

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE MEETING OF THE LICENSING AND
REGULATORY COMMITTEE – 7 APRIL 2009

SUBMITTED TO THE COUNCIL – 21 APRIL 2009

(To be read in conjunction with the Agenda for the Meeting)

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|---------------------------------------|------------------------|
| * Cllr Mrs Gillian Beel (Chairman) | * Cllr Nicholas Holder |
| * Cllr Robert Knowles (Vice-Chairman) | Cllr Julian Hubble |
| * Cllr Maurice Byham | Cllr Mrs Carole King |
| * Cllr Mrs Elizabeth Cable | * Cllr Peter Isherwood |
| * Cllr Victor Duckett | * Cllr Bryn Morgan |
| Cllr Bob Frost | * Cllr John Savage |
- *Present

39. MINUTES (Agenda Item 1)

The Minutes of the Meeting held on 14 January 2009 were confirmed and signed.

40. APOLOGIES FOR ABSENCE (Agenda Item 2)

Apologies for absence had been received from Councillors Bob Frost and Mrs Carole King. Councillor Stuart Connolly attended as a substitute.

41. DISCLOSURE OF INTERESTS (Agenda Item 3)

There were no interests declared under this item.

PART I – RECOMMENDATIONS TO COUNCIL

42. HACKNEY CARRIAGE/PRIVATE HIRE FEES 2008/10 – OUTCOME OF
ADVERTISEMENT (Agenda Item 5; Appendix A)

The Committee considered representations received in respect of the advertisement of fees for hackney carriage/private hire vehicles. The proposed fees were advertised on 30 January 2009 and gave 28 days for submission of representations in accordance with the requirements of Section 70 of the Local Government (Miscellaneous Provisions) Act 1976. The closing date for representations had been 27 February 2009.

The Committee noted that, at the Taxi Liaison meeting in March, licensees had said that they did not feel they were being fairly treated by increased fees in the region of 16%. They said that the current recession was affecting their businesses and that this would impose a further unreasonable burden of cost. In the light of those comments and representations received in response to the statutory advertisement, the proposed fees for 2009/2010 had been revised based on the fact that licensees would find an increase of between 3% and 5% acceptable.

The Committee noted that a reduction in the proposed fee increase would result in a budget shortfall of some £10,000 and a lower recovery rate. However, members considered that in the present economic climate it was important not to impose further burdens on local businesses. At the same time members considered it important that local residents who used taxis in areas poorly supported by public transport were not disadvantaged in the event of licensees being unable to run their businesses.

The Committee accordingly RECOMMENDS that

2. **the level of fees be determined at the amended levels identified in Annexe 1 to these minutes; and**
3. **the revised scale of fees for 2009/10 be introduced from 1 May 2009.**

Background Papers (SDCS)

There are no background papers (as defined by Section 100D (5) of the Local Government Act 1972) relating to this report.

MATTERS OF REPORT

Background Papers (SDCS)

The background papers relating to the following items in Parts II and III are as specified in the Agenda for the meeting of the Licensing and Regulatory Committee.

PART II – Matters reported in detail for the information of the Council

43. LICENSING ACT 2003 – SUB-COMMITTEE HEARINGS (Agenda Item 6; Appendix B)

The Committee had asked for a report on the handling of hearings and the work of responsible authorities during the representation period.

The Committee considered that training for hearings was very important for all Members of the Committee, especially now that fewer hearings were taking place with less opportunity for each Sub-Committee to meet. It was also essential for any new members appointed to the Licensing and Regulatory Committee to undertake training prior to sitting on a Sub-Committee.

Members encouraged the principle of joint training sessions with responsible authorities and suggested that it would be helpful for future training to include discussions with responsible authorities in order to fully appreciate the work undertaken by them during the representation period prior to a hearing.

The Committee noted the report and RESOLVED that

1. licensing training be arranged for all members particularly those new members appointed in May 2009; and
 2. future training involve other responsible authorities such as Surrey Police and Surrey Fire and Rescue Service.
44. PROPOSAL FROM LICENSEES FOR TEMPORARY HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCES (Agenda Item 7; Appendix C)

The Committee considered the proposal to introduce temporary licences up to three months after a satisfactory Criminal Records Bureau (CRB) disclosure in order to allow an applicant to begin working as quickly as possible, and subject to the remaining elements of the application being received within a set period and to them being satisfactory.

The Committee considered that every element of the application process was important to ensure that an applicant was a fit and proper person to be issued with a licence and to ensure the safety of the public using a taxi or private hire vehicle.

RESOLVED that the Policy with regard to the licensing of hackney carriage and private hire drivers should not be amended to include the introduction of temporary licences.

PART III – Brief Summaries of other matters dealt with

45. MINUTES OF THE MEETING OF THE LICENSING (GENERAL PURPOSES) SUB-COMMITTEE (Agenda Item 8; Appendix D)

RESOLVED that the minutes of the meeting of the Licensing (General Purposes) Sub-Committee held on 14 January 2009 be noted.

46. MINUTES OF THE MEETING OF THE LICENSING ACT 2003 SUB-COMMITTEE C (Agenda Item 9; Appendix E)

RESOLVED that the minutes of the meeting of the Licensing Act 2003 Sub-Committee C held on 9 March 2009 be noted.

The meeting commenced at 7.00 p.m. and concluded at 8.04 p.m.

Chairman