

LICENSING COMMITTEE

17 March 2017 at 9.30 a.m.

Present : Councillors Dingemans (Chairman), Patel (Vice-Chairman), Cates, Charles, Clayden, Dillon, Hitchins, Mrs Oakley, Oliver-Redgate, Mrs Pendleton and Wheal

502. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Cooper, Mrs Daniells, Purchase and Warren.

503. DECLARATIONS OF INTEREST

The Monitoring Officer has advised Members of interim arrangements to follow when making declarations of interest. They have been advised that for the reasons explained below, they should make their declarations on the same basis as the former Code of Conduct using the descriptions of Personal and Prejudicial Interests.

Reasons

- The Council has adopted the government's example for a new local code of conduct, but new policies and procedures relating to the new local code are yet to be considered and adopted.
- Members have not yet been trained on the provisions of the new local code of conduct.
- The definition of Pecuniary Interests is narrower than the definition of Prejudicial Interests, so by declaring a matter as a Prejudicial Interest, that will cover the requirement to declare a Pecuniary Interest in the same matter.

Where a Member declares a "Prejudicial Interest" this will, in the interests of clarity for the public, be recorded in the Minutes as a Prejudicial and Pecuniary Interest.

There were no declarations of interest made.

504. MINUTES

The Minutes of the meeting held on 20 January 2017 were approved by the Committee as a correct record and signed by the Chairman.

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505. LICENSING SUBCOMMITTEE – 17 FEBRUARY 2017

The Committee received and noted the meeting of the Licensing Subcommittee held on 17 February 2017.

506. REVIEW OF THE FARE STRUCTURE FOR HACKNEY CARRIAGES 2017/18

The Committee received a report from the Licensing Officer which sought Members' approval to set the fare structure for hackney carriages for the period 1 April 2017 to 31 March 2018.

At the Taxi Liaison meeting held in January 2017, the drivers had unanimously agreed that the fare structure should remain the same as the previous year and that had been duly advertised, as required by legislation. No representations had been received following that advertising period. It had also been agreed that the fares should be increased if the price of diesel fuel reached a local average of £1.50 per litre for a period of one month. The fare structure was therefore proposed as follows:-

Flag drop	£2.50
Increase on first mile	£0.10 = £4.30
Increase on subsequent miles	£0.10 = £2.30
All other charges to remain the same	

Following a brief discussion, the Committee

RESOLVED

That the fare structure as advertised be agreed, to come into effect on 1 April 2017.

507. REVIEW OF THE FEES FOR HACKNEY CARRIAGE AND PRIVATE HIRE LICENCES AFTER CONSULTATION

The Licensing Officer presented this report which provided the detail of the review of fees for hackney carriage and private hire licences that had been undertaken for the period from 1 April 2017 to 31 March 2018. The proposed fees had been advertised as required by legislation and no representations had been received.

The Licensing Manager appraised the Committee of the rationale and approach taken in setting the fees, particularly as some had gone down, and further stated that the charges had to ensure that a sustainable service could be provided whilst at the same time not making a profit. More efficient working had been identified in some areas and that had provided an opportunity to cut some costs to the drivers.

Following consideration, the Committee

RESOLVED

That the fees set at out Section 2 of the report for 2017/18 be agreed, to take effect from 1 April 2017.

(During the course of consideration of the following application, Councillor Oliver-Redgate declared a personal interest as a taxi driver in Worthing and in London in the past. He remained in the meeting and took part in the debate and vote.)

508. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY & HANDBOOK

The Licensing Manager advised the Committee that this report sought to provide a single point of reference document for the Council, courts, trade and prospective new applicants in respect of Hackney Carriage and Private Hire licensing. She paid tribute to the hard work of officers in enabling her to bring forward this Policy for Members' consideration, together with the contributions made by Councillor Dingemans and Councillor Mrs Oakley. Members were also advised that Legal had looked at the policy and were happy with its content.

In presenting the Policy, the Licensing Manager also sought Members' agreement to insert an additional condition on the driver's renewal of licence to require a driver to attend additional training, if required, to ensure that all drivers were adequately trained.

The Licensing Manager highlighted the following:-

- It was hoped that the Policy would provide more effective powers to enable officers to deal with matters that arose more efficiently and Members were further advised that the penalty point system had been reintroduced, which would be more cost effective and provide swift resolutions to a number of issues.
- Discussions with Guide Dog organisations had resulted in the inclusion of a section specifically relating to dogs in taxis and, unless a driver had an exemption, all drivers were required to accept dogs.
- Private hire operators would be required to be based in the District to better manage and monitor their operation.
- An explanation was given to the consultation response from Littlehampton Town Council with regard to the issuing of licences to applicants with a history. The law would not look favourably on a policy that categorically did not allow cases to be dealt with on an individual basis as applicants should be

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given the opportunity to present mitigation to Members for their consideration prior to approving or refusing an application.

The Committee participated in a detailed debate around a number of issues, which were responded to at the meeting by the Licensing Manager, and related to:-

Wheelchair access; CCTV in vehicles; age of vehicles; monitoring and enforcement; advertising of consumers' rights in vehicles; and emergency access in MPVs (Multi Person Vehicles)

In addition the Licensing Manager gave an undertaking to amend and clarify under Part B, paragraph 16, the timescale applicable for applicants if they spent 6 continuous months or more overseas to provide evidence of a criminal record check etc.

The Chairman thanked officers for producing a comprehensive policy and acknowledged the hard work that had gone into it.

The Committee then

RECOMMEND TO FULL COUNCIL

That the Hackney Carriage and Private Hire Licensing Policy and Handbook, as amended, be approved.

(The meeting concluded at 10.22 a.m.)