

Note: Minutes indicated as **DRAFT** will remain so until approved at the next meeting of the Committee

LICENSING COMMITTEE

MINUTES OF THE MEETING HELD ON 21 January 2008

Present Councillors: Tony Linden (*Chairman*), Peter Argyle, Jeff Beck, Billy Drummond, Adrian Edwards, Geoff Findlay, Manohar Gopal, Mollie Lock, Gwen Mason, Owen Jeffrey, Quentin Webb, Keith Woodhams (Vice Chairman)

PART I

1. APOLOGIES.

Apologies for the inability to attend the meeting was received on behalf of Councillor Andrew Rowles

2. MINUTES.

The Minutes of the meeting held on 26 November 2007 were approved as true and correct record and signed by the Chairman.

3. DECLARATIONS OF INTEREST.

None.

4 PRIVATE HIRE LICENSING

Note: page 20a, a missing page from a letter submitted by Excel Executive Chauffeurs Ltd was circulated to Members for their information.

Brian Leahy (Senior Licensing Officer) reported to Members on a change in legislation that covered certain uses of private hire vehicles.

Under section 75 of the Act, certain uses of private hire vehicles have been exempt the full provisions of section 48 (the requirement to have a licence). The main one being section 75(1)(b) which allows for a vehicle which is used only for carrying passengers for hire or reward under a contract for the hire of the vehicle for a period of not less than seven days. Where such a contract exists there are no requirements for drivers of the vehicle to be licensed.

Section 75 (1)(b) of the Act is to be repealed on the 28th January 2008. This section states "Nothing in this part of the Act shall apply to a vehicle used only for carrying passengers for hire or reward under a contract for the hire of the vehicle for a period of not less than seven days". By virtue of its removal from statute all vehicles and consequently drivers used for private hire work regardless of contract use or not, will be required to be licensed by local authorities from 28th January 2008. The repeal has been brought about by the Government on the grounds of public safety.

With the repeal of section 75, officers believe that now was the right time to confirm Members wishes with regard to licence plates/badges and signage for private hire vehicles.

In order to present Members with a fair unbiased view of options, it was decided to contact all private hire operators and those non licensed operators known to the Council, operating under the section 75 exemption, giving them a selection of options, as a guide, to elicit their views on the proposals and to offer them the opportunity to give their opinion. A copy of the letter to operators, and their responses were attached in Appendix A and Appendix B.

Members have seen from the response letters that operators have varied views about the use of plates, windscreen badges and in some cases the permission to not display a licence plate at all. Officers have produced a number of options for Members to consider together with a wide range of licence plate types. These plates were provided for Members to discuss at the meeting.

A list of 6 proposals, reference page 6 of the agenda papers under sections 4. 1 through 4.6 was presented to Members for their consideration.

The current Private Hire Vehicle Proprietors Condition 4 (3) that referred to advertising, reference page 6 of the agenda papers under section 5.1, officers believed that those conditions a), b) and c) should be removed by and replaced by the following statement:

“The Proprietor shall ensure that his/her vehicle does not display any advertising or promotional material unless the said material has been approved by the Council in writing. Only signage which advertises the private hire company or a sponsor/s shall be permitted and such signage shall be no smaller in size than 15 inches by 6 inches and no greater than 22 inches by 9 inches. Advertising of a sexual nature, smoking product/s or other offensive material shall not be permitted. A full size copy of the material/sign must be provided with the application prior to consent being considered”.

Cllr Keith Woodhams asked if stretch limos would need a licence plate. Brian Leahy confirmed that stretch limos would need a licence plate.

Cllr Quentin Webb asked if the new licence plates or windscreen stickers could be read by the vehicle licence recognition system (VLRS). It was stated VLRS would not be able to read the licence plates or windscreen stickers.

Cllr Tony Linden proposed a recommendation that a working party should be set up consisting of a membership of Cllrs Tony Linden, Geoff Findlay, Andrew Rowles and Keith Woodhams.

The recommendation was seconded.

RESOLVED that to approve the recommendation to set up a working party to review a number of new options for Private Hire signage and licence plates.

Voting was unanimous

5 ANNUAL REVIEW OF THE TAXI TARRIFF

Brian Leahy (Senior Licensing Officer) introduced the paper to confirm the Council's position on setting a maximum taxi fare tariff. Councils are not obliged to set a maximum fare for their area but West Berkshire has set a maximum fare in the past. Officers have consulted with the Trade and Police and again there was general support for setting a maximum tariff. In the past year there had been very few complaints from the trade or public on the tariff set for 2007/08.

The Officer referred Members to the current maximum fare tariff that was listed in appendix A and to the proposed formal response provided by the trade on setting a new tariff rate in appendix B. The proposed increase equates to a 2.5% increase which was in line with inflation. Officers supported the proposed increase.

At the Chairman's request, standing orders were suspended to allow Mr Nemeth representative from the West Berkshire Hackney Carriage and Private Hire Operators Association to address the Committee.

Mr Nemeth made the following comments to Members:

- The trade were asking for a 2.5% increase that was in line with inflation

- The trade remained in favour of the Council setting a maximum fare tariff and asked Members to set a maximum fare tariff again in 2008/09.
- He confirmed that the rates proposed were competitive with those rates charged in the Reading and Basingstoke areas.
- That the rates proposed ranked West Berkshire at 74 out of 378 authorities in the national fare table.

Note: standing orders were re-instated.

Cllr Jeff Beck raised a question in relation to how the proposed change would be notified. Brian Leahy confirmed that a Public Notice would be placed in the Newbury Weekly News asking the public and the trade for any comments on the proposed tariff. Cllr Jeff Beck proposed the recommendation to approve the 2008/09 tariff.

Cllr Adrian Edwards objected to the wording used in Appendix B which documented the proposed tariff for 2008/09. He said it was unacceptable to have tariff measurements that referred to metric distances and would not support the resolution. Brian Leahy responded by informing Members that the wording in Appendix B was based on a central Government and a National Taxi Association recommendation.

Cllr Peter Argyle commented on the fact that the proposed increase was fair and in line with inflation and he seconded the recommendation to approve the 2008/09 tariff.

Cllr Owen Jeffrey commented that setting a maximum tariff was appropriate and he supported the proposed 2.5% increase. He also commented that many younger people were only familiar with metric measurements.

RESOLVED that to approve the proposed tariffs for 2008/09.

Voting was 10 votes in favour and one vote against.

Next meeting of the Licensing Committee will take place on 17th March at 6.30pm in the Council Chamber.

(The meeting commenced at 5.00 p.m. and closed at 5.50 p.m.)

CHAIRMAN

Date of Signature: