

**MINUTES OF A MEETING OF THE
LICENSING AND APPEALS COMMITTEE
HELD ON WEDNESDAY 22 JANUARY 2014 FROM 7:05PM TO 7:17PM**

Present:- Barrie Patman (Chairman), Michael Firmager, Mike Haines, Philip Houldsworth, Abdul Loyes, Ken Miall, Sam Rahmouni, Malcolm Richards and Chris Singleton,.

Also Present:

*Susan Coulter, Senior Democratic Services Manager;
Yvonne Jones, Enforcement Officer, Licensing Service; West Berkshire and Wokingham;
and
Julia Waymouth, Principal Environmental Health Officer, Licensing Service, West
Berkshire and Wokingham.*

PART I

30. MINUTES

The Minutes of the meeting of the Committee held on 19 November 2013 were confirmed as a correct record and signed by the Chairman.

31. APOLOGIES

Apologies for absence were submitted from Councillors Mike Gore, Sue Smith, Wayne Smith and Dee Tomlin.

32. DECLARATIONS OF INTEREST

No declarations of interest were submitted.

33. PUBLIC QUESTION TIME

There were no Public questions.

34. MEMBER QUESTION TIME

There were no Member questions.

35. HACKNEY CARRIAGE TARIFF REVIEW – UPDATE

The Committee received a report, as set out on Agenda pages 4 to 18, which asked Members to determine the information provided of the further Hackney Carriage Driver consultation given to Members in November 2013, following the Members' resolution on 11 March 2013, on the removal of the 50% surcharge on tariffs 4-6 and this to be replaced with a surcharge of 50 pence per additional person where a vehicle is carrying more than four passengers, regardless of the time of day. At the last meeting of the Committee, Members requested a formal report to allow them to consider the proposal.

The Principal Environmental Health Officer advised that Committee had considered the removal of the 50% surcharge on tariffs 4-6, to be replaced with a 50 pence per additional person where a vehicle is carrying more than four passengers regardless of the time of day, at several of its meetings in 2013, which had included public consultation in March 2013, further asking drivers for supporting information as to why this should not happen, the results of which were presented to the Committee on 19 November 2013. At that meeting, the Committee received a verbal update on the working party that was requested to be convened at the August 2013 meeting of the Committee, consisting of a selection of

Hackney Carriage drivers, members of the public, Licensing and Appeals Committee Members and Licensing Officers.

The Committee was advised that Hackney Carriage drivers had been asked to present a business case to officers to explain why they were not in favour of the removal of the 50% surcharge. Of the 101 Hackney Carriage drivers consulted, only 3 responded. One driver advised that he would undergo a 20% difference in takings at peak times and a 10% difference at other times. Another driver said the same. The third driver gave a breakdown of his earnings and outgoings. This information was available to Members at the meetings.

The Chairman advised that this matter had been discussed since March 2013. At the last meeting, Members had requested a formal report for consideration. A number of factors had been taken into account. Some Members referred to a letter they had received recently from a Hackney Carriage Driver. The Chairman advised that it appeared that not all Members had received the letter and that the Committee could only consider the information that had been made available to it. The Principal Environmental Health Officer confirmed that she had not received any additional information.

The Chairman advised that the Law Commission had produced a report which would become a draft Bill in April of this year. The draft Bill would override any decision made by the Committee this evening. The Bill would go through Parliament in late April, following various stages of consideration. Local Authorities would be consulted on the draft Bill, which could take some time and it was not envisaged that the Bill would become law for at least a year. In the interim, Local Authorities were advised that they should vary Hackney Carriage tariffs according to their local circumstances.

On being put to the vote, it was unanimously agreed that the recommendation set out in the report be approved.

RESOLVED: That the 50% surcharge on tariffs 4 – 6 be removed replaced with a surcharge of 50 pence per additional person where a vehicle is carrying more than four passengers, regardless of the time of day.

36. HEARINGS UPDATE

The Committee noted that there had been no Sub-Committees or Appeal Panel Hearings since the last meeting of the Licensing and Appeals Committee.

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

If you need help in understanding this document or if you would like a copy of it in large print please contact one of our Team Support Officers.