

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the LICENSING & REGULATION COMMITTEE held on 24 NOVEMBER 2011

PRESENT: Councillor P N Shepherd - Chairman
" D G Meacock - Vice Chairman

Councillors: S P Berry
M J Cunnane
G K Harris
P J Hudson
P M Jones
S A Patel
N Stewert
H A Trevette
M Vivis

APOLOGIES FOR ABSENCE were received from Councillors
Mrs J A Burton, D J Lacey, M Prince and C H Spruytenburg.

ALSO IN ATTENDANCE: Councillor N L Brown.

13 MINUTES

The Minutes of the meeting held on 12 October 2011, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

14 DECLARATIONS OF INTEREST

There were no declarations of interest.

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

15 MINUTES OF THE TAXI & PRIVATE HIRE LICENSING SUB COMMITTEE

The Minutes of the Taxi and Private Hire Licensing Sub Committee meetings held on 1 September and 29 September 2011, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

16 WORK PROGRAMME

Members considered the Committee's Work Programme for the period November 2011 to November 2012.

RESOLVED –

That the Work Programme be noted.

Note: in light of the presence of representatives from the Chiltern District Drivers Association, it was agreed that the Agenda order be amended so that the reports relating to taxis could be considered first.

17 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 HACKNEY CARRIAGE - TARIFF EXTRA CHARGES

The Committee had considered the Table of Fares at a meeting on 2 June 2011 (Minute 5 refers). Although it had been determined that there should be no change, the Committee had requested a further report detailing potential options for increasing the 'extra charges' section of the Hackney Carriage Fares.

The report now before the Committee detailed the 'extra charge' items – which had been unchanged since 2000 – provided comparative figures with other Buckinghamshire Districts, included comments from the Chiltern District Drivers Association (CDDA), and provided various options for the Committee to consider.

During the ensuing discussions, the Committee acknowledged the need to balance the need of drivers for charges to increase as a result of increased running costs, with the impact any increases would have on those persons who needed to use Hackney carriages.

Regarding the charge for 'each passenger in excess of one', it was confirmed that this was a flat charge regardless of the length of journey. The Committee did not propose any change to existing rates for one to four passengers. However, following a vote, it was agreed that there be an additional £1 charge per additional passenger. For example, a £1 charge for five passengers, a £2 charge for six passengers, a £3 charge for seven passengers, and a £4 charge for eight passengers. It was considered that this struck a balance between the respective needs of drivers and users, particularly since the charge could not reflect the length of journey at present.

The Head of Health and Housing advised that it would be necessary to check viability with the taxi meter company, but did not expect there to be any issues.

Regarding charges for dogs (excluding seeing or hearing dogs), the Committee agreed that the same charges applied to people should apply to dogs.

Regarding additional charges for shopping bags, the Committee agreed that this charge should be removed, with no charge for suitcases either. The representative from the CDDA had confirmed that many drivers did not impose these charges anyway.

Members were supportive in principle of an increase in the soiling charge. However, it was noted that any charge in excess of £25 that was varied would require publication in the local press. In order to avoid the large advertisement costs, it was agreed that the soiling charge be reviewed when the Table of Fares was next considered. If the Committee were at that time minded to amend the Table of Fares, a change to the Soiling Charge (if agreed) could also be incorporated within the advertisement.

RESOLVED –

- 1. That the extra charges section of the Hackney Carriage Table of Fares be amended as follows, and the Head of Health and Housing asked to consult with the taxi meter companies accordingly:**
 - i) The ‘each passenger in excess of one’ charge be amended to reflect the following: “where the combined human and/or canine* passenger total exceeds four each additional passenger will be charged £1, regardless of journey day/time/duration/distance”.**
*** Assistance dogs shall not count towards this total.**
 - ii) The existing charge for each dog (excluding seeing and hearing dogs) shall be removed from the fares list.**
 - iii) The existing charge for shopping bags or luggage shall be removed from the fares list.**
- 2. That the soiling charge be reviewed when the Table of Fares is next considered.**

18 TAXI & PRIVATE HIRE SUB COMMITTEE PROCEDURES

Members considered proposed Hearing Procedures for meetings of the Taxi and Private Hire Licensing Sub Committee. Councillor Meacock thanked officers for placing this item on the Agenda following his request, and asked for his thanks to be recorded in the Minutes.

The Committee suggested some formatting changes to the document, before highlighting the following key points:

Preliminary Matters

The Committee agreed that the applicant should advise in writing if they wished to be represented and by whom, a minimum of 5 working-days before the meeting.

Introduction of Parties, Advocates and Witnesses

The Committee agreed that the Chairman should also ask the applicant to confirm that they had had 28 days notice of the hearing.

Retirement and Decision

Paragraph (ii) – it was suggested that in instances where a decision could not be given at the end of a hearing, all parties be requested to remain until the Sub Committee had concluded its deliberations in case clarification was required on any points. The Head of Health and Housing advised that it would be unusual for the Sub Committee not to announce its decision at the meeting; as such, this paragraph could be moved to the end, and re-worded to require all parties to remain until the Sub Committee's deliberations were complete.

Paragraph (iv) – it was agreed that the Chairman should also state that no further discussion would be entered into before announcing the decision of the Sub Committee.

The Committee emphasised the need to ensure that decision letters were issued within the fourteen working days specified in the hearing procedures.

RESOLVED –

That the Taxi and Private Hire Licensing Sub Committee hearing procedures, as amended by the Committee, be adopted as part of the Taxi and Private Hire Licensing Policy.

19 LEAN THINKING PRESENTATION

The Committee received a presentation (slides attached) on how a lean thinking approach had helped transform some aspects of licensing administration, enabling both cost reductions and improved customer service. Officers were thanked for the efficiencies achieved.

RESOLVED –

That the efficiencies made to reduce costs and improve customer service in Licensing be noted.

Note: Councillors S Berry and P M Jones left the meeting at 7.41pm.

20 QUESTION & ANSWER SESSION

There followed a question and answer session for Committee Members with the licensing officers.

Regarding the difference between Hackney Carriage taxis and Private Hire vehicles, Members were advised that Hackney Carriage taxis (black cabs) were able to pick up people off the street without a prior booking. They were highly regulated with fares controlled by local councils. Private Hire vehicles (minicabs) required a prior booking when picking up passengers. Examples of Hackney Carriage plates were circulated at the meeting.

Statistics on the numbers of licences issued for Hackney Carriages and Private Hire vehicles between 2006-07 and 2011-12 were circulated at the meeting. The figures had largely remained constant, although there had been an increase in Private Hire Drivers.

Regarding imposing a limit on the number of taxis licensed by the Council, the Committee were advised that the Council had deregulated the issue of taxi/minicab licences in the district meaning that this was not possible.

Reference was made to the penalty points enforcement scheme operated by Rother District Council. This involved drivers accruing points for minor matters of misconduct that would allow the driver to continue driving until such time as they either reached the limit set by Members, or if the nature of the complaint against a driver was too serious to deal with under the scheme. In principle, the Committee supported the introduction of a similar scheme in Chiltern, and it was agreed that officers would discuss this ideas with the trade and report back. The Head of Health and Housing added that a penalty points enforcement scheme could be considered as part of the Licensing Policy Review. It was suggested that stretch limousines should also be considered.

Regarding Consent Streets, it was confirmed that not all streets in the area were designated as Consent Streets. Where they did exist, they tended to be in the main town and village centres of Amersham, Chesham, Chalfont St Giles, Chalfont St Peter, and Little Chalfont. The A413 from Amersham through to Chalfont St Peter was a Prohibited Street. Street Trading related to the selling or offering for sale of any article in the street, for example, food. The Council could either grant the application; grant it on different terms than those applied for; confine trading to a particular place in a street; or, impose conditions. The Committee were scheduled to look at the Draft Street Trading Policy at the meeting in March 2012.

In terms of preventing scrap yards from accepting stolen metal it was confirmed that the Council worked closely with Thames Valley Police who had an ongoing operation in the area.

It was noted that the Council had adopted a special saturation policy in respect of the village centre of Chalfont St Peter and in the High Street, Old Amersham. This had been introduced following evidence brought by residents in the areas and Thames Valley Police on the grounds of crime and disorder and public nuisance.

The effect of the saturation policy was to create a presumption that applications for new premises licences, club premises certificates, or variations, would normally be refused unless the applicant could demonstrate in their operating schedule that there would be no negative cumulative impact on one or more of the licensing objectives.

Regarding the duration of premises licences granted by the Council, it was noted that they remained in place until given up or revoked. It was confirmed that new, or variations to existing premises licences, were copied to responsible authorities (for example, the police and environmental health) and all Members were emailed. Information would soon be available on public access via the Council's website.

RESOLVED –

- 1. That the question and answer session be noted.**
- 2. That a Penalty Points Enforcement Scheme be considered as part of the Licensing Policy Review.**

The meeting ended at 8.10 pm

Minute Item 19

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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