

**Minutes of a Meeting of the
Licensing Committee
21 July 2014**

Councillor Carson Albury (Chairman)
Councillor Peter Metcalfe (Vice-Chairman)

Councillor Ann Bridges	Councillor David Lambourne
Councillor Brian Coomber	Councillor Mike Mendoza
Councillor Emma Evans	Councillor Lynn Phillips
Councillor Debbie Kennard	Councillor Ben Stride

* Absent

LC/01/14-15 Declarations of Interest / Substitute Members

There were no declarations of interest.

LC/02/14-15 Confirmation of minutes

Resolved: that the minutes of the Licensing Committee 9 September 2013, and the Licensing Regulatory Sub-Committee that took place on 30 September 2013 be agreed as a correct record.

LC/03/14-15 Items Raised Under Urgency Provisions

There were no items.

LC/04/14-15 Questions and Statements by the Public

Mr Ridley a licenced hackney carriage driver made a statement to the committee. Mr Ridley asked members to consider that an application for an increase in the hackney carriage tariff was not representative of the wishes of a majority of drivers. It was purported that the majority of drivers had not been present at the meeting where a vote on the proposed rise were taken. The committee was told that fuel prices had been falling and not rising as had been suggested. Members were told that currently taxi fares in Adur were the 18th most expensive out of 365 nationally. It was the opinion of Mr Ridley that the proposed fare unfairly penalised shorter journeys as the proposed initial charge would rise from £2.80 to £3.00 and this would begin after 200 yards instead of the current 600 yards. The Committee was told that the proposed rise amounted to a 7.1% on the flat fare and 66.7% rise in yardage time. He asked the committee to consider if the proposed rise was fair.

Mr Martin a licenced hackney carriage driver made a statement and asked a question of the committee. Members were told that there were regional variances when it came to the setting of fares because of economic and geographical differences across different authorities. Members were told that there had not been a taxi fare rise since 2008 and drivers did not have the option of cutting costs like other businesses. Members were told that a consequence of not allowing a rise would be that drivers would be forced to work unnecessarily long hours thus increasing the risk of road traffic accidents. Members were asked if they were willing to be responsible for that risk should they reject the proposed rise

Mr Newell a licenced hackney carriage addressed a proposal that a glass hammer be put in the rear of taxis as a standard condition. He asked members to remove the condition from proposed taxi licensing conditions as the glass hammer could be used as a weapon. The senior licensing officer said that the matter was for members to consider and they could remove it if they so desired.

**LC/05/14-15 Local Government (Miscellaneous Provisions) Act 1976 –
Proposed Increase in the Taxi Tariff**

Before the committee was a report by the Director for Customer Services, copies of which had been circulated to all members and a copy of which is attached to the signed copy of these Minutes as Item 5. Members were requested to consider an application received from an Adur Taxi proprietor for an increase in the Hackney Carriage Tariff.

The senior licensing officer introduced the report to the committee and invited questions from Members.

A Member asked if applications for an increase could be accepted from a single proprietor. The senior licensing officer confirmed that was the case, however a trade meeting in November 2013 had voted for an increase and Mr Flemming who had chaired the meeting had been given the task of developing a rise and presenting it to the committee.

A Member asked how many drivers had been present at the trade meeting and how many drivers were within the district. The senior licensing officer informed members that there had been around 30 drivers present. There were 84 drivers, 63 of which were proprietors.

A Member asked how many of those at the trade meeting had voted for the proposal for an increase. The senior licensing officer stated that he did not have the exact number but he thought that it had been 16 to 15 in favour of the rise.

The applicant, Mr Flemming, introduced his application to the committee he made the following points:

- The tariff was a maximum tariff only;
- The tariff was at zero cost to the tax payer, Hackney carriages were business and were treated as such by the council;
- All drivers had been invited to the trade meeting by letter and could have voted accordingly, he had progressed the matter as instructed by a vote taken at the meeting;
- Taxi fares differ between districts because of the different types of journeys that could be expected and differing costs. He commented that the level of Council Tax differed between districts;
- It was difficult for drivers to be 'pulled off the rank' for £3 for short journeys, this was unsustainable;
- Fuel was more than it was in 2008 when the tariff was last raised, garage fares had risen by 20% based upon price rises at the garage he used;
- There was already a £1 surcharge on late night and Sunday journeys that customers did not object to. Customers had expressed surprise when he related that fares had not been raised since 2008;
- Bus fares had been risen consistently since 2008;

A Member asked how drivers would advertise their fares should they choose not to opt to use the proposed new fares, it was suggested that variant fares could cause problems on the rank. Mr Flemming stated that taxi drivers could negotiate a fee at the beginning of a journey or the end or they could advertise the fares in their taxi.

A Member commented that 19% of the total drivers were in favour of the rise and that the committee needed to hear from all 84 members. It was asked why the drivers had not considered using postal votes on the issue. Mr Flemming stated that they had done so in the past but this had elicited a response under fifty percent, there were also problems resourcing any such vote. Mr Flemming re-iterated that all drivers had been invited to the trade meeting he said that the figure of 84 was misleading. There were 84 drivers but only 63 drivers were proprietors so not all drivers would be entitled to a vote.

During discussion of the item there was general consensus amongst members that the vote taken at the meeting in November did not represent a majority of the trade. The committee unanimously agreed to reject the request from the Adur licenced proprietor and driver for a new tariff scheme.

Resolved: that the request from the Adur licensed proprietor and driver for a new Tariff Scheme be rejected

**LC/06/14-15 Local Government (Miscellaneous Provisions) Act 1976
Review of Taxi and Private Hire licence conditions**

Before the committee was a report by the Director for Customer Services, copies of which had been circulated to all members and a copy of which is attached to the signed copy of these Minutes as Item 6. Members were asked to review the current conditions imposed on Adur taxi & private hire licences and consider new updated taxi and private hire licence conditions to replace the current conditions of licence.

The senior licensing officer explained that if agreed the proposed conditions would be sent out for consultation and brought back before the committee. It was proposed that the consultation would last for four weeks and would be advertised on the website with documents sent to drivers and operators.

The committee discussed the report and asked that condition 3.2 of the Hackney Carriage and Private Hire vehicle conditions of licences be amended so that the word 'forthwith' be replaced with '14 days' in line with other conditions.

The Committee discussed the requirement for vehicles licenced for 5 or more passengers to carry a glass hammer. Members considered that the risk of the hammer being used as a weapon was too great and asked that all reference to the hammers be removed before being sent out for consultation.

Resolved:

- i) that condition 3.2 of the hackney carriage and private hire vehicle conditions of licences be amended so that the word 'forthwith' be replaced with '14 days';
- ii) that all references to requirement for the carrying of glass hammers be removed from the draft conditions;

- iii) that the consultation be carried out for four weeks and the matter be brought back before the committee.

The chairman closed the meeting at 8.05pm, it having commenced at 7.00pm

Chairman