

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE MEETING OF THE LICENSING AND
REGULATORY COMMITTEE – 2 APRIL 2012

SUBMITTED TO THE COUNCIL MEETING – 17 APRIL 2012

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

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| * Cllr Elizabeth Cable (Chairman) | Cllr Tony Gordon-Smith |
| * Cllr Simon Inchbald (Vice-Chairman) | * Cllr Lynn Graffham |
| Cllr Gillian Beel | Cllr Peter Isherwood |
| * Cllr Maurice Byham | * Cllr Carole King |
| * Cllr Patricia Ellis | Cllr Bryn Morgan |
| Cllr Jenny Else | Cllr Brett Vorley |

*Present

*Cllr Nick Williams attended as a substitute

33. MINUTES (Agenda Item 1)

The Minutes of the Meeting held on 16 February 2012 were confirmed and signed.

34. APOLOGIES FOR ABSENCE (Agenda Item 2)

Apologies for absence had been received from Cllrs Gillian Beel, Jenny Else, Tony Gordon-Smith, Peter Isherwood, Bryn Morgan and Brett Vorley. Cllr Nick Williams attended as a substitute.

35. DISCLOSURE OF INTERESTS (Agenda Item 3)

There were no interests declared under this heading.

PART I – RECOMMENDATIONS TO THE COUNCIL

There were no matters falling within the category.

PARTS II AND III - MATTERS OF REPORT

Background Papers

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

36. HACKNEY CARRIAGE/PRIVATE HIRE FEES 2012/13 – OUTCOME OF
ADVERTISEMENT (Agenda Item 6)

36.1 The Committee received a report that invited the Committee to consider the representations received from operators and drivers following the

advertisement of proposed fees for hackney carriage/private hire vehicles. The closing date for representations was 30th March 2012, and no late representations had been received.

- 36.2 On 16 February 2012 the Licensing and Regulatory Committee resolved to recommend to Council that the level of Fees and Charges for 2012/2013 be approved and this was subsequently agreed by the Council at its meeting on 21 February 2012. All licensees were written to informing them that the Council had reviewed its fees charged for hackney carriage and private hire licences and proposed to increase them together with details of the proposed increases. One written representation had been submitted within the statutory consultation period.
- 36.3 On 22 March 2012 a regular bi-annual liaison meeting was held with Hackney Carriage and Private Hire licensees and the Chair and Vice-Chair of the Licensing Committee to which all licensees were invited. Five licensees attended the meeting at which the issue of the proposed fee increases was raised. A licensee requested a freeze of fee levels and this was unanimously supported by the other licensees in attendance.
- 36.4 At that meeting licensees had also requested that the Committee was made aware of the charge made by the Guildford Testing Centre for missed appointments which licensees considered exorbitant. The Chairman passed this on to the Committee together with the information that the Test Centre had set a high charge as a deterrent to licensees for missed appointments and that the Council would have to recover the charge.
- 36.5 Officers explained that if Members decided to reduce the proposed fees, there would be a consequent budget shortfall. The Committee would have to meet this shortfall from other means during the year either from increased income, by achieving savings or, most likely, a mixture of the two. The overall costs of the service including hackney carriage and private hire licensing had been reduced from 2009/10 by 17% and the current rate of cost recovery was 82%.
- 36.6 The Committee sympathised with licensees particularly about the increase in fuel costs and discussed whether there might be any scope for flexibility by either increasing fees for new drivers to reflect the amount of officer time spent in the preparation of a new licence, or to look the possibility of setting an increase on a yearly basis over a fixed period.
- 36.7 Members were advised that applications for new licensees to Waverley had not increased over the past two years and Government guidance was not to limit the numbers of licensees, which could effectively happen if fees for new drivers were increased. The suggestion to set an increase on a yearly basis over a fixed period was something the Committee could look at in the future. The Committee RESOLVED that
1. having carefully considered representations they did not feel able to revise the proposed fee increases; and
 2. the new fees should come into effect on 1 May 2012.

37. HACKNEY CARRIAGE FARE SCALES – REQUEST FOR REVISION
(Agenda Item 7)

- 37.1 The Committee received a report that enabled them to consider two specific requests received from individual licensees for a revision of the approved hackney carriage tariff fare scale and one of a general request for an increase. The Council, in July 2002, agreed that decisions on requests of this nature should be delegated to this Committee for decision (subject to the general conditions of delegation).
- 37.2 On 22 March 2012 a regular bi-annual liaison meeting was held with Hackney Carriage and Private Hire licensees and the Chair and Vice-Chair of the Licensing Committee to which all licensees were invited. No proposals for a fare increase were put forward at this meeting, and the five licensees in attendance did not support a fare increase but were happy for the three written requests to be put before the Committee.
- 37.3 The Committee considered the specific requests and comparisons detailed in the report. The Committee noted that there were 270 Hackney Carriage and Private Hire drivers licensed by Waverley all of whom had been invited to the liaison meeting at which the proposed fare increases were discussed.
- 37.4 The Committee sympathised with licensees in the current economic climate, and while taking into consideration the requests received for an increase, Members were also concerned on the impact of a significant fare increase on residents, particularly the elderly who relied on taxis for short journeys for shopping, etc. The Committee noted that although a fare tariff was published drivers were free to charge up to the set limit.
- 37.5 It was therefore proposed and seconded that there should be no increase to the pull-off charge, but an increase of 20p per mile after the first mile.

The Committee RESOLVED that

1. an increase to the fare tariff of 20p per mile after the first mile and no change to the pull-off charge be advertised and any representations considered at a future meeting; and
2. the new tariff should come into effect on 1 July 2012.

PART III – Brief summaries of other matters dealt with

38. SEX ESTABLISHMENT VENUES – FEES (Agenda Item 8)

- 38.1 At their meeting on 16 February 2012 the Committee had resolved that the Chairman and Vice-Chairman be given delegated authority to approve a level of fees that fully reflected the recover of enforcement costs.
- 38.2 The Committee received and noted the amended Sex Establishment Fees that had been agreed by the Chairman and Vice-Chairman in consultation with officers.

39. MINUTES OF THE MEETING OF THE LICENSING (GENERAL PURPOSES) SUB-COMMITTEE (Agenda Item 9)

RESOLVED that the Minutes of the Meeting of the Licensing (General Purposes) Sub-Committee held on 16 February 2012 be noted.

40. MINUTES OF THE MEETING OF THE LICENSING ACT 2003 SUB-COMMITTEES (Agenda Item 10)

RESOLVED that the Minutes of the Meeting of the Licensing Act 2003 Sub-Committee A held on 20 January 2012 be noted.

The meeting commenced at 10.00 a.m. and concluded at 10.24 a.m.

Chairman