

LICENSING AND REGULATION COMMITTEE

1 December 2010

Attendance:

Councillors:

Jackson (Chairman) (P)

Baxter (P)
Fall
Hammerton
Izard (P)
Love (P)
Mason (P)

Mather (P)
Pearce (P)
Prowse (P)
Read (P)
Thynne (P)
Wright (P)

Others in Attendance who addressed the Committee:

Councillor Verney

1. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee, held on 5 October 2010, be approved and adopted.

2. **PUBLIC PARTICIPATION**

Councillor Verney suggested that, in the light of recent Government announcements, the Council should ask the Police about their hourly costs for policing late licences, including those associated with police officers being drawn away from rural areas. In response, the Head of Legal Services explained that this would be considered at a future meeting as part of a review of the Council's Licensing Policy.

Messrs Boardman, Collins, Eckton, Smith and Green spoke on Reports LR347 and LR348 and their comments are summarised below.

3. **MINUTES OF LICENSING SUB-COMMITTEE HELD 1 OCTOBER 2010
(LESS EXEMPT APPENDIX)**

[\(Report LR340 refers\)](#)

RESOLVED:

That the minutes of the Licensing Sub-Committee held 1 October 2010 be received and noted, less exempt appendix (attached as Appendix A to the minutes).

4. **MINUTES OF LICENSING SUB-COMMITTEE HELD 12 OCTOBER 2010**
[\(Report LR339 refers\)](#)

RESOLVED:

That the minutes of the Licensing Sub-Committee held 12 October 2010 be received and noted (attached as Appendix B to the minutes).

5. **MINUTES OF LICENSING SUB-COMMITTEE HELD 18 OCTOBER 2010**
(LESS EXEMPT APPENDIX)
[\(Report LR337 refers\)](#)

RESOLVED:

That the minutes of the Licensing Sub-Committee held 18 October 2010 be received and noted (attached as Appendix C to the minutes).

6. **REVIEW OF FARES FOR HACKNEY CARRIAGES**
[\(Report LR347 refers\)](#)

The Head of Legal Services introduced the Report and submitted an addendum, which set out a comparison of fares between Winchester and its neighbouring areas.

During public participation, the Committee heard from Mr Boardman, Collins, Eckton, Smith and Green who were all hackney carriage licence holders.

In summary, Mr Boardman requested that there be no increase in the fares, as he considered that this would detrimentally affect demand and harm the trade. He also highlighted that the fares were the maximum which could be charged and that many drivers currently negotiated lower fares for longer distances.

Mr Collins recommended that the Committee adopt the £3.00 pull-off charge increase, Proposal 3 (as set out in Appendix 2 of the Report), as a response to the increased costs borne by drivers since the last review of fares in 2008. Mr Collins considered that the trade's demand was relatively inelastic to price changes. He also commented that there were currently too many drivers and too few customers.

Mr Eckton recommended that the Committee adopt the £2.60 pull-off charge increase, Proposal 1 of Appendix 2 of the Report, as he did not think that late-night customers (who were important to the trade and were charged at time-and-a-half) would bear any greater increase in fares.

Mr Smith also spoke in support of Proposal 1, adding that this focused the increased fare on longer journeys and thus would off-set the drivers' greatest cost, which was fuel.

Mr Green spoke against any increase in the fares and commented that, in his opinion, the real problem lay with there being too many taxis trading in Winchester. He explained this manifested itself in drivers waiting too long at the taxi ranks between jobs. He considered that this had been caused by the Council issuing too many plates, as a result of the policy to increase the number of vehicles that were able to carry disabled passengers. He added that these vehicles were rarely used for this purpose, as disabled passengers were much more likely to use private-hire vehicles direct from their homes, rather than use taxi ranks.

In response, the Head of Legal Services explained that, in common with most other authorities, Winchester did not limit the number of hackney carriage vehicle licences issued and that this accorded with Government advice. He added that this market-led approach had resulted in a balanced number of hackney carriage vehicles licensed by Council, although there had been a significant increase in recent years in the number of licences issued for private-hire vehicles. However, such vehicles operated on unregulated fares and were unable to collect passengers from ranks or from the street, without prior booking.

Therefore, rather than attempting to limit the number (which would require regular and costly unmet demand surveys) the Council was seeking to improve standards through tougher tests for drivers and examinations of the vehicles. Further proposals relating to this approach would be set out in a report to the next meeting of the Committee.

During debate, the Committee also discussed the proposed increase in fouling charges. It noted that, if a customer fouled a taxi, the driver was likely to lose money from lost business whilst the vehicle was being valeted and that the valet itself was likely to cost approximately £75. The Committee therefore agreed to increase the fouling charge to a maximum of £75.

At the conclusion of debate, the Committee agreed not to increase the fares (except the fouling charge), as it considered that any increase would leave Winchester as one of the most expensive areas in the County, and only just beneath the level charged in London. However, the Committee agreed that this should be reviewed again at its meeting in June 2011. The Committee noted that their decision to increase the fouling charge would be subject to a period of public consultation

RESOLVED:

1. That, at this time, there should be no increase in the maximum fares for Hackney Carriages or any increase in the waiting times or extra charges, except for an increased fouling charge set at a maximum of £75, subject to the statutory consultation requirements.
2. That the Hackney Carriage fares be reviewed again at the meeting of the Licensing and Regulation Committee to be held on 9 June 2011.

7. **REVIEW OF THE HACKNEY CARRIAGE AND PRIVATE HIRE
CONDITIONS OF LICENCE**
([Report LR348 refers](#))

Members noted that the Report included the conclusions of the 2007 Taxi Informal Member/Officer Working Group.

The Committee considered each of the proposed conditions and commented on the advertisements, enforcement of the conditions, and the return of Plates to the Council if the vehicle was not available for hire for a period longer than 14 days.

At the conclusion of debate, the Committee congratulated Ms Carol Stefanczuk (Assistant Licensing and Registration Officer) as the officer responsible for collating the Report and recommended that the Conditions be put to consultation.

RESOLVED:

That the proposed Hackney Carriage and Private Hire Conditions of Licence set out in the Report form the basis of the consultation with the taxi trade.

8. **EXEMPT BUSINESS**

RESOLVED:

1. That in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

2. That the public be excluded from the meeting during the consideration of the following items of business because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

<u>Minute Number</u>	<u>Item</u>	<u>Description of Exempt Information</u>
##	Exempt minutes of the Licensing Sub- Committees held 1 and 18 October 2010) Information relating to any) individual. (Para 1 Schedule) 12A refers))) Information which is likely to) reveal the identity of an) individual (Para 2 Schedule) 12A refers)

9. **EXEMPT MINUTES OF LICENSING SUB-COMMITTEE HELD 1 OCTOBER 2010**

(Report LR340 refers)

Councillor Wright requested that it be minuted that he disagreed with the Sub-Committee's decision and he commented on what he considered to be an inconsistency of decision-making, compared to the Sub-Committee's decision made on 18 October 2010.

RESOLVED:

That the exempt minutes of the Licensing Sub-Committee held 1 October 2010 be received and noted (attached as Appendix ### to the minutes).

10. **EXEMPT MINUTES OF LICENSING SUB-COMMITTEE HELD 18 OCTOBER 2010**

(Report LR337 refers)

RESOLVED:

That the exempt minutes of the Licensing Sub-Committee held 18 October 2010 be received and noted (attached as Appendix ### to the minutes).

The meeting commenced at 6.30pm and concluded at 8.45pm

Chairman