

LICENSING COMMITTEE

Minutes of the meeting of the Licensing Committee held on 11 April 2012 commencing at 6.00 pm

Present: Cllr. Pett (Chairman)

Cllrs. Abraham, Mrs. Ayres, Ayres, Clark, Davison, Fittock, Hogarth,
Mrs. Parkin, Piper, Raikes and Walshe

Apologies for absence: Cllr. Firth

22. MINUTES

Resolved: That the minutes of the meetings of the Licensing Committee held on 1 February 2012 and of the Sub-Committee held on 20 March 2012 and 2 April 2012 be approved and signed by the Chairman as correct records.

23. DECLARATIONS OF INTEREST

All Councillors present declared a personal interest in Minute Item 25 by virtue of knowing Cllr. John Underwood, who was a taxi driver in the District.

Cllr. Clark declared an additional personal interest in Minute Item 25 by virtue of knowing Graham Maxted, who was a taxi driver in the District.

Cllrs. Mrs. Parkin, Pett and Piper declared an additional personal interest in Minute Item 25 by virtue of knowing Colin Annetts, who was a taxi driver in the District.

24. ACTIONS FROM THE PREVIOUS MEETING

On 26 October 2011 the Committee had taken the decision to suspend two Hackney Carriage driver licences and at the previous meeting Members had enquired whether the drivers' appeals had yet been heard. The Chairman confirmed the hearing took place at Sevenoaks Magistrates Court on 4 April 2012. The Court had decided that, on the balance of probability, both drivers had been equally culpable for the serious altercation and the Committee's decision upheld. Both drivers were liable for the Council's legal costs on top of their own.

The Chairman felt this was a clear signal that the Council would not tolerate this kind of behaviour from licensees and that the Council would be supported by the courts. He wished to thank the whole Licensing Team for their work on this matter and in particular Leeann Leeds who had prepared the reports and acted as a witness for the Council.

The licensees had 21 days in which to appeal to the Crown Court. The Licensing Partnership Manager would be writing to both drivers confirming the decision and requesting that they return their badges should they choose not to appeal. Neighbouring authorities would be also informed of the decision to suspend.

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25. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING FEES 2012-13

The Licensing Partnership Manager advised that on 1 February 2012 proposed fees for Hackney Carriage and Private Hire licensing had been put before the Committee. The Council had sent the proposals to over 400 consultees and the responses received were set out in the appendix to the report. The responses received were split evenly between those who supported and those who opposed the proposals.

Members asked what the argument was against a freeze in the fees. The Head of Environmental and Operational Services commented that the Council had budgeted for an inflationary increase of 3%. If the Committee decided to leave the fees unchanged then compensatory savings would have to be made elsewhere in the Council's budget. It was also clarified that the fees would be considered again in one year and that the reference to "for three years" in the report was to the length of a licence and not for how long the fees would be held at that level.

Officers confirmed the tender for the medical supplier was being considered and a Portfolio Holder Decision was expected before the end of April 2012. Early indicators suggested the cost of the medical fee may fall to £50.

The Council was not permitted to consider an accompanying rise in the tariffs charged by drivers unless representations were received from the licensees. No representations had been received by the Council since 11 March 2011 when the matter was last considered by the Committee.

It was unanimously

Resolved: that from 16 April 2012 the list of fees and associated costs for licences in respect of hackney carriage drivers and vehicles and private hire drivers, vehicles and operators be varied as set out in the report.

THE MEETING WAS CONCLUDED AT 6.22 pm

Chairman