

**MINUTES OF A MEETING OF THE
LICENSING AND APPEALS COMMITTEE
HELD ON MONDAY 11 MARCH 2013 FROM 7:00PM TO 7:25PM**

Present:- Barrie Patman (Chairman), Chris Bowring (Vice Chairman), Mike Haines, Philip Houldsworth, Abdul Loyes, Ken Miall, Sam Rahmouni, Malcolm Richards, Chris Singleton, Sue Smith and Wayne Smith.

Also present:

*Julia O'Brien, Principal Environmental Health Officer (Licensing)
Susan Coulter, Senior Democratic Services Officer.*

PART I

23. MINUTES

The Minutes of the meeting of the Committee held on 4 January 2013 were confirmed as a correct record and signed by the Chairman.

24. APOLOGIES

Apologies for absence were submitted from Mike Gore, Michael Firmager and Dee Tomlin.

25. DECLARATIONS OF INTEREST

No declarations of interest were submitted.

26. PUBLIC QUESTION TIME

There were no Public questions.

27. MEMBER QUESTION TIME

There were no Member questions.

28. SCHOOL TRANSPORT APPEALS HEARING PROCESS GUIDELINES REPORT

The Committee received a report, which was circulated under separate cover. The report clarified the School Transport Appeal Hearing Process Guidelines with regard to complaints.

RESOLVED That the proposed amendments, highlighted in bold in Appendix A to the report be agreed.

29. HEARINGS UPDATE

The Committee received an update on the outcome of Sub-Committees and Appeal Panels which had taken place since the previous Licensing and Appeals Committee meeting.

RESOLVED: That the report be noted.

30. EARLY MORNING RESTRICTION ORDERS

This item was withdrawn from the agenda for this meeting.

31. LATE NIGHT LEVY

This item was withdrawn from the agenda for this meeting.

32. HACKNEY CARRIAGE TARIFF REVIEW

The Committee received a report, set out on Agenda pages 3 to 18, which advised of the outcomes of the consultation with existing drivers of Hackney Carriage Vehicles and some of the larger Operators in regard to the Committee's resolution on 14 January 2013 to remove tariff 4 – 6 and replace it with a surcharge of 50 pence per additional person, where a vehicle is carrying more than four passengers, regardless of the time of day.

The Principal Environmental Health Officer (Licensing) advised that following the consultation on the Committee's resolution on 14 January 2013 for the removal of the 50% surcharge where a vehicle is carrying more than four passengers (existing tariffs 4-6) and the decision to levy a surcharge of 50 pence per additional person where a vehicle is carrying more than four passengers, regardless of the time of day, responses were received from 36 individual drivers, summarised at Appendix One to the report. One petition had also been received and was attached at Appendix Two to the report. 15 drivers requested no change to the existing tariff 4-6 and 19 suggested that if this was removed, saloon cars could be introduced as Hackney Carriage Vehicles.

Information had been requested from the Taximeter Consultant who had advised that the removal of tariff 4-6 would mean the taximeter would be sealed, which would ensure that the taximeter would be on the correct tariff at all times. If the decision to add passengers as an extra was agreed, the driver could push extras in any tariff, this would be enabled on the meter when the vehicle was hired. All taximeters had the capacity to have a separate window for extras.

Taximeters could also limit the number of pushes of extras (e.g. a 6 seater vehicle using 40 pence per passenger when carrying more than 2 passengers can be limited to 4 pushes of extras so the driver cannot get more than 4 pushes of extras as the meter would not add any more extras above the limit set for the vehicle.

The Principal Environmental Health Officer (Licensing) further advised of the procedures laid down by legislation and which must be followed when making changes to the table of tariff and fares:

- A note of the proposed changes must be published in at least one local newspaper circulating in the district. The notice must specify a period of at least 14 days from the date of publication when objections can be made to the Council;
- A copy of the published notice must be made available at the Council offices for public inspection, free of charge at all reasonable times;
- If there are no objections, or those made are withdrawn, the variation in the table of fares comes in to effect at the expiration of the time allowed for public consultation in the notice.

If there are any objections, and they are not withdrawn, then the Council must set a date within two months of the expiry date for public consultation and then consider the objections made before agreeing a table of tariffs and fares.

Some Members were concerned that the proposed changes in the report were an equitable way forward. They were concerned that the changes would confuse drivers and have an adverse effect on their livelihood.

The Chairman reminded Members that all of the options had been discussed at the last meeting and the Committee was now being asked to consider the outcome of the

consultation with Hackney Carriage drivers with regard to the resolution passed at that meeting.

RESOLVED: That the Council undertake a formal consultation to include the following:

- 1) A note of the proposed changes be published in at least one local newspaper circulating in the district. The notice to specify a period of at least 14 days from the date of publication when objections can be made to the Council;
- 2) A copy of the published notice be made available at the Council offices for public inspection, free of charge at all reasonable times;
- 3) If there are no objections, or those made are withdrawn, the variation in the table of fares becomes effect at the expiration of the time allowed for public consultation in the notice; and
- 4) If there are any objections, and they are not withdrawn, then the Council to set a date within two months of the expiry date for public consultation and then consider the objections made before agreeing a table of tariffs and fares.

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

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