

**LICENSING COMMITTEE HELD AT 7.30 PM AT COUNCIL OFFICES
LONDON ROAD SAFFRON WALDEN ON 27 JUNE 2007**

Present:- Councillor E W Hicks – Chairman.
Councillors E L Bellingham-Smith, R M Lemon, H J Mason,
D G Perry, J A Redfern and A D Walters.

Officers in attendance:- M Hardy, M Perry and C Roberts.

LC4 STATEMENT BY A MEMBER OF THE PUBLIC

Mr B Drinkwater, the Chair of the Uttlesford Licensed Operators and Drivers Association made a statement introducing his organisation and its position on a number of issues. The Chairman thanked him for his address. The Assistant Chief Executive advised that questions were not appropriate following the address. A two-way dialogue could take place at the Liaison Meeting with the Trade.

LC5 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J I Loughlin and D J Morson.

LC6 MINUTES

The Minutes of the meetings held on 7 March 2007, 29 March 2007, 30 May 2007 and 11 June 2007 were received and signed by the Chairman as a correct record.

LC7 BUSINESS ARISING

(i) Minute LC77 – Consideration of a Private Hire Drivers Licence

The Assistant Chief Executive informed the meeting that the driver in this case had appealed and would continue to drive until the appeal was resolved.

(ii) Minute LC1 – Consideration of a Private Hire Drivers Licence

The Assistant Chief Executive informed the meeting that the costs awarded to the Council in this case had now all been paid.

LC8 HACKNEY CARRIAGE STAND – SAFFRON WALDEN

The Committee considered the report of the Licensing Officer on the location of the Hackney Carriage Stand in Saffron Walden. The report asked for Members' views whether they would prefer additional taxi ranks in Saffron Walden and if so where and for how many vehicles. It also asked about relocation of the existing rank within the Market Street site.

The Licensing Officer detailed the history of this matter and reminded Members that it was necessary to consult widely with appropriate bodies on such proposals, and to obtain the consent of the Essex County Council Highways Department which in practice would not be given without the support of the appropriate town or parish council.

In the case of a canvassed rank move at Stansted, there was parish council opposition and the Stansted proposal was not being considered in the agenda item before the Committee. He explained that the Hackney Carriage trade wished to retain the Market Street rank and to have two spaces in the High Street, one on either side of the road near The Temeraire. The Assistant Chief Executive stressed the costs of the statutory consultation procedure which was necessary in these cases and explained that the Council had therefore undertaken informal consultation to save these costs. In the case of the Saffron Walden proposals, the Town Council was concerned that the rank would not be properly used. If it were not used properly, it could be undesignated. The Town Council in any event would only agree to one space either side of the High Street, not the multiple spaces requested by the trade previously. The Council had no budget for the consultation expenditure. It might be possible to identify funding or Members might prefer to defer the designation of the new ranks until Essex County Council could provide funding. In the meantime, if the Council wished to create a new rank, it would seem cheaper to do so without immediately removing the old one, for legal and evidential reasons.

Members discussed the issues at length. They questioned the existing and proposed use of the Market Street site where it was felt that all spaces were at a premium and wondered whether the Market Street rank should be moved completely to the High Street. The Assistant Chief Executive explained that the trade wished to retain both ranks and to that end had reduced the number of spaces requested in the High Street. Members were also concerned that residents near both areas be consulted and the Assistant Chief Executive explained that this would be a part of the consultation process before any relocation was progressed. He referred to lack of evidence that ranks were underused and the danger that the Council might be criticised for removing any rank.

A Member stressed the need to be clear what the Hackney Carriage trade wanted, and pointed out that the Town Council considered the Market Street rank underused.

Another Member referred to the absence of taxis waiting on the rank and made the point that if there were no taxis waiting, there was no public benefit.

Councillor Redfern expressed the view that accepting late pub calls, people were unlikely to use a taxi in the High Street at any time. Taxis were only seen waiting at the back of Waitrose. The High Street parking spaces were needed during the day.

Councillor Walters agreed with this, but said that the Market Street rank was in practice not used. Moreover, the Taxi Association had originally expressed a wish to move.

The Assistant Chief Executive explained that the Committee was restricted to deciding on the item on the agenda and that deleting the stand in Market Street was not on the agenda. He advised that consideration of the item could be deferred for research on the extent and use of the Market Street rank.

Councillor Hicks drew attention to the evidence from the police letter that taxi ranks reduce disorder in the Town Centre. Councillor Lemon commented that it was the Council's duty to encourage use of taxis in order to cut down on road traffic.

RESOLVED that a decision on this item be deferred pending receipt of further information from consultation with the trade and Town Council about use of the Hackney Carriages at all current and proposed ranks and that a further report be brought back to the Committee to enable Members to take a decision.

LC9

AMENDMENT TO THE LICENSING STANDARDS FOR DRIVERS OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

The Committee considered the report of the Licensing Officer recommending that the Committee amend the Licensing Standards required of drivers of Hackney Carriages and Private Hire Vehicles to include a condition that the applicant must have sufficient command of the English language to be able to undertake the functions of a private hire/hackney carriage driver within the district.

RESOLVED that the recommendation be accepted and the Council's Licensing Standards amended accordingly.

LC10

VERBAL REPORT ON EXERCISE OF DELEGATED POWERS AND APPEALS

The Assistant Chief Executive reported on a refusal of a licence in the case of very implausible explanation for a conviction. The refusal had not been the subject of an appeal.

The Assistant Chief Executive also reported on two appeals which had been dealt with since the last meeting. In one case the appeal was dismissed and the appellant ordered to pay £3,000 towards the Council's costs. In the other the appeal, regarding the Conservative Club, had been granted by consent with the applicant paying all the Council's costs. The applicant in that case had applied to vary the conditions of the licence and a hearing would be heard shortly in connection with the Club premises.

Councillors Walters, Hicks and Perry immediately declared interests insofar as they were members of that Club, but were unaware that this item was to be discussed since it did not appear on the agenda as such.

The meeting ended at 8.55 pm.