



| <u>Committee and Date</u> | <u>Item</u> |
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| Strategic Licensing Committee | 4 |
| Wednesday 21 st March 2012 | Public |

MINUTES OF THE STRATEGIC LICENSING COMMITTEE MEETING HELD ON TUESDAY, 17TH JANUARY 2012 IN THE SHREWSBURY ROOM, THE SHIREHALL, SHREWSBURY

10.00 am – 11.28 am

Responsible Officer Emily Marshall
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Present:

Mrs R Taylor-Smith (Chairman).

Mr P Adams (Vice-Chairman), Mrs B. Baker, Mr T. Barker, Mr W. Benyon, Mrs J Barrow, Mr V. Bushell, Mr . S. Charmley (Portfolio Holder), Mr A Davies, Mr M. Kenney, Mr. M. Owen (Substitute for Mr R. Hughes), Mr K. Roberts and Mr R. Tindall

34. WELCOME AND INTRODUCTION FROM THE CHAIRMAN

34.1 The Chairman welcomed everyone to the meeting.

34.2 Members of the Committee and Officers introduced themselves.

35. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

35.1 Apologies for absence were received from Mr. R. Hughes (Mr M. Owen was in attendance as his substitute), Mr R. Huffer and Mr J. Tandy.

36. DECLARATIONS OF INTEREST

36.1 None were declared.

37. MINUTES

37.1 RESOLVED:

That the Minutes of the meeting held on 1st December 2011 be approved as a correct record and signed by the Chairman.

38. PUBLIC QUESTION TIME

- 38.1 In accordance with Council Procedure Rule 14, Mr Richard Price, Chairman of the Shrewsbury Drivers Association had submitted a statement regarding the options for consideration as part of the Hackney Carriage and Private Hire Fees and Charges 2012/2013. The Chairman read out the statement on behalf of Mr Richard Price who was not present at the meeting. It was agreed that the statement would be considered as a response to the consultation on the proposed fees and charges.
- 38.2 In accordance with Council Procedure Rule 14, Mr M Higgins had submitted a statement regarding the proposed fees and charges for 2012/2013. Mr Higgins read out his statement to the Committee. Mr Higgins was invited to ask any supplementary questions. The Chairman stated that the points raised by Mr Higgins would be considered as a response to the consultation on the proposed fees and charges.
- 38.3 The Chairman invited any further comments or questions from those present in the public gallery. There were none.

39. HACKNEY CARRIAGE AND PRIVATE HIRE FEES AND CHARGES

- 39.1 Consideration was given to a report of the Public Health and Safety Manager in respect of determining the level of fees for Hackney Carriage and Private Hire Licences and establishing a fee for knowledge test re-sits for 2012/13. The Public Health and Safety Manager explained that a comprehensive time monitoring exercise had been undertaken to determine the full cost of licensing activities for the processing, issue and monitoring of taxi and private hire vehicles.
- 39.2 The options for proposed fees and charges, detailed at Appendix 1 of the report were explained to the Committee and members were reminded to consider the impact any changes to the fees and charges would have on the livelihood of those in the trade. Members were also reminded that the Council may set fees which were reasonable with regard to the recovery of costs. The Public Health and Safety Manager went on to outline the 28 day consultation process.
- 39.3 A member questioned whether the Council was required to recover the losses made during 2010/2011. In response the Committee were informed that was a decision for them to take, but it was added that if the Council did make a profit of over 5% then the Council would return the money to the trade.
- 39.4 The Group Manager for Public Protection and Enforcement added that there was scope to improve the efficiency of existing systems and processes, including introducing online applications, to keep costs down.
- 39.5 The Committee indicated their overwhelming support for the trade and expressed concern that to implement Option 3 which aimed for full cost recovery would place too great a burden on the taxi trade, which was becoming an increasingly valuable resource, particularly in rural area.

- 39.6 The Service Manager for Environmental Health reminded the Committee that it did not have to go for one option for all fees, and that for example it could consider implementing Option 1 for the majority of the fees, but chose Option 3 for Driver's Knowledge Tests (re-sits), which would lead to different outcomes.
- 39.7 Concern was also expressed that new licences and renewals would both cost the same, when it appeared that a renewal licence would be more simple and cost less to the authority. In response the Group Manager for Public Protection and Enforcement stated that the work undertaken by the Public Health and Safety Manager and her team was robust, but added that he would double check the figures.
- 39.8 **RESOLVED:**
- (a) That, an increase of 9.7 % (RPI + 4 %) be approved for the following items, as an appropriate level of proposed fees and charges for 2012/13 for formal consultation as set down by Section 70 (2) of the Local Government (Miscellaneous Provisions) Act 1976;
- Driver's Badge, excluding CRB, DVLA checks and driver assessment (1st Year)
Driver's Badge, excluding CRB and DVLA checks (three Year)
Private Hire Vehicle (per annum)
Hackney Carriage Vehicle (per annum)
Private Hire Operator (per annum)
Private Hire Operator (three year)
- (b) That full cost recovery be approved for the following items as an appropriate level of proposed fees and charges for 2012/13 for formal consultation as set down by Section 70 (2) of the Local Government (Miscellaneous Provisions) Act 1976;
- CRB fee
DVLA fee
Driver Assessment
Driver's Knowledge Test (re-sit)
Plate replacement for damage or loss
Transfer Licence
- (c) That, the fees and charges come into force on the 6th March 2012 and that the proposed variation of fees (including those applying to drivers' licences for hackney carriages and private hire vehicles) be advertised in accordance with section 70 of the Local Government (Miscellaneous Provisions) Act 1976. Where objection to the proposed variation be duly made within the relevant period and not withdrawn then any such objection will be considered by the Strategic Licensing Committee on the 21st March 2012 with a view to the varied fees and charges (with or without modification after consideration of any objection) coming into force on the 1st April 2012.

40. PRIVATE HIRE VEHICLE POLICY IN RESPECT OF EXECUTIVE STYLE VEHICLES

- 40.1 Consideration was given to a report of the Licensing Team Leader regarding the Council's Private Hire Vehicle Policy in respect of Executive Style vehicles.
- 40.2 Mr Rhodes, from Travel by Rhodes a private hire company specialising in airport transfers requested permission to address the Committee to provide further information from an industry perspective. The Chairman used her discretion and allowed Mr Rhodes to address the Committee. Mr Rhodes outlined the nature of the work that his company undertook and explained why he felt it was inappropriate for him to display the standard Council signage.
- 40.3 A debate ensued surrounding the wording of the Policy, and whether or not a change to the wording of the Policy was required during which, the argument was put that the distance travelled by the vehicle was irrelevant and that it was the type of vehicle that should determine whether it was an Executive Style Vehicle.
- 40.4 Overall, the Committee felt that further consideration should take place and the matter reported back to them when the Licensing Team Leader would be present.
- 40.5 **RESOLVED:**
That a decision on the wording of the private hire policy in respect of Executive Style Vehicles be deferred until the next meeting of the Strategic Licensing Committee on 21st March 2012.
- 40.6 Members of the Committee were urged to contact the Licensing Team Leader to feedback their views on the wording of the Policy.
- 40.7 *Councillor Mrs B. Baker and Mr V. Bushell left the meeting at this point.*

41. USE OF DELEGATED POWERS IN RESPECT OF OUT OF AREA HACKNEY CARRIAGE ENFORCEMENT – INVESTIGATION AND ACTION

- 41.1 Consideration was given to a report of the Licensing Team Leader in respect of the use of delegated powers in respect of out of area Hackney Carriage Enforcement.
- 41.2 The Council's Solicitor added that the officer recommendation in the report needed to be amended to include the non-renewal as an appropriate action that the Licensing Team Leader could take.
- 41.3 **RESOLVED:**

- (a) That the Group Manager Public Protection and Enforcement and also the Licensing Team Leader be authorised to use delegated powers to investigate and take such action as the Officer considered appropriate (including revocation and non-renewal) concerning matters relating to the use of Hackney Carriages Licensed by the Council, in particular whether such vehicles were being used to ply for hire in the Council's area.

- (b) That where the officer used the delegated power referred to in paragraph 2.1 of the report then the procedure set out in paragraph 6 of the report, be followed.

42. DATE OF NEXT MEETING

42.1 The Committee noted that the next meeting of the Strategic Licensing Committee would be held on Wednesday 21st March 2012 at 10.00am in the Shrewsbury Room, Shirehall, Shrewsbury.

CHAIRMAN.....

DATE.....