

Licensing and Health and Safety Committee

Minutes of a Meeting of the Licensing and Health and Safety Committee held in Committee Room No.2 (Bad Münstereifel Room), Civic Centre, Tannery Lane, Ashford on the 9th January 2012

Present:

Cllr. Goddard (Chairman);
Cllr. Feacey (Vice-Chairman);
Cllrs. Adby, Mrs Bell, Buchanan, Chilton, Davey, Hodgkinson, Marriott, Rutter, Shorter.

Also Present:

Licensing Manager, Licensing Officer, Member Services & Scrutiny Support Officer.

Taxi Trade Representatives:

Mrs Whybrow, Mrs Ruck, Mr Faldon.

Prior to the commencement of the Meeting the Chairman advised of a change to the order of business of the Meeting.

286 Declarations of Interest

Councillor	Interest	Minute No.
Adby	Code of Conduct – Personal but not Prejudicial – worked for Southeastern.	288 and 289
Feacey	Code of Conduct - Personal but not Prejudicial – as the Managing Director of Energyshift Ltd who worked with members of the taxi trade.	288 and 289

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Resolved:

That the Minutes of the Meeting of this Committee held on the 17th January 2011 be approved and confirmed as a correct record.

288 Review of the Hackney Carriage Fare Scale 2012/13

The Chairman explained that representatives from the taxi industry had been invited to attend and introduced Mr Faldon, Mrs Ruck and Mrs Whybrow who were in attendance at the meeting.

The Licensing Manager introduced his report which reviewed the hackney carriage fare scale and recommended a 10 pence increase to the starting fare (drop rate) and a 3 percent increase to the fare scale for 2012/13. The recommendations had arisen following debate at the September Taxi Forum and a questionnaire of hackney

carriage drivers and selected operators and the responses to that questionnaire were set out in the report. The proposed increases were modest and had come about due to an increase in fuel prices and the largest increase in car insurance premiums in history which in turn meant that operational costs had risen.

In October 2011 the average price per litre of unleaded fuel for the South East was 135.3 pence. Diesel for the South East was an average of 140.1 pence per litre. Compared with average of 128.9 pence per litre of unleaded petrol in January 2011 and the price per litre of diesel at this time was 133.1 pence for the South East. This represented an increase in price, from January 2011 to December 2011 in the South East, of 5% for unleaded fuel and 5.25% for diesel.

In response to questions from Members the Licensing Manager advised that the Council set the maximum fare that a hackney carriage proprietor could charge, the proprietor could charge less than this however but not more. In response to a question, it was believed that approximately 10% of hackney carriages ran on gas. In future years the agenda papers would detail the price of gas and any increases or decreases in the price.

Mrs Ruck, a Taxi Trade Representative, advised the Committee that a number of taxis had not changed their rates due to the costs involved to change the meters in each vehicle. She supported the proposed increase in the drop rate however felt that a 5 percent increase in the fare scale would help to ease the pressure on the Trade. Too high an increase in the drop rate would discourage the public.

Mrs Whybrow, a Taxi Trade Representative, advised the Committee that there had been a 16 percent increase in insurance premiums which came directly out of drivers' wages. She reminded Members that the recession was continuing and drivers were struggling to make a living, she felt that the Council needed to be fair to all parties, not just the paying public. She felt that a 5 percent increase in the fare scale would be appropriate.

Members felt that an increase of 10 pence to the drop rate and 5 percent to the fare scale took into account the issues raised by the Taxi Trade Representatives, the rate of inflation and the increase in both fuel and insurance costs.

Recommended:

That the hackney carriage fares as amended at the meeting and set out below be approved for the purposes of issuing a public notice: -

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(a) Fares for distance or time

	<u>£</u>
<u>Rate 1</u>	
If the distance does not exceed 695.6 yards, for the whole distance or for the first 220.5 seconds of waiting time	2.70
For each subsequent 177 yards or uncompleted part thereof	0.20
Or for each subsequent period of 56.1 seconds of waiting time or uncompleted part thereof	0.20

(b) Surcharges for certain times and days:-

Rate 2

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| a) For each hire commenced between 12 midnight and 7 am | 1½ x Rate 1 |
| b) For each hire undertaken on GOOD FRIDAY, EASTER MONDAY, MAY DAY, SPRING BANK HOLIDAY, SUMMER BANK HOLIDAY or any other specifically declared Bank Holiday only. | 1½ x Rate 1 |

Rate 3

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| c) For each hire undertaken on a CHRISTMAS DAY, BOXING DAY or NEW YEARS DAY
Note: When the holiday charge (b) or (c) is payable the Night Charge (a) is NOT payable. | 2 x Rate 1 |
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Extras - up to a maximum of £1.20

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| d) for each person (excluding infants in arms) carried in excess of two persons (two children under 10 years of age count as one person) irrespective of distance. | 0.20 |
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Note: For the purposes of counting the number of persons that the vehicle is licensed to carry, children under 10 years of age should each be counted as a person. A babe in arms should not be counted as a person.

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| e) for each article of luggage conveyed outside the passenger compartment of the carriage | 0.05 |
| f) for perambulators | 0.05 |
| g) for dogs | 0.10 |

289 Review of the Hackney Carriage and Private Hire Driver, Vehicle and Operator Fees 2012/13

The Licensing Manager introduced his report which recommended the proposed fees for the hackney carriage and private hire service for the financial year 2012/13. The report recommended that changes to some fee levels be applied for 2012/13. For three consecutive years fees had been frozen with the last fee increase taking place in 2008 which at 3 percent had been below the rate of inflation.

There was a proposal to move to a three year private hire and hackney carriage driver's licence in place of the current yearly licence. This was currently subject to consultation as part of the revised Taxi Licensing Policy. Costs for labour and materials had been reviewed and this had resulted in a number of changes for the fee levels, it was important to bear in mind that not all of these changes were an increase. There had been an increase in the number of drivers that were licensed in the Borough. This was common during a recession; however this was now levelling off. The fees proposed included a reduction in the cost of a driver's licence for three years from £147 to £75 and a reduction in vehicle renewals from £290 to £270. The majority of the fees were remaining at the same levels as those in 2009, with increases on low cost applications.

Mrs Whybrow, a Taxi Trade Representative, advised the Committee of the process and costs involved when a taxi was involved in an accident. Applying for the transfer of a vehicle licence was costly and needed to be carried out at short notice. Once the vehicle was repaired this process would have to be reversed, which was costly to the driver. However these costs would be repaid once the claim with the insurance company was settled. It was the short term costs to drivers that concerned her.

In response to a question from a Member the Licensing Manager said that the Council had to ensure that the operational costs were recovered and that they were not passed on to the rate payer. Enhanced Criminal Records Bureau (CRB) checks were carried out three yearly, which would be carried out at the same time a driver applied for a three year licence. For operational reasons it was proposed that when a driver was due for a CRB check they could then apply for a three year licence.

The Licensing Officer advised the Committee that private hire and hackney carriage drivers were defined as notifiable occupations, which meant that should a driver be arrested it was the duty of the Police to report this arrest/conviction to the Licensing Authority.

Members felt that the cost of transferring a vehicle licence should be bought in line with the costs for a replacement licence and the transfer of a licence (without plate or badge).

Recommended:

That the hackney carriage and private hire vehicle, driver and operator licence fees structure as amended at the meeting and as given in the table below be approved.

**PROPOSED HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING FEES
2012/13**

	CURRENT FEES	PROPOSED FEES
	2011/12	2012/13
Private Hire & Hackney Carriage Drivers Licence (for 1 year)	£49.00	£49.00
Private Hire & Hackney Carriage Drivers Licence (for 3 years)	N/A	£75.00
Additional driver's licence (adding a licence)	£16.00	£20.00
Hackney Carriage Knowledge Test & Re-test	£30.00	£30.00
Replacement badge	£15.00	£15.00
Vehicle Licence - New or Renewal (including vehicle plate) for 1 year	£290.00	£290.00 – New £270.00 - Renewal
Vehicle Plates or Brackets	£17.00	£20.00
Internal Vehicle Plate	£15.00	£15.00
Transfer of Vehicle Licence (including vehicle plate)	£25.00	£20.00
<i>Vehicle Inspection - Test Fee (set by contract)</i>	<i>max £32.00</i>	<i>Max £28.00</i>
<i>Vehicle Inspection - Missed Appointment (set by contract)</i>	<i>No charge</i>	<i>No charge</i>
Private Hire Operators Licence - New or Renewal (for 3 years)	1-3 vehicles : £73 4-10 vehicles : £310 11-20 vehicles : £620	1-3 vehicles : £73 4-10 vehicles : £310 11-20 vehicles : £620
To increase number of vehicles licensed during duration of Operators Licence		Differences between the categories (£237 & £310)
Replacement Licence	£16.00	£20.00
Transfer of any Licence (without plate or badge)	£16.00	£20.00
Fee for Returned (Bounced) Cheques	£16.00	£16.00

290 Proposed Fee Levels for 2012/13 Gambling Act 2005 Related Applications

The Licensing Manager introduced his report which proposed fees for premises licences and temporary use notices in connection with premises used for gambling for the financial year 2012/13. There were no proposals to build a casino in Ashford.

In response to a question from a Member, the Licensing Manager advised of the new applications for betting premises that had opened within the Borough within the last three years. No new applications for betting premises were anticipated in 2012/13.

Recommended:

That the fees used for gambling applications and notices as given below be approved.

RECOMMENDED PREMISES LICENCE FEES

Premises Type	New Application (£)	Annual Fee (£)
New Small Casino	6285	3575
New Large Casino	7540	7215
Regional Casino	11880	11140
Bingo Club	2160	670
Betting Premises (excluding Tracks)	2160	430
Tracks	1690	670
Family Entertainment Centres	1690	580
Adult Gaming Centre	1690	670
Temporary Use Notices	200	N/A

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	Application to Vary £	Application to Transfer £	Application for Re-Instatement £	Application for Provisional Statement £	Licence Application (provisional Statement holders) £	Copy Licence £	Notification of Change £
New Small Casino	2580	1500	1260	6285	2240	25	50
New Large Casino	3410	1760	1985	7540	3700	25	50
Regional Casino	5570	4055	4055	11880	5785	25	50
Bingo Club	1475	820	820	2160	890	25	50
Betting Premises (excluding Tracks)	1245	820	820	2160	890	25	50
Tracks	1130	820	820	1690	890	25	50
Family Entertainment Centres	760	820	820	1690	735	25	50
Adult Gaming Centre	760	820	820	1690	890	25	25
Temporary Use Notices	N/A	N/A	N/A	N/A	N/A	25	N/A

Ashford Borough Council's Licensing Authority proposes the following fees as shown in bold type in the table above.

Queries concerning these minutes? Please contact Kirsty Liddell:
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