

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the LICENSING & REGULATION COMMITTEE held on 29 JULY 2010

PRESENT: Councillor G P Peters - Chairman
" D G Meacock - Vice Chairman

Councillors: Miss P A Appleby
Mrs J A Burton
Mrs V G Head
L A Hodgkinson
P M Jones
D J Lacey
S A Patel
J S Ryman
Mrs E P Stacey
C J Wertheim

APOLOGIES FOR ABSENCE were received from Councillors
Mrs E L Bamford and G E Sussum.

ALSO IN ATTENDANCE: Councillor N L Brown.

1 ELECTION OF CHAIRMAN

It was proposed by Councillor Mrs J A Burton and seconded by Councillor Miss P A Appleby that Councillor G P Peters be elected as Chairman of the Committee for the remainder of the Council year, following which it was

RESOLVED –

That Councillor G P Peters be elected Chairman of the Committee for the remainder of the Council Year.

Note 1: Councillor G P Peters in the chair.

Note 2: Councillor S A Patel entered the meeting at 6.32pm.

Note 3: Councillor Miss P A Appleby left the meeting at 6.32pm.

2 ELECTION OF VICE-CHAIRMAN

It was proposed by Councillor G P Peters and seconded by Councillor J S Ryman that Councillor D G Meacock be elected Vice-Chairman of the Committee for the remainder of the Council year, following which it was

RESOLVED –

That Councillor D G Meacock be appointed as Vice-Chairman of the Committee for the remainder of the Council Year.

3 MINUTES

The Minutes of the meeting held on 25 March 2010 were agreed by the Committee and signed by the Chairman as a correct record subject to the inclusion of Councillors L A Hodgkinson and S A Patel in the list of those present.

4 DECLARATIONS OF INTEREST

There were no declarations of interest.

5 MINUTES OF THE LICENSING SUB COMMITTEE

RESOLVED -

That the Minutes and Resolutions of the following meetings of the Licensing Sub Committee be approved and accepted:

- 18 March 2009
- 11 June 2009
- 16 July 2009
- 3 September 2009
- 3 February 2010
- 27 May 2010

6 MINUTES OF THE TAXI & PRIVATE HIRE LICENSING SUB COMMITTEE

RESOLVED –

That the Minutes and Resolutions of the meetings of the Taxi and Private Hire Licensing Sub Committee held on 8 April and 9 June 2010 be approved and accepted.

**7 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976
HACKNEY CARRIAGE FARE INCREASE**

The responsibility for the setting of the maximum fares that the drivers of licensed Hackney Carriages could charge the public had been delegated by the Cabinet to the Head of Health and Housing in consultation with the Licensing and Regulation Committee.

The Fares were reviewed annually, and the Licensing and Regulation Committee were asked to consider a request from the Chiltern District Driver's

Association (CDDA) to increase the Table of Fares, as detailed in the report. Any recommendation to increase fares would require a period of consultation with the public and trade. One driver was in attendance at the meeting, but advised that he was there to listen to the debate rather than make representation.

The Committee were reminded that fares had last been increased on 1 November 2008 – a 10% increase resulting in a cost of £5.20 for a two-mile journey.

The report detailed tables showing: petrol and diesel prices over time; the comparative costs of a 2 mile journey in neighbouring authorities; and, the existing tariff charged and the proposals made by the CDDA and other alternatives (including increases in line with the Retail Price Index and the Baxter formula). The national league Table of Fares was circulated at the meeting, highlighting Chiltern's position.

Detailed information from the Office of National Statistics (ONS) was also included in the report, illustrating movement of the Consumer Prices Index (CPI) and Retail Price Index (RPI) since 2008. The Retail Price Index indicated a 4.1% change in retail prices between April 2008 and April 2010. The Baxter formula (developed for use in civil engineering and construction contracts), which took into account labour, fuel and vehicle costs, suggested a 5% increase in costs over the same period.

Members were also advised of the need to also take into account the effect on those persons less able to afford the fares and who might not be able to access other forms of transport. The Council's taxi card scheme assisted in lowering the cost of a journey – although licensed vehicles required card readers to accept taxi cards – but any increase in fares would reduce the ability of those on low income to travel.

It was acknowledged that nationwide comparisons with other authorities were difficult since Chiltern was unique. However, the Committee noted that without any additional increase, Chiltern would remain more expensive than each of the other Buckinghamshire authorities.

It was also noted that the price of diesel was significantly less than the peak of June 2008 when the last fare increase had been agreed; petrol prices were similar to the June 2008 peak.

Concerns were expressed that increasing the fares further could decrease trade in the District as customers looked for cheaper alternatives across the district boundary; this would be detrimental to the drivers.

Regarding the CDDA's request to increase fares – as reproduced in the Appendix to the report – the Committee noted that increased fuel costs and other running costs had been referred to in support of the increase, but there was no supporting evidence. It was suggested that the CDDA needed a full business case demonstrating why the Table of Fares should be increased. One Member added that the Committee also required information such as the average car costs per mile, and the hourly rates of drivers.

The Head of Health and Housing confirmed that there had been no significant changes to the Council's Licensing Policy which would have financially impacted on drivers. Regarding the introduction of side plates for private hire vehicles, it was confirmed that if these were introduced for Hackney Carriage vehicles they would be within the current cost of the licence.

The Committee acknowledged the potential impact on fuel of the planned increase in VAT, and the potential impact of the exchange rate on fuel costs. It was also considered that freezing the Table of Fares might require a larger increase in future; small incremental increases might be preferable to periodic large increases.

A Member suggested that drivers in neighbouring districts seemed able to run their vehicles on lower fares despite fuel and other running costs. The Committee also noted that there did not appear to be a shortage of taxi drivers in the Chiltern District.

Councillor Mrs Burton formally proposed that no change be made to the Table of Fares; Councillor Miss P A Appleby seconded the motion. Following a vote, the Chairman declared the motion carried. However, the Committee also agreed that it would be appropriate to review the Table of Fares in 12 months if requested to do so by the CDDA.

RESOLVED

- 1. That the Licensing and Regulation Committee recommend to the Head of Health and Housing that there be no change to the Table of Fares.**
- 2. That the Head of Health and Housing review the Table of Fares in 12 months if asked to do so by the Chiltern District Driver's Association.**

Note: Councillor Miss P A Appleby re-entered the meeting at 6.48pm.

8 LICENSING ACT 2003 - STATEMENT OF LICENSING POLICY

The Licensing Act 2003 required that each local authority prepared and published a statement of licensing policy every three years.

The report detailed a number of legislative changes that had taken place since the Policy had last been reviewed, and these were reflected in the draft Policy. The Committee were asked to agree the Policy for consultation.

In accordance with Government guidance, the Committee were also asked to consider whether the saturation policies adopted in Old Amersham and Chalfont St Peter were still valid. Members were reminded that there was a presumption that applications for new licences or variations would normally be refused in areas covered by the saturation policy unless the applicant could demonstrate that there would be no impact.

The Licensing Officer advised that since the report had been written the Home Office had announced that they would be consulting on changes to the Licensing Act which could impact on the Statement of Licensing Policy. Depending on the timescales involved, this could require a further review of the Policy. It was not possible to delay the existing review pending the outcome of possible changes since local authorities were required to have their Statement of Licensing Policy in place by 5 January 2011. The Licensing Officer would reflect any legislative changes made, in the report to the Committee regarding the outcome of the consultation in December.

Regarding the Chalfont St Peter saturation policy, a Member expressed concern that the Greyhound Inn was not included within the saturation area. The Licensing Officer advised that the evidential base required for the Greyhound Inn could not have been substantive at the time the saturation policy was introduced for it to be included. As far as he was aware, there had also been no recent issues at the Greyhound Inn. It was possible that the evidential base required for saturation policies would be less rigorous in future, although this could lead to more requests for them from residents. The possibility of reviewing the area of the Chalfont St Peter saturation policy once the Home Office had completed the review of the Licensing Act 2003, was noted. It was also suggested that local churches could be included in the list of consultees for the Statement of Licensing Policy.

RESOLVED

- 1. That the Statement of Licensing Policy be submitted to 12 week consultation with local businesses and other relevant bodies.**
- 2. That the Policy be amended in light of the consultation and considered by the Licensing and Regulation Committee in December, prior to final approval by full Council in time for the policy to come into effect by 5 January 2011.**

Note: Councillor Miss P A Appleby left the meeting at 7.06pm.

The meeting ended at 7.30 pm