

**MINUTES OF A MEETING OF THE
LICENSING AND APPEALS COMMITTEE
HELD ON THURSDAY 21 JANUARY 2010 FROM 6.00PM TO 6.30 PM**

Present:- Pauline Helliard-Symons (Chairman), Andrew Bradley, Kay Gilder, Mike Gore, Kate Haines (arrived 6.20pm), Kirsten Miller, Claire Stretton and Bob Wyatt

Also present:-

*Julia O'Brien, Principal Environmental Health Officer
Madeleine Shopland, Senior Democratic Services Officer*

PART I

31. MINUTES

The Minutes of the meeting of the Committee held on 21 October 2009 were confirmed as a correct record and signed by the Chairman.

The Chairman asked if the Committee could be updated on Trading Standards and Food Licensing on a fairly regular basis. It was noted that there had been a significant response to the consultation on pet shop licensing conditions. The results of the consultation exercise would be reported to the next Committee meeting.

32. APOLOGIES

Apologies for absence were submitted from Councillors Chris Bowring, Gerald Cockroft, Barrie Patman, Sam Rahmouni, Malcolm Storry, and Pam Stubbs

33. DECLARATIONS OF INTEREST

There were no declarations of interest received.

34. PUBLIC QUESTION TIME

There were no public questions received.

35. MEMBER QUESTION TIME

There were no Member questions received.

36. TAXI LICENSING FEES

The Committee examined a report which suggested that a consultation exercise be undertaken, as required by the legislation, with a view to increasing the fees charged for the taxi/private hire licensing service. The Committee were reminded that in March 2008 it had been agreed that the taxi licensing reviews would be reviewed every two years as opposed to annually because the cost of the review is very significant in relation to the additional revenue generated. The current and the proposed fees were noted.

A Member questioned why a 0.25 administration fee was being added to the fee for CRB disclosures and medicals why this did not relate to new applicants. The Principal Environmental Health Officer commented that an administration fee had not previously been charged. However, processing CRB disclosures and medicals took considerable time. Medicals and CRB checks formed part of the application process and the overall application fee.

RESOLVED: That the proposal to consult with the existing drivers and operators, together with the public via a newspaper notice, with a view to increasing the fees for all categories

of service by the Taxi/Private Hire Licensing Service by the Consumer Price Index level as at November 2009 1.8%, be agreed.

37. HACKNEY CARRIAGE TARIFF REVIEW

The Committee examined a report which reviewed the Hackney Carriage Tariff. The report sets out the outcomes of initial consultation with existing drivers of Hackney Carriage Vehicles and some of the larger Operators. Practical suggestions on how these may be achieved had been provided by the Association of Taximeter Installers. The Committee noted that the Association of Taximeter suggested a change to the time per increment and that rate cards should state that double fare would be charged on 25th, 26th December and 1st January as opposed to Christmas Day, Boxing Day and New Year's Day. This would avoid confusion on the years that Boxing Day fell on a weekend and there was a Boxing Day Bank Holiday on the Monday. Members were pleased at the level of response from drivers.

RESOLVED: That:

- 1) the increase in flag distance and decrease in increment distance as per most drivers preference detailed in the Association of Taximeter Installers paper, Appendix III to the report be adopted.
- 2) in addition to option 1 that the time variation into the Tariff be adopted.
- 3) in addition to recommendation 1 add the additional suggestions into the Tariff.

38. HEARINGS UPDATE

Since the last meeting of the Committee two Street Trading Consent appeal hearings had taken place, both of which had been allowed. A school transport appeal had been withdrawn. Members were informed of forthcoming appeals.

RESOLVED: That the hearings update be noted.

39. SCHOOL TRANSPORT APPEAL HEARING PROCESS GUIDELINES

The Chair indicated that she had agreed to take this report as an urgent item. The Committee discussed the various proposed amendments to the School Transport Appeal Hearing Process Guidelines.

It was noted that it would be necessary to hold an additional meeting of the Committee to consider the Licensing Policy, a report on Taxis - Vehicle Age policy and a the response to the consultation concerning pet shop conditions. The Committee agreed that this meeting would be held on Thursday 8 April 2010 at 7pm.

The Committee were informed that there would be Berkshire wide training on 8 March in Maidenhead on amendments to the Licensing Act 2003 and the Gambling Act 2005. Members were asked if they would like to attend.

RESOLVED: That the proposed changes (highlighted in bold italics in Appendix A of the report) to the School Transport Appeal Hearing Process Guidelines be agreed subject to the following amendments:

- 1) Number 2 of the Hearing Process section – ‘The friend should not be a member of the school that home to school transport has been requested to’ now read ‘The friend should not work at the school that home to school transport has been requested
- 2) Number 3 of the Decision section to read ‘The decision will be sent to the appellant in writing within 5 working days of the hearing.

These are the Minutes of a meeting of the Licensing and Appeals Committee

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