

LICENSING COMMITTEE

Minutes of the meeting held on Wednesday, 15th June 2016 at Worksop Town Hall

Present: Councillor J Potts (Chair)
Councillors J R Anderson, H M Brand, G Clarkson, K M Greaves, S Isard,
G Jones, D Potts, D R Pressley and K Sutton.

Officers in attendance: S Aston, S Bacon, L Dore and A Webster.

(Meeting opened at 6.30pm.)

(The Chair welcomed all to the meeting and in particular Councillor Jones as the new Vice-Chair of the Committee. She read out the Fire Alarm/Evacuation Procedure and also enquired as to whether any member of the public wished to film/record the meeting or any part thereof; however, although there were three members of the public present, this was not taken up).

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors B A Bowles and D Merryweather.

2. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

(a) Members

There were no Declarations of Interest by Members.

(b) Officers

There were no Declarations of Interest by officers.

3. MINUTES OF THE MEETING HELD ON 20TH APRIL 2016

RESOLVED that the Minutes of the meeting held on 20th April 2016 be approved.

4. MINUTES FOR ACTION

With reference to Minute No. 61(a) – Hackney Carriage and Private Hire Drivers' Convictions and Fitness Policy, the Principal Solicitor (Licensing and Regulatory) informed Members that the report has been referred to the Council meeting scheduled to take place on 30th June 2016.

With reference to Minute No. 61(b) - Credit/Debit Card Charges on Hackney Carriage Journeys, the Principal Solicitor (Licensing and Regulatory) informed Members that the amendment to the Hackney Carriage Scale of Fares to include the Merchant Service Charge had been drafted, but not processed, pending the decision later in the meeting concerning the Review of Proposed Hackney Carriage Fare Increase.

With reference to Minute No. 61(d) - Fees and Charges - Hackney Carriage Vehicles and Private Hire Operators' Fees, the Principal Solicitor (Licensing and regulatory) informed Members that the increase in fees and charges had been implemented with effect from 1st May 2016 as resolved at the meeting.

RESOLVED that the Minutes for Action be received.

(Councillor Sutton joined the meeting during this Agenda item.)

5. OUTSTANDING MINUTES LIST

RESOLVED that the Outstanding Minutes List be received.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None.

Other Decisions

6. REPORT(S) OF THE PRINCIPAL SOLICITOR (LICENSING AND REGULATORY)

(a) Review of Proposed Hackney Carriage Fare Increase

Members were asked to consider how they wished to move forward in relation to a proposed increase in hackney carriage fares. The Scale of Fares was last increased in 2011.

On 18th March 2015, the Principal Solicitor (Licensing and Regulatory) presented a report relating to a request from Mr A Fosher, proprietor of A2B to increase the Hackney Carriage Table of Fares. Members decided on a period of consultation on the proposals and were presented with a report at the meeting in June 2015 at which Members resolved: no increase be made to Tariff 1 and the tariff be reviewed in 12 months' time; no increase be made to the waiting time; Tariff 2 to remain commencing at midnight; the soiling charge be increased to £75.

The current report included the current tariffs and also noted that recent changes have resulted in additional financial implications for some drivers, i.e. approximately £75 for online applications for DBS and DVLA checks, £75 plus travel to Nottingham for Medigold for a medical and £17 for Safeguarding Training. In addition, some hackney carriage proprietors are now VAT registered meaning that 20% of the fare is payable to HMRC.

Also included in the report was a table of proposals (from the 2015 consultation). The Committee was informed by the Principal Solicitor (Licensing and Regulatory) that it could:

- a) opt not to increase fares and set a further date for review;
- b) decide upon a further period of consultation with the Licensed Trade with a report being brought back to be consider the response; resolve to implement an increase in the scale of fares.

In addition, copies of emails received from individual hackney carriage drivers in 2015 were attached to the report along with a table of fares from Broxtowe Council concerning extra tariffs charged for multi-seat vehicles.

Members discussed the implications of further consultation, the suggested two-tier charging system and the proposed scale of fares included in the report as made by the trade in 2015.

RESOLVED that:

1. Tariff One be increased to £4.00 up to the first mile or part thereof and 19p for 1/10 or part thereof.

2. Tariff Two commencement time to remain at midnight and no increase to be applied.
3. Waiting Time - increase to 10p per 20 seconds.
4. Soiling Charge to remain at £75 as proposed in 2015.
5. An implementation date on the revised tariffs be set after the proposed Hackney Carriage Fare Increases have been advertised in local newspapers.
6. A report be brought back to Licensing Committee if there are any objections to the proposed Hackney Carriage Fare Increases.
7. The Principal Solicitor (Licensing and Regulatory) investigate options for a two-tier system of charging for multi-seat vehicles and a report be brought back to a future meeting of Licensing Committee.

(b) Hackney Carriage/Private Hire Drivers' Licence Knowledge Tests

Members were asked to consider how the Council charges new applicants (who are applying for a combined Hackney Carriage/Private Hire Vehicle Drivers' Licence) when they sit the Knowledge Test.

The Knowledge Test is a mandatory part of the application process which assists in ensuring the applicant is a 'Fit and Proper Person' to hold a Driver's Licence. The Test is divided into three sections including knowledge of the local area, legal issues and Driver's Licence Badge Conditions. There is currently no charge levied on drivers for taking the Test.

The report provided information on the current costs to drivers for: applying for a one, two and three year Driver's Licence; a Criminal Records Bureau Enhanced Certificate and check of DVLA records; a medical (plus travel to Nottingham); the DVSA Driving Test; Safeguarding Training. A table showed the charges levied by other local authorities for the Knowledge Test as taken in their area.

The report recommended that new applicants be charged to sit the Knowledge Test and outlined when it should be paid. It also recommended the maximum number of re-sits and the process by which an applicant could re-apply for a Driver's Licence should they fail the Test.

RESOLVED that:

1. An initial charge of £45 be introduced for new applicants to sit the Bassetlaw District Council Knowledge Test.
2. The £45 fee to be paid at the time the applicant sits the assessment.
3. If an applicant fails the Knowledge Test they must wait a period of one calendar month before they can re-sit the test.
4. The fee for a re-sit of the Knowledge Test will be £45 each time.
5. The applicant can re-sit the Knowledge Test a maximum of three times.
6. If the applicant fails the Knowledge Test three times they have to wait 12 calendar months (from the date they last sat their last attempt at passing the Knowledge Test) before they can re-apply for a Driver's Licence.

7. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RESOLVED that, in accordance with Part 1 of Schedule 12A of the Local Government Act 1972, and after considering the public interest test as set out by the officer in the body of the report, Members agreed that the following items of business involved the likely disclosure of exempt information as defined in Paragraphs 1, and therefore, in accordance with Section 100A of the Act, the press and public be excluded from the meeting:

Agenda Item No. 7(a) – Grant of Combined Hackney Carriage/Private Hire Driver's Licence - Paragraph 1.

Agenda Item No. 7(b) – Grant of Combined Hackney Carriage/Private Hire Driver’s Licence - Paragraph 1.

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None.

Other Decisions

8. REPORT(S) OF THE PRINCIPAL SOLICITOR (LICENSING AND REGULATORY)

(a) Grant of Combined Hackney Carriage/Private Hire Driver’s Licence

Members were asked to consider and determine revocation or suspension of the holder of a Combined Hackney Carriage/Private Hire Driver’s Licence. The holder of the licence was present.

RESOLVED that:

1. The Licence Holder be granted a Combined Hackney Carriage/Private Hire Driver’s Licence for a six-month probationary period.
2. The Licence Holder be asked to undertake an updated DVLA check in six months’ time and that the result of the check be reported back to the next meeting of the Licencing Committee following its receipt for members to consider granting the applicant a further licence.

(Councillor Anderson left the meeting before the resolution was made so therefore did not participate in the vote.)

(b) Grant of Combined Hackney Carriage/Private Hire Driver’s Licence

Members were asked to consider whether to grant or refuse an application for a Combined Hackney Carriage/Private Hire Driver’s Licence. The holder of the licence was present.

RESOLVED that the application be refused.

9. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT.

As there was no other urgent business to be discussed, the Chair closed the meeting.

(Meeting closed at 8.30pm.)