

Shropshire Council
Legal and Democratic Services
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

Date: 21st April 2015

Committee:
Licensing and Safety Sub-Committee

Date: Wednesday, 29 April 2015

Time: 10.00 am

Venue: Ludlow Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

You are requested to attend the above meeting.
The Agenda is attached

Claire Porter
Head of Legal and Democratic Services (Monitoring Officer)

Members of the Committee

Keith Roberts (Chairman)

Joyce Barrow

Vernon Bushell

Andrew Davies

Vivienne Parry

Your Committee Officer is:

Shelley Davies Committee Officer

Tel: 01743 252719

Email: emily.marshall@shropshire.gov.uk

AGENDA

1 Election of Chairman

To elect a Chairman of the Sub-Committee

2 Apologies

To receive apologies for absence.

3 Appointment of Vice-Chairman

To appoint a Vice-Chairman of the Sub-Committee.

4 Minutes (Pages 1 - 4)

To confirm the Minutes of the meeting held on 28th November 2013.
Report of the Committee Officer is attached, marked 4.
Contact: Shelley Davies (01743 252719).

5 Public Question Time

To receive any questions, statements or petitions from the public, notice of which has been given in accordance with Procedure Rule 14.

6 Disclosable Pecuniary Interests

Members are reminded that they must not participate in the discussion or voting on any matter in which they have a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

7 Exclusion of Public and Press

To resolve that in accordance with the provisions of Schedule 12A, Local Government Act 1972 and paragraph 10.4(1) of the Council's Access to Information Procedure Rules, the public and press be excluded during consideration of the following item.

8 Review of Private Hire Operators' Licence (Pages 5 - 116)

Report of the Public Protection Officer (Specialist) is attached, marked 8.
Contact Kate Roberts on 0345 6789026.

**Committee and Date**

Licensing and Safety
Sub Committee

29th April 2015

Item

4

Public

MINUTES OF THE LICENSING AND SAFETY SUB COMMITTEE MEETING HELD ON THURSDAY, 28TH NOVEMBER 2013

2.00 p.m. – 2.39 p.m.

Responsible Officer Shelley Davies

Email: shelley.davies@shropshire.gov.uk

Telephone: 01743 252719

Present

Councillors: K Roberts (Chairman)
J Barrow, V Bushell, A. Davies, and R.Huffer.

16. APOLOGIES FOR ABSENCE

None.

17. MINUTES

RESOLVED:

That the Minutes of the meeting of the Licensing and Safety Sub-Committee held on 17th July 2013 be approved as a correct record and signed by the Chairman.

18. PUBLIC QUESTION TIME

Mr David Wilson addressed the Committee on behalf of Central Taxis and Diamond Cars in relation to agenda item 5 - Hackney Carriage and Private Hire Vehicles Fees and Charges. Mr Wilson referred to a letter that he had submitted in objection to the proposed increase in Hackney Carriage and Private Hire Vehicles Fees and Charges and in addition to objecting to certain fees, questioned whether Shropshire Council could legally set the fees if the 1976 Act had not been adopted.

Mr Nicolas Cox addressed the Committee on behalf of Oswestry Cabs in relation to agenda item 5 - Hackney Carriage and Private Hire Vehicles Fees and Charges. Mr Cox spoke in objection to the proposed increase in Hackney Carriage and Private Hire Vehicles Fees and Charges stating that the level of service had decreased and he did not agree that the fees and charges should be the same for all 5 zones.

Mr Henry Pugh (Oswestry Taxi Driver) addressed the Committee in relation to agenda item 5 - Hackney Carriage and Private Hire Vehicles Fees and Charges. Mr Pugh spoke in objection to the proposed increase in Hackney Carriage and Private Hire Vehicles Fees and Charges and noted that the level of service was poor.

Mark Higgins addressed the Committee on behalf of the Oswestry Taxi Drivers Association in relation to agenda item 5 - Hackney Carriage and Private Hire Vehicles Fees and Charges. Mr Higgins spoke in objection to the proposed increase in Hackney Carriage and Private Hire Vehicles Fees and Charges and noted that the level of service was poor.

19. DISCLOSABLE PECUNIARY INTERESTS

Members were reminded that they must not participate in the discussion or voting on any matter in which they have a disclosable pecuniary interest and should leave the room prior to the commencement of the debate.

20. HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES FEES AND CHARGES

Consideration was given to a report of the Service Manager Safer and Stronger Communities outlining the objections received following the consultation that was undertaken in respect of the variations proposed to the fees in relation to driver, hackney carriage (Zones 1,2,3,4 &5), private hire vehicle and operator licences that would come into force on 2 December 2013 (copy attached to the signed minutes).

The Service Manager Safer and Stronger Communities presented the report and detailed the information contained in the appendices of the report referring to paragraphs 5.2 and 5.3 which detailed two modifications to the fees that were originally proposed by officers.

Members accepted the information contained in the report but had concerns in relation to the comments from the drivers in relation to the level of service they said they received from the licensing section.

In response to a query from a Member, the Solicitor advised that the relevant parts of the act may be taken to have been correctly adopted. The Solicitor added that in response to a specific request from an objector the relevant evidence of adoption was being collated. He also referred to a recent case on the matter.

The Service Manager Safer and Stronger Communities, in response to a query from a Member assured the Sub-Committee that the increase in fees and charges was calculated to cover the costs of the service and not to make a profit.

The timescale for determining the issue was discussed. The Service Manager Safer and Stronger Communities gave a brief overview on how the figures were calculated and agreed to a request from a Member that information

explaining how the fees and charges were determined be shared with the trade.

RESOLVED:

- (1) That following consideration of the objections received and set out in Appendix A, together with the associated officer responses, as a result of the consultation undertaken in respect of the variations proposed to the fees in relation to driver, hackney carriage (zones 1, 2, 3, 4 & 5), private hire vehicle and operator licences the Sub-committee, in accordance with the provisions of Section 70 (5) of the Local Government (Miscellaneous Provisions) Act 1976, the Sub-Committee agreed to implement the variations proposed to the fees as set out in **Appendix B (Parts 1 and 2)** with effect from 2 December 2013, this being a date not later than 2 months after the 1 November 2013.

- (2) That the Sub-Committee agreed to the proposed fees, as agreed and implemented in (1) above, being included in the Fees and Charges 2014/15 report that would be presented, by the Head of Finance, Governance and Assurance (Section 151), to Cabinet on the 11 December 2013 (or any other date, if this is amended) and to any subsequent Council meetings as appropriate.

- (3) That the Sub-Committee instruct the Head of Public Protection to make the hackney carriage table of fares card available as a 'pdf' downloadable document from the Council's website to allow hackney carriage drivers to print additional cards themselves should they so wish; and to instruct the drivers that they must take appropriate steps to ensure the card was sufficiently robust to withstand wear and tear and to reduce the risk of it becoming defaced and/or illegible.

Chairman:.....

Date:.....

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