

**LICENSING COMMITTEE held at 7.30 pm at COUNCIL OFFICES
LONDON ROAD SAFFRON WALDEN on 11 MARCH 2009**

Present:- Councillor E W Hicks – Chairman.
Councillors E Bellingham-Smith, J I Loughlin, H J
Mason, D J Morson, D G Perry, J A Redfern and A
D Walters.

Officers in attendance:- M Hardy (Licensing Officer), M Perry
(Assistant Chief Executive), and C Roberts
(Democratic Services Officer).

LC48

STATEMENT BY MEMBER OF THE PUBLIC

Prior to the meeting a statement was made by Barry Drinkwater the Chairman of the Uttlesford Licensed Operators and Drivers Association.

The statement referred to the correspondence and meetings the Council had already had with the Association upon the subject of taxi and driver licence fees and drew attention to the Association's current requests for an increase in the maximum fares for hackney carriages and for restriction of the meter display so as to show only the maximum permitted fare.

The Chairman of the Committee explained that, to avoid prejudice to the Trade from delay, he had agreed to consider the item about fares at the end of the meeting as a matter of urgent business. He added that to date the drivers had been given the option to display a lower tariff on their meters.

The Assistant Chief Executive inquired whether Members wished him to provide a written report to a future meeting on the issue of the rate shown on meters. He explained that the Committee had considered this issue on a previous occasion and had refused to limit meters to one tariff, as it had been felt the public would expect to be charged the fee they saw on the meter.

Members discussed whether or not to request a report to a future meeting. A Member asked the view of the Assistant Chief Executive and in the light of this view and the fact that Members were content with the status quo and had no wish to change it, they declined to request a report.

The public statement of the representatives of ULODA ended at 7.45 pm.

LC49 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors J E Hudson and R M Lemon,.

LC50 **MINUTES**

The Minutes of the meetings held on 21 and 27 January 2009 were received and signed by the Chairman as correct records subject, in the case of the meeting on the 21 January, to

(i) the amendment of the last paragraph of Minute LC39 to read “as a standing agenda item for future meetings”, not “at a future meeting”.

(ii) the amendment of the fourth paragraph of Minute LC40 to read “...The Chief Executive recalled...”, not “...He recalled...”.

LC51 **MATTERS ARISING**

(i) Minute LC41 – Exercise of delegated powers

(ii)

In answer to a question from Councillor D Perry, the Assistant Chief Executive informed the meeting that where a licensing issue arose as to the medical suitability of an applicant for a licence, the advice of the applicant’s GP would be sought. If however the Council received information from an operating driver that there was a medical issue, the licence would be immediately suspended pending receipt of evidence that the driver was medically fit to drive, since the safety of the public must be the paramount consideration.

(iii) Minute LC40 – Money claimed by taxi drivers the medical suitability of an applicant

Councillor D Perry asked for an update regarding the money claimed by the three taxi drivers.

The Assistant Chief Executive referred to the comments of the Chief Executive set out in the penultimate paragraph of the Minute and said that he was not aware that any formal application for money had been made.

Councillor Loughlin said that the Chief Executive had been happy with compensation, and Councillor D Perry said that the matter of £19,000 was “done and dusted”.

The Chairman of the Committee drew attention to the Chief Executive's comments in the Minute. There was no question of compensation at the moment and no formal application had been made for it.

LC52

VEHICLE TESTING

Members received the Licensing Officer's report about the implementation of the Committee's decision to outsource vehicle testing. The system would be operating from 4 April and transitional arrangements for return to the Depot had been planned to cover any test failures during March.

The Licensing Officer added that a further three premises had now applied to join the list of those authorised to carry out the Council's taxi vehicle testing. The Chairman asked whether more premises would be encouraged and the Licensing Officer said he saw no reason against this.

Councillor A Walters expressed pleasure that the transition had happened so smoothly and on time.

Councillor D Perry asked that a regular update on vehicle testing becomes a standing agenda item for future meetings.

RESOLVED that the report be noted.

LC53

EXERCISE OF DELEGATED POWERS

The Assistant Chief Executive informed the meeting that there had been an exercise of delegated power to suspend a licence since the last scheduled meeting of the Committee due to an issue about the medical suitability of a driver.

The Council had received information from an operating driver that there was an issue whether or not they met the medical standards. Since the safety of the public must be the paramount consideration the licence was immediately suspended pending receipt of evidence that the driver was medically fit to drive.

It was now established that the standards were in fact met and therefore the suspension had ended, but precautionary arrangements had been made for the Committee to consider the matter as urgent business that evening.

LC54 **APPLICATION FOR FARES INCREASE**

The Committee considered the request of the Uttlesford Licensed Operators and Drivers Association to increase the fares of Hackney Carriage Vehicles with effect from April 2009. as set out in the Table of Fares appended to the Minutes.

The Assistant Chief Executive explained that advertisement in the press was required, citing a date for the coming into force of the new provisions, subject to receipt of any objection when a later date would be substituted.

In answer to questions from Members the Assistant Chief Executive explained that the scale of the increase was not a matter for officers to interfere in, nor could the Council control Private Car Hire fees.

RESOLVED. that the necessary advertisement be placed

The meeting ended at 8.15 pm

APPENDIX

TABLE OF FARES

Uttlesford District Council – Fares of Hackney Carriage Vehicles
Table of Fares
ULODA Working Party Recommendations

1. Background
 - Fares last increased March 2008
 - Adjacent Councils have set new fares in the last year (National League tables)

2. Proposed Rates (effective April 2009 tbc)

RATE 1(6.00 am to Midnight, Monday to Saturday)

Up

to 4 passengers

Current Proposed
Up to one mile
£2.80 £3.00
After one mile (for each additional mile)
£1.70 £1.80

Equivalent to each additional unit of 98 yards @ 10p

RATE 2(Midnight to 6.00 am, Monday to Saturday, Midnight Saturday to 6.00 am Monday, Public Holidays)

Up

to 4 passengers

Current Proposed

Up to one mile

£4.10 £4.40

After one mile (for each additional mile)

£2.55 £2.70

Equivalent to each additional unit of 65 yards @ 10p

(6.00 am to Midnight, Monday to Saturday, Midnight to 6.00 am, Monday to Saturday, Midnight Saturday to 6.00 am Monday, Public Holidays)

5-

8 passengers

Current Proposed

Up to one mile

£4.10 £4.40

After one mile (for each additional mile)

£2.55 £2.70

Equivalent to each additional unit of 65 yards @ 10p

RATE 3(6.00 pm Christmas Eve to Midnight Boxing Day, 6.00 pm New Year's Eve to Midnight New Year's Day)

Up

to 4 Passengers

Current Proposed

Up to one mile

£5.60 £6.00

After one mile (for each additional mile)

£3.40 £3.60

Equivalent to each additional unit of 98 yards @ 20p

RATE 4(6.00 pm Christmas Eve to Midnight Boxing Day, 6.00 pm New Year's Eve to Midnight New Year's Day)

5-8

Passengers

Current Proposed

Up to one mile

£8.20 £8.80

After one mile (for each additional mile)

£5.10 £5.40

Equivalent to each additional unit of 65 yards @ 20p

EXTRAS

Current Proposed

Waiting Time

£20.00 £20.00

Soiling Charge (max)

£80.00 £80.00

Note: Taxi fares are a maximum and in principle are open to downward negotiation between passenger and driver (DfT guidance).