

**LICENSING SUB-COMMITTEE held at 7.30 pm at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN on 20 MARCH 2000**

Present:- Councillor R B Tyler - Chairman
Councillors E C Abrahams, G R Brown, Mrs C A Cant, R C Dean, Mrs S Flack and D J Morson.

Officers in attendance:- P Anderson, M Hardy, Mrs J Postings, M T Purkiss
and Mrs A Turner.

I. APOLOGIES

Apologies for absence were received from Councillors M A Hibbs, G W Powers and A R Row.

I. MINUTES

The Minutes of the meeting held on 20 October 1999 were received, confirmed and signed by the Chairman as a correct record.

I. MATTERS ARISING FROM LIAISON MEETING - VEHICLE TESTING PROCEDURES

At the Liaison Meeting between the Licensing Sub-Committee and representatives of the Uttlesford Taxi Drivers' Association, there had been discussion on the Council's current vehicle testing procedures. It was noted that there had been occasions where some owners/drivers had been dissatisfied with those testing procedures. In these cases the officers had offered the driver/owner the option of having a further test undertaken by the Department of Transport. If the result were in the driver/owner's favour the Council would pay the fee and if the test supported the Council's view the fee would be paid by the driver/owner.

Members considered that it was important to have an independent appeal procedure and supported the above arrangements.

RESOLVED that the above arrangements be formalised as part of the Council's vehicle testing procedures.

I. HACKNEY CARRIAGE FARES

In response to representations by the Uttlesford Taxi Drivers' Association, a report was submitted setting out proposals for increases in the table of fares which Hackney Carriage Operators must charge.

The Sub-Committee considered the proposals and noted that the current table of fares had come into effect on 1 August 1997. A survey of Essex Councils had been carried out and the findings were submitted to the Sub-Committee. It was noted that any increase in fares must be advertised in local papers giving an implementation date and allowing a period of not less than 14 days for objections to be made. Any objections received must then be considered by the Sub-Committee.

The current and proposed fares for Uttlesford were as follows:-

	<u>1 mile</u>	<u>2 miles</u>	<u>3 miles</u>	<u>4 miles</u>
Current	£1.70	£2.80	£3.90	£5.00
Proposed	£2.00	£3.30	£4.60	£5.90

RECOMMENDED that the proposed revised table of fares for Hackney Carriages be approved and introduced following the statutory period of notice.

I. PRIVATE HIRE LICENSING FEES AND CHARGES 2000/01

A report was submitted reviewing the fees and charges for private hire licensing. It was noted that the fees should be set at a level sufficient to recover the reasonable administrative or other costs incurred by the Council in connection with the licensing function. The current fees and charges had been last revised in 1998 when the present levels had been agreed.

Members were reminded of the increase in licences issued due to changes in the status of the vehicles operated at Stansted Airport. As a result of the extra work generated by this increase the Licensing Enforcement Officer's post had been made full-time and an extra part-time administrative post had been created.

Members considered a budget statement which illustrated that the Council's costs were being covered adequately and therefore no changes were proposed to the fees and charges for taxis and private hire licences for 2000/01.

Members also noted that prior to the introduction of the computer generated and date specific licence plate now used, an aluminium life-long plate had been issued for each licensed vehicle. To cover any replacement cost a £50 deposit, refundable on surrender of the plate, had been payable. As the plastic plates were renewed annually and were relatively inexpensive to replace the deposit system was no longer necessary. However, it was suggested that a charge of £10 would be appropriate to cover the cost of issuing replacements for lost plates.

Following discussions with the Uttlesford Taxi Drivers' Association it was proposed to refund those deposits still held by reducing the relevant fees payable by licence holders affected. This would eliminate the cost of raising individual cheques for the refunds.

RECOMMENDED that

- 1 the current fees and charges for taxi and private hire licences be unchanged for 2000/01
- 2 deposits for plates be refunded as detailed in the report and a replacement plate charge of £10 be introduced.

I. **DETERMINATION OF HACKNEY CARRIAGE AND PRIVATE HIRE LICENCES**

The Head of Legal Services referred to the current practice of allowing the licensing officers to remain at the Sub-Committee meeting when Members determined and voted upon an application. At this stage the applicant had to leave the meeting and she considered that, in the light of recent legislation and good practice, it would be appropriate for the licensing officers to leave the meeting at the same time as the applicant.

RESOLVED that the revised procedure as set out above be adopted.

I. **EXCLUSION OF THE PUBLIC**

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 4 and 7 Part I of Schedule 12A of the Act.

I. **DETERMINATION OF A PRIVATE HIRE DRIVER'S LICENCE - FIRST APPLICATION**

The Sub-Committee considered an application for a private hire driver's licence where the criteria to enable the officers to determine the application under delegated authority were not satisfied.

The Chairman explained to the applicant the procedure to be followed in considering the application.

The applicant explained the basis of the application and the circumstances relating to it. Members and officers questioned the applicant and the applicant had the opportunity to question the officers and sum up his case. The applicant and the licensing officers then left the meeting whilst the Sub-Committee considered its decision and they were later readmitted to be informed of the decision.

RESOLVED that the application for a private hire driver's licence submitted by the individual named in the report be granted and that the applicant be given a strong warning concerning the standard of his driving in the future.

I. DETERMINATION OF A PRIVATE HIRE DRIVER'S LICENCE - SECOND APPLICATION

The Sub-Committee considered an application for a private hire driver's licence where the criteria to enable the officers to determine the application under delegated authority were not satisfied.

The Chairman explained to the applicant the procedure to be followed in considering the application.

The applicant explained the basis of the application and the circumstances relating to it. Members and officers questioned the applicant and the applicant had the opportunity to question the officers and sum up his case. The applicant and the licensing officers then left the meeting whilst the Sub-Committee considered its decision and they were later readmitted to be informed of the decision.

Members noted that this applicant was due to appear in the Magistrates' Court on 7 April 2000 in relation to an offence concerning the use of an unlicensed vehicle for private hire. Members also wished to have certain matters clarified concerning the ambit of the insurance documentation.

RESOLVED that consideration of this application be deferred until after the Court hearing and that the applicant be asked to produce to officers the insurance policy relating to the use of vehicles for private hire purposes.

I. DETERMINATION OF A PRIVATE HIRE DRIVER'S LICENCE - THIRD APPLICATION

The Sub-Committee considered an application for a private hire driver's licence where the criteria to enable the officers to determine the application under delegated authority were not satisfied.

The Chairman explained to the applicant the procedure to be followed in considering the application.

The applicant explained the basis of the application and the circumstances relating to it. Members and officers questioned the applicant and the applicant had the opportunity to question the officers and sum up his case. The applicant and the licensing officers then left the meeting whilst the Sub-Committee considered its decision and they were later readmitted to be informed of the decision.

RESOLVED that the application for a private hire driver's licence submitted by the individual named in the report be granted and that the applicant be given a strong warning concerning the standard of his driving in the future.

The meeting ended at 9.15 pm.