate.</i></p> <p><i>The Authority will not grant an operator's licence for an operator with an operating base that is outside the New Forest District Council area. This is to ensure that proper regulation and enforcement</i></p>

	<p><i>measures may be taken by the Authority and is in no way intended to be a restraint of trade.</i></p> <p><i>Applicants must ensure that the property that they intend to operate from has the correct planning permission to enable the business to operate from. During the application process the planning authority will be consulted to ascertain that the business may operate from there. In the first instance applicants are expected to contact the planning authority to ensure that their business will/can comply.</i></p> <p><i>The operator shall, within seven days, notify the Council, in writing of any change of address. Any new address will be the subject of a consultation with the planning authority and licence holders must ensure that the new address has the correct planning permission to allow the business to operate from there.</i></p>
6.2.5	<p><b>This removes ambiguity and also involves the planning authority in the process for an operator's premises. It will also alleviate issues from neighbours and ensures the premises are fit for the purpose of running the business.</b></p> <p><b><i>Transfer of licence</i></b>  <i>The licence is not transferrable to another person nor does authorise the licence holder(s) to operate from any address other than that specified on the licence.</i></p> <p><i>Should an operator wish to re-locate to a new premises, a new operator application must be made and the planning authority consulted.</i></p>
6.3	<p><b>Operators should ensure that vehicles that are road-worthy and meet the conditions at all times. Vehicles that are presented for tests must also be capable of a positive test. This should result in less failed vehicle tests.</b></p> <p><i>Licensed operators must ensure that all vehicles linked to the business are maintained and road-worthy at all times. It is expected that vehicles presented for tests have been given a visual check by the driver or operator prior to the test, to prevent test failures. Customers have a right to be carried in vehicles that are clean and well maintained and the operator who has taken the booking and despatched the vehicle must bear a level of responsibility for this.</i></p> <p><i>Operators will also be expected to ensure that drivers who fulfil journeys booked through the operator are courteous and professional at all times when carrying passengers. In addition professional behaviour is expected at all times whilst communicating with authorised officers (Licensing, Police or Council mechanics).</i></p>

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## GENERAL PURPOSES AND LICENSING COMMITTEE – 9 MARCH 2018

### **COSMETIC PIERCING AND SEMI-PERMANENT MAKEUP – PROPOSED CHANGES TO REGISTRATION FEES & BYELAWS**

#### **1. PURPOSE OF REPORT**

- 1.1 New Forest District Council operates a scheme of registration for premises and persons who undertake the processes of ear piercing, tattooing, acupuncture and electrolysis. A fee is charged for this registration and inspections are carried out to ensure that good standards are met.
- 1.2 The legislation has been amended since the original charging scheme was agreed to include a range of other forms of body piercing – collectively termed cosmetic piercing and semi-permanent skin-colouring. Although the legislation gives officers powers to register these additional activities, the Council currently cannot charge for this work, nor are there any byelaws in place with which to regulate such activities. As a result, they are currently entirely unregulated when undertaken in domestic premises, and the Council's powers are limited to those contained in the Health and Safety at Work etc. Act 1974 for commercial premises.
- 1.3 The Council has three separate sets of byelaws for tattooing, ear piercing and electrolysis, and acupuncture. New, updated and consolidated byelaws have been produced by the Department of Health which include the newer practices of semi – permanent skin-colouring and cosmetic piercing.
- 1.4 This report seeks the Committee's approval to extend the existing registration fees for premises and for practitioners, to include cosmetic piercing and semi-permanent skin-colouring.
- 1.5 Further, approval is sought to introduce new consolidated byelaws for the regulation of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis. These would replace the existing byelaws for ear piercing, electrolysis, acupuncture and tattooing which would be revoked.

#### **2. BACKGROUND - EXISTING ARRANGEMENTS**

- 2.1 New Forest District Council registers premises which carry out ear piercing, tattooing, acupuncture and electrolysis under the Local Government (Miscellaneous Provisions) Act 1982. Two fees are payable, one to register the premises, and one to register each person undertaking the procedure. Once an application has been made an inspection is carried out assessing the premises against the requirements in the published byelaws and existing health and safety legislation. Certificates of registration are issued following the inspection.
- 2.2 The registration process is an important mechanism to ensure that the Council is aware of, and can regulate skin piercing activities undertaken in the District. Inspections are carried out to check the cleanliness of premises, the structure and equipment, sterilisation arrangements, as well as the safe practices of operators.
- 2.3 Regulation 15 of the Local Government (Miscellaneous Provisions) Act 1982 was amended by the Local Government Act 2003. This had the effect of widening the treatments requiring registration to include cosmetic piercing which includes ear

piercing and cosmetic body piercing, as well as semi-permanent skin colouring, which includes micropigmentation, semi-permanent makeup and temporary tattooing.

- 2.4 A number of premises and practitioners in the District are now offering cosmetic piercing and semi-permanent makeup (25 are known of) and although these can already be registered under the existing Environmental Services Committee Minute (28 June 1984), there is no mechanism to charge for registration, and there are also no byelaws in place to regulate the activities undertaken.

### **3. PROPOSED BODY PIERCING REGISTRATION AND SETTING OF BYELAWS**

- 3.1 Section 15(6) of the Local Government (Miscellaneous Provisions) Act 1982 enables local authorities to charge reasonable registration fees for the registration of persons carrying on businesses of cosmetic piercing or semi-permanent skin-colouring. The fee can cover advising the business about registration, the initial inspection and any associated administration.
- 3.2 In respect of tattooing, electrolysis and acupuncture, the current fee for the registration of a premise is £135 and for the registration of a practitioner is £54. A lesser fee of £112 and £51 for premises and practitioner registration respectively is charged for ear piercers only.
- 3.3 It is proposed that a registration fee is also charged for cosmetic body piercing and semi-permanent skin colouring. The fee would be the same as that for tattooing, electrolysis and acupuncture (namely £135 for premises registration and £54 for a practitioner) as the regulation of such activities and the administrative work in issuing registrations are similar in both cases.
- 3.4 Section 15(7) of the Local Government (Miscellaneous Provisions) Act 1982 enables local authorities to make byelaws in relation to the cleanliness of premises and fittings, the cleanliness of operators and the cleansing and the sterilisation of instruments, materials and equipment. This ensures that these activities are regulated in all cases.
- 3.5 Byelaws are currently in place with respect to tattooing, ear piercing and electrolysis, and acupuncture only.
- 3.6 It is proposed that the model byelaws contained within the Department of Health guidance on Section 120 and Schedule 6 of the Local Government Act 2003 are adopted. These consolidated and updated byelaws would replace existing byelaws.

### **4. REGULATION**

- 4.1 Regulation of identified individuals and premises will be undertaken in the same manner to which enforcement of other registered premises under the Local Government (Miscellaneous Provisions) Act 1982 is currently undertaken.

### **5. COMPARISON OF PROPOSED FEES**

- 5.1 A comparison of fees and charges structures has been carried out with other local authorities both in Hampshire and in other surrounding Districts. A direct comparison is difficult as the means by which other Authorities charge differ, with some charging a combined fee, and others separate fees for a premises and practitioner as is the case at New Forest District Council. The overall average charge is £173 which is broadly comparable with the combined figure in the New Forest of £189. However, it should be

noted that unlike some other local authorities New Forest District Council charges a lesser amount of £163 for premises/persons undertaking ear piercing alone.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 The costs of implementing these provisions are estimated to be small and limited to officer time, and very small charges relating to the publication of proposed byelaws. Once implemented, the inspection and administrative functions of registration would be covered by payment of the fee.

## **7. ENVIRONMENTAL CRIME & DISORDER EQUALITY & DIVERSITY IMPLICATIONS**

- 7.1 None

## **8. CONCLUSION**

- 8.1 The process of registering skin piercing operations is important to ensure that standards of hygiene and cleanliness are maintained, and public health is safeguarded. Furthermore, registration helps to ensure that consumers can have the confidence that high standards are maintained and provides a level playing field for businesses.
- 8.2 Charging a fee for the process of registration of all types of skin piecing identified in the Local Government (Miscellaneous Provisions) Act 1982 will ensure that the registration of these processes is cost neutral.
- 8.3 Introduction of new consolidated byelaws will provide guidelines for inspections and a framework to ensure high standards are maintained for all types of skin piercing operations.

## **9. RECOMMENDATIONS**

- 9.1 That the following be recommended to the Council for approval: -
- a) That the charging of fees, as set out in paragraph 3.3 above, for the registration of premises, and of practitioners undertaking cosmetic piercing and semi-permanent makeup in line with the current fees charged for tattooing, electrolysis and acupuncture be approved;
  - b) That the proposed changes to the fees and charges, be effective from 1 May 2018; and
  - c) That the adoption of the single consolidated byelaws for the regulation of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis for New Forest District Council, and the revocation of the existing byelaws, as set out in paragraph 3.6 above, be approved.

### **For further information contact:**

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### **Background Papers:**

None

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