

LICENSING AND HEALTH AND SAFETY COMMITTEE

MINUTES of a **MEETING** of the **LICENSING AND HEALTH AND SAFETY COMMITTEE** held in the Committee Room 2, Civic Centre, Tannery Lane, Ashford on the **25TH JANUARY 2008**

PRESENT: Cllr. Goddard (Chairman);
Cllr. Feacey (Vice-Chairman);
Cllrs. Mrs Blanford, Mrs Heaton, Holland, Kemp, Mrs Martin, Naughton, Norris, Woodford.

APOLOGIES: Cllrs. Mrs Bell, Ellison.

ALSO PRESENT: Environmental Health Manager (Commercial), Licensing Officer (Enforcement), Member Services & Scrutiny Support Officer.

423 DECLARATIONS OF INTEREST

Councillor	Interest	Minute No.
Feacey	Code of Conduct – Personal but not Prejudicial – His company carried out work for taxi firms.	426, 427, 428

424 MINUTES

Resolved:

That the Minutes of the meeting of the Licensing and Health and Safety Committee held on the 26th November 2007 be approved and confirmed as a correct record.

425 PROPOSED FEE LEVELS FOR 2008/09 FOR GAMBLING ACT 2005 RELATED APPLICATIONS

The Environmental Health Manager (Commercial) introduced this Report and explained to the Committee that there was no requirement for the Report to be considered by the Executive as well as the Licensing and Health and Safety Committee. It was confirmed that the terms of reference for the Committee specifically permit it to consider and advise the Council in connection with the setting of fees for applications under the Gambling Act 2005.

The Members of the Committee discussed the Report and agreed the amended Recommendation.

Recommended:

That the Licensing and Health and Safety Committee recommends the fees for Gambling Applications and Notices as given in Appendix A of the Report to the Council.

426 REVIEW OF THE HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER VEHICLE AND OPERATOR FEES

The Environmental Health Manager (Commercial) advised Members that for the same reasons as given above the recommendation to this Report was also amended. She

advised that the increase in fees was for a 3% inflation increase plus an additional £5 charge for the drivers' application fee. Members of the trade were informed of these proposals in October 2007 and the Licensing Service had received only two responses regarding fees.

Recommended:

That the Licensing and Health and Safety Committee recommends the Hackney Carriage and Private Hire Vehicle, Driver and Operator licence fees as given in Appendix A of this Report to the Council as a basis for public consultation.

427 REVIEW OF THE HACKNEY CARRIAGE FARE SCALE

The Environmental Health Manager (Commercial) advised Members that the recommendation to this Report had also been amended for the reasons given previously. She stated a 5% increase in fares was proposed and that the matter had been subject to extensive trade consultation. It had also been discussed at a recent Taxi Forum meeting. The proposal to increase fares was felt to be justified especially when considering the increase in fuel costs. The Committee discussed other factors that had been affecting the taxi trade including the Ashford road works.

Recommended:

That the Licensing and Health and Safety Committee recommends the Hackney Carriage fare scale as given in Appendix A of this Report to the Council for the purpose of issuing a public notice.

428 ASHFORD BOROUGH COUNCIL'S TAXI LICENSING POLICY

After discussion the suggested amendments to the Taxi Licensing Policy were agreed by the Members of the Licensing and Health and Safety Committee.

Concern was raised by the Committee that there was no control over the number of hours a taxi driver could work, unlike an HGV or bus driver, and that an HGV or bus driver could complete a day's work and then continue as a taxi driver.

The Licensing Officer (Enforcement) advised the Committee that this matter was very topical and had been raised by the Institute of Licensing. It was hoped that this anomaly would be dealt with as part of a wider review of taxi licensing.

In response to questions/comments from the Licensing and Health and Safety Committee the Officers advised:-

- It was only illegal for a taxi to be unattended on a taxi rank.
- It was a KCC policy that private hire vehicles were not allowed to have the tag for the bus gates.
- Stretch limousines were using a contract exemption to evade being licensed but this provision was being repealed by the Government on the 28th January 2008 and so now they would have to be licensed. The proposed additional conditions for private hire limousines were discussed.
- The new testing arrangements for Private Hire Drivers were discussed. It was confirmed that Private Hire Drivers would not have to do "The Knowledge" test, but would undertake a basic test of their knowledge of local geography, the

highway code and hackney carriage and private hire licensing law and conditions.

- It was confirmed that all new Hackney Carriage Vehicles had to be wheelchair accessible. The need for disability training was discussed and it was established that training was available for drivers but was not compulsory at this stage.

Recommended:

That the Licensing and Health and Safety Committee recommends to the Executive the Taxi Licensing Policy for approval as provided at Appendix 1 of the Report.

MINS:LHSX0804