

LICENSING COMMITTEE

Minutes of the meeting of the Licensing Committee held on 22 March 2011 commencing at 6 p.m.

Present: Cllr Pett (Chairman)

Cllrs. Abraham, Mrs Broomby, Brown, Cooke, Darrington, Davison, Mrs Dawson, McInnes, Orridge, Mrs Parkin, Piper, Waller and Wigg.

29. APOLOGIES FOR ABSENCE

There were no apologies for absence.

30. MINUTES OF PREVIOUS MEETINGS

Unfortunately, Cllr Mrs Broomby had attended the last meeting of the Committee at 7pm instead of 5pm. The Chairman noted her apologies.

Resolved: That, subject to the above amendment, the minutes of the meeting held on 26 January 2011 be approved and signed by the Chairman as a correct record.

31. DECLARATIONS OF INTEREST

All Councillors present declared a personal interest by virtue of knowing Cllr. John Underwood, who was a taxi driver in the District.

Cllrs. McInnes and Pett declared personal interests by virtue of knowing Colin Annetts, who was a taxi driver in the District.

Cllr Mrs Dawson declared a personal interest as taxis were her main mode of transport.

32. HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE FEES 2011/12 (Report No. 4)

The report considered the responses received from the consultation with drivers and vehicle proprietors after the fees had been set by the Licensing Committee on 26 January 2011 in order to set the appropriate fees and associated costs of Hackney Carriage and Private Hire licensing for 2011/12. The Assistant Licensing Partnership Manager explained that 105 responses had been received from 550 consultation letters sent. These were outlined in Appendix A of the report. The licence fees and associated costs of "taxi" licensing had been increased in line with a 2% inflation rate in accordance with the Council's Service and Budget Plan.

The Council had recently been notified that the fees associated with Criminal Records Bureau checks were due to increase to £44 as of 6 April 2011. The Assistant Licensing Partnership Manager explained that this would affect driver licensing fees and would be included in the fee change for 2011/12.

Resolved: That, subject to the additional £8 of external Criminal Records Bureau charges, from 1 April 2011 the fees and associated costs for licences

Licensing Committee – 22 March 2011

in respect of Hackney Carriage drivers and vehicles and Private Hire drivers, vehicles and operators be varied as follows:

	Existing Fees	New Fees
Hackney Carriage Driver's Licence		
On initial application	£154 for three years (01.04.09 – 31.03.12)	£154 for three years (01.04.09 – 31.03.12)
Criminal Records Bureau Search Fee	£36	£44
On renewal	£110 for three years (01.04.09 – 31.03.12)	£110 for three years (01.04.09 – 31.03.12)
Criminal Records Bureau Search Fee	£36	£44
Hackney Carriage Vehicle Licence		
	£267 for one year	£272 for one year
Private Hire Operator's Licence		
On initial application	£279 for three years	£284.5 for three years
On renewal	£89 for three years	£91 for three years
Private Hire Driver's Licence		
On initial application	£154 for three years (01.04.09 – 31.03.12)	£154 for three years (01.04.09 – 31.03.12))
Criminal Records Bureau Search Fee	£36	£44
On renewal	£110 for three years (01.04.09 – 31.03.12)	£110 for three years (01.04.09 – 31.03.12)
Criminal Records Bureau Search Fee	£36	£44
Private Hire Vehicle Licence		
	£267 for one year	£272 for one year
Additional Costs		
Change of Hackney Carriage to Private Hire	£63	£64
Change from Private Hire to Hackney Carriage	£83	£85
Replace Vehicle Plate	£36	£37
Replace Identification Badge	£25.50	£26
Vehicle Re-test	£54.85	£54.85
Vehicle Partial Re-Test	Half the current MOT fee	Half the current MOT fee
Change of Ownership of Licensed Vehicle	£62	£63
Attempting "Knowledge Test" after two failures	£46 for each attempt	£47

Licensing Committee – 22 March 2011

	Existing Fees	New Fees
Vehicle Tests –		Owner turning up without having first verified their documents with the Licensing team will be charged £54.85.
Copies of existing licences	£7.50 each	£8.00 each

Replacement Vehicles

If a licensed vehicle is replaced during the valid licence period then the cost of licensing the replacement vehicle will be £272. However, if the vehicle is replaced within six months of the issue of the licence then the fee will be reduced by £100 in the first of those six months; £90 in the second; £80 in the third; £70 in the fourth; £60 in the fifth and £50 in the sixth month.

If a licensed vehicle is replaced temporarily for up to 2 months because of damage to it then the fee will be £99 to test and licence the replacement vehicle and a further £99 to test and re-licence the original vehicle.

Medical Fee for new and renewal driver licences for Hackney Carriage and Private Hire payable directly to The Cedars Surgery	£55 for three years (01.01.09 – 31.12.11)	£55 for three years (01.01.09 – 31.12.11)
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33. HACKNEY CARRIAGE LICENSING PROPOSED FARE CHARGE INCREASE (Report No. 5)

The Assistant Licensing Partnership Manager explained that the report followed a request by Sevenoaks Town Taxi Drivers' Association for an increase in the Hackney Carriage maximum fare from a flat rate of £3.50 to £3.80. All the Hackney Carriage proprietors licensed by the Licensing Authority had been balloted on the option, in addition to an option of no change to the current fares. It was noted that 77% of respondents to the consultation were in favour of the fare increase.

A further proposal for fare increase had been received on 9 March. However, the taxi trade would need to be consulted on the proposal before it could be considered.

The Licensing Partnership Manager explained that, for benchmarking purposes, licensing authorities referred to the Tariff One fares as published by Private Hire Monthly for a two mile journey. The March issue was referred to during Members' deliberations.

A number of Members felt that fuel prices had recently risen quite significantly and that a fare increase would help taxi drivers to offset some of their costs.

A Member was concerned regarding analysis of costs to taxi drivers and requested that this information be provided when reviews were next considered by the Committee.

Licensing Committee – 22 March 2011

It was clarified that, should a time limit be imposed with regard to review of fare chart increases, the Committee would be able to undertake a review in exceptional circumstances. However, it was noted that “exceptional circumstances” were immeasurable and therefore this wording was not included in the resolution.

Members discussed the recommendations in detail, including additional wording which specified the time period for review of proposed fare increases and it was:

Resolved: That a) the application for an increase in the maximum Hackney Carriage fare tariffs be approved as per the report;

b) the Head of Environmental and Operational Services be authorised to publicise the proposed fare increase and that if no unresolved objections were received, the proposed fares would take effect from 1 May 2011;

c) the Committee would not consider the further fare chart increase or carry out consultation on the proposal at this time; and

d) the Committee limit the frequency of review for fare chart increase proposals to once a year, applications being due by 31 December each year and implementation on 1 April the following year.

34. HACKNEY CARRIAGE FLEET SIZE (Report No. 6)

The Licensing Partnership Manager explained that the Committee had previously resolved to carry out a consultation with all Hackney Carriage drivers and proprietors in the District to evaluate whether they wanted an Unmet Demand Survey to be undertaken. The Committee had requested that 75% of those surveyed must be in favour of an Unmet Demand Survey in order for one to be carried out.

It was explained that if it was decided to limit the fleet size, an Unmet Demand Survey would be carried out every three years. The report also outlined the key objectives for a survey and details of how the survey would be undertaken. There were financial implications of a survey and the Licensing Partnership Manager noted that these would be built into the licensing fees.

212 vehicle proprietors and 272 Hackney Carriage drivers were licensed by the Licensing Authority. Of the 553 consultation letters sent, 109 responses had been received. As such the 75% threshold had not been met. It was also noted that 49% of respondents were not in favour of the survey.

In response to some concern, the Assistant Licensing Partnership Manager confirmed that all consultation information had requested the views of individual drivers and proprietors and were sent with pre-paid envelopes for responses to be returned to the Council.

A Member felt that the information included in the survey would not only be useful to drivers and proprietors but also the Council as the Licensing Authority. He felt that a survey would be of great benefit to the Council and that it was worth considering undertaking the survey with the cost being spread over four or five years.

The Chairman noted that those who would be required to pay for the survey were not in favour of one.

Licensing Committee – 22 March 2011

Resolved: That no limit be placed on the size of taxi fleet in the District and that an Unmet Demand Survey not be progressed.

35. DRAFT TAXI LICENSING POLICY (Report No. 7)

The Assistant Licensing Partnership Manager explained that the Council was required regularly to review its Taxi Licensing Policy. The report introduced the draft Policy which was due for consultation. Amendments to the Policy were highlighted in italics and the following points were mentioned:

- Environmental Considerations – the Policy proposed to reduce vehicle licensing costs with respect to greener vehicles.
- Accessibility – Officers awaited regulations from Government with regard to accessibility and were therefore unable to progress this section of the Policy at this time.
- Roof Signs – the Council's workshop which assessed all licensed vehicles had reported that red light signs were difficult to obtain. This item was therefore being removed from the Policy.
- Fire Extinguishers – following consultation with Kent Fire and Rescue services it had been decided to remove this item from the Policy as it conflicted with their safety advice.
- Convictions Policy – Officers had recently received guidance on this section and would update it before the Policy was consulted upon. Members requested Officers consider the number of years passed following a conviction before an individual could obtain a taxi licence as they felt it seemed low.
- Penalty Points Scheme – the scheme was in line with other licensing authorities and was reported to have been successful elsewhere.

A Member was concerned that drivers would be penalised for leaving a Hackney Carriage unattended when they were assisting passengers with shopping, etc. The Assistant Licensing Partnership Manager confirmed that enforcement would continue to be proportionate.

Members were asked to send any comments on the Policy to the Licensing Team.

Resolved: That the report be noted.

THE MEETING WAS CONCLUDED AT 7.25 P.M.

Chairman

