

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE MEETING OF THE LICENSING AND
REGULATORY COMMITTEE – 31 MAY 2012

SUBMITTED TO THE COUNCIL MEETING – 17 JULY 2012

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

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

*Present

*Cllr Nick Williams attended as a substitute

7. MINUTES (Agenda Item 1)

The Minutes of the Meeting held on 2 April 2012 were confirmed and signed.

8. APOLOGIES FOR ABSENCE (Agenda Item 2)

Apologies for absence had been received from Cllrs Patricia Ellis, Lynn Graffham, Peter Isherwood and Brett Vorley. Cllr Nick Williams attended as a substitute.

9. 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

10. APPLICATION FOR HOUSE TO HOUSE COLLECTIONS LICENCES –
INTERSECOND LTD ('DO NOT DELAY' BREAST CANCER PREVENTION
PROGRAMME AND MERCY SHIPS UK)

(Agenda Item 6)

- 10.1 The Administrator for Intersecond Ltd attended the meeting and was invited to speak by the Chairman. She outlined the work of the company and said that the percentage of money that benefitted the two charities they collected on

behalf of was commensurate with large well-known charities. The Administrator also stated that Intersecond Ltd had been granted licences by other Local Authorities under the House to House Collections Act 1939.

- 10.2 The Licensing Officer then advised the Committee that the proceeds of the collections were intended to benefit two charities – ‘Do Not Delay’ (Breast Cancer Prevention) an organisation registered in Lithuania but not in the UK, and ‘Mercy Ships UK’ (ships crewed by professionals offering their services free of charge to some of the world’s poorest countries) which was registered in the UK.
- 10.3 The Licensing Officer said that under delegated authority officers had refused to grant a licence under Section 4 of Waverley’s charitable collection guidelines as they considered that deductions for expenses were unreasonably high.
- 10.4 A number of issues were then debated by the Committee. Officers advised that only around 2-3 permits were issued by the Council each year, but the number of Home Office exempt charities collecting in the area were around twelve. Members were concerned that bags were being distributed purporting to be from registered charities and residents could not be sure whether they were donating to worthwhile causes. It was also suggested that priority be given to collections that would benefit local people/causes.
- 10.5 The Committee were reminded that Intersecond Ltd had submitted an application in the correct manner and that the only issues for the Committee’s consideration were those under the provisions of the 1939 Act, specifically regarding the amount applied for charitable purposes, and whether remuneration was considered excessive.
- 10.6 Following further discussion the Committee did not feel that they had sufficient information regarding the financial arrangements the company used for remuneration to make a judgement if these were excessive at that time and therefore

RESOLVED that the application be deferred and the Chairman and Vice-Chairman, in consultation with officers, determine the exact information regarding company accounts and records to be brought back to the next meeting of the Licensing and Regulatory Committee for further consideration.

11. HACKNEY CARRIAGE FARE SCALES – RESPONSE TO PROPOSED FARE INCREASE (Agenda Item 7)

- 11.1 A representative from the Farnham Taxi Drivers Association attended the meeting and the Chairman invited him to speak on the proposals. He said that those drivers who had attended the Taxi Drivers Liaison meeting in March had not been in favour of a fare increase, but with regard to the present proposals could only make known his personal preference.

- 11.2 On 2 April 2012 the Licensing and Regulatory Committee had met to consider a revision of the approved hackney carriage tariff fare scale. After careful deliberation the Committee resolved that;
1. An increase to the fare of 20p per mile after the first mile and no charge 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 the 1 July 2012
- 11.3 The proposed fare increase was advertised in both the Farnham Herald and the Surrey Advertiser with the closing date for representation as 7 May 2012. A letter was also sent to all hackney and private hire licensees notifying them of the proposed increase. Four written representations have been received, one of which was signed by seventeen licensed drivers. A comparison chart of the effect of the drivers' proposals had been attached to the agenda papers. A late representation from a driver was tabled at the meeting.
- 11.4 The Committee discussed the proposals and acknowledged that in the current financial climate drivers were finding it more difficult to find business. However, members were also concerned of the affects of a fare increase on local residents, particularly the elderly and infirm who might be more affected by significantly increased tariffs on shorter journeys as proposed in some of the representations.
- 11.5 Members acknowledged that it had been helpful to hear the views of the representative from the Farnham Drivers' Association and encouraged other areas to do the same. Following a suggestion that drivers' representatives might attend Licensing and Regulatory Committees it was decided to consider this at a future meeting.
- 11.6 During further discussion the Committee took into account that licensed drivers were free to charge less than the maximum advertised tariff. The Committee then

RESOLVED that the tariff at Proposal 1A at Annexe 4 to the agenda papers be agreed to come into effect on 16 July 2012, which represented a Pull-Off charge of £3.40 (Tariff 1).

PART III – Brief summaries of other matters dealt with

12. **MINUTES OF THE MEETING OF THE LICENSING (GENERAL PURPOSES) SUB-COMMITTEE** (Agenda Item 8)

RESOLVED that the Minutes of the Meeting of the Licensing (General Purposes) Sub-Committee held on 30 April 2012 be noted.

13. MINUTES OF THE MEETING OF THE LICENSING ACT 2003 SUB-COMMITTEES (Agenda Item 9)

RESOLVED that the Minutes of the Meeting of the Licensing Act 2003 Sub-Committee held on 23 April 2012 and Licensing Act 2003 Sub-Committee B held on 30 April 2012 be noted.

The meeting commenced at 10.00 a.m. and concluded at 11.40 a.m.

Chairman

[http://emperor2/sites/democratic/Committees/licensing/2012-13/Regulatory/002 31 May 2012/Minutes310512.doc](http://emperor2/sites/democratic/Committees/licensing/2012-13/Regulatory/002%2031%20May%202012/Minutes310512.doc)