

Minutes of the Licensing Committee held on 6th March 2012 from 7.00 p.m. to 8.25 p.m.

Present: Chris Hersey (Chairman)
Mims Davies (Vice-Chairman)

David Dorking*
Kathy Dumbović
Richard Goddard
Ginny Heard

Bruce Forbes
Jacqui Landriani
Gordon Marples
Gary Marsh*

Bob Mainstone
John O'Brien*
Peter Reed
Robert Salisbury
Emily White

* Absent.

Also in attendance:- Representatives from the Mid Sussex Taxi Association and Station Taxi's.

18. SUBSTITUTES AT MEETINGS OF COMMITTEE – COUNCIL PROCEDURE RULE 4

The Committee noted that no substitutes had been appointed in accordance with Council Procedure Rule 4 – Substitutes at Meetings of Committees etc.

19. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Marsh.

20. DECLARATION OF INTERESTS

No Declarations of Interest were made.

21. MINUTES

The Minutes of the meeting of the Committee held on 7th December 2011 were approved as a correct record and signed by the Chairman, subject to the year "2001" being amended to read "2011" on the second line in Minute 17.

22. REPRESENTATIONS FROM THE TRADE

Mid Sussex Taxi Association and Station Taxi's presented their observations to the Committee on the draft Hackney Carriage and Private Hire Licensing Policy following the public consultation exercise.

The Chairman thanked the representatives for attending the meeting and presenting their views on the draft Policy.

22. DRAFT HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY FOLLOWING PUBLIC CONSULTATION

The Committee considered the draft Mid Sussex Hackney Carriage and Private Hire Licensing Policy following responses to the consultation exercise.

The Head of Housing, Environmental Health and Building Control introduced the report. She explained that, following consideration by this Committee, their views will be passed on to the Better Services Advisory Group who will, in turn, recommend it to full Council for adoption.

She also reminded Members of the background to this draft Policy and took them through the options contained in the report. She pointed out that Proposals D – requiring all drivers to have evidence of insurance in the car at all times; E – restricting Private Hire Drivers from parking near Taxi Ranks, Stations or appearing to “Rank Up” on the street; and F – the introduction of a Customer Charter had been broadly supported. The report focused on the three most contentious issues in the policy, namely the requirement for a livery for hackney carriages, an age restriction on licensed vehicles, and the proposal for additional vehicle fitness tests, and these were then discussed in turn.

Proposal A – Introducing a Livery in the District

One Member referred to the previous set of minutes and expressed his concern in relation to the number of defective vehicles, and added that it is the Council’s responsibility to ensure public safety. He added that the age of vehicles should be looked at very carefully and he questioned the reason behind requiring livery on vehicles.

Lynne Standing, Head of Housing Environmental Health and Housing clarified that, with livery, it is easy for the public to distinguish between private hire and hackney carriage vehicles. It also results in a professional looking fleet.

A Member supported the view that he would like to see taxi’s which can be recognised, but he did not want to drive drivers out of business. He suggested the simple solution of using a magnetic sign, something which is distinguishable and displays the Mid Sussex logo. He added that he would like to see this change sooner rather than later.

Another Member commented that if the vehicles have livery it gives confidence all round that it is a safe, reliable taxi fleet. He would hate to lose the idea of livery.

A Member expressed his sympathy for the taxi trade but he said that there should be some kind of identity introduced over a period of extended time. Another Member supported this view adding that timing of the introduction of livery should be considered very carefully.

The Chairman observed that, from comments already made by Members, there is benefit to livery, although some concern had been expressed with regard to finance.

Proposal B – Age Restriction on Vehicles

A Member said that vehicles over 10 years of age should not be licensed.

Another Member disagreed with this, she said that the fitness of the vehicle is far more important than the age.

One Member said that he was slightly uneasy at agreeing a longer period than 10 years for the age of the vehicle and that a realistic time limit should be set for introducing this condition, it should not be introduced over a short period of time.

Proposal C – Introducing Additional Testing for Vehicles over 3 years of Age Twice a Year

The Head of Housing, Environmental Health and Building Control explained to the Committee how the decision made in Proposal B would reflect on Proposal C.

With regard to the introduction of additional testing for vehicles, she assured the Committee that the system as suggested in the original draft Policy should be adequate if an age restriction was introduced.

The Chairman then took Members to the options contained in the report.

Proposal A:

Councillor Hersey proposed a motion that white livery be introduced over a period of ten years. This was seconded by Councillor Reed and agreed by 11 votes in favour with one abstention.

Proposal B:

Councillor Davis proposed a motion that the introduction of an age restriction on licensed vehicles such that vehicles over 10 years would not be licensed should be introduced over five years.. This was seconded by Councillor Marples and agreed by 11 votes in favour with one abstention.

Proposal B:

It was agreed that vehicles over three years of age should have one additional test per annum. .

Proposals D, E and F

It was agreed that these proposals be adopted.

RESOLVED (to recommend to Better Services Advisory Group)

That:-

- (1) white livery be introduced for hackney carriage vehicles over a period of ten years, and that in the interim private hire vehicles should be required to carry magnetic or transfer signs on their sides, to a design agreed with the Council, to make clear that they can only be pre-booked;
- (2) a 10 years age restriction of a licensed vehicle be introduced over a period of five years;
- (3) that vehicles over 3 years of age should be required to have two fitness tests per annum; and
- (4) the date for the introduction of the Policy be deferred to 1st September 2012 to allow time for adoption by full Council.

23. REQUEST FOR AN INCREASE IN THE FUEL SURCHARGE TRIGGER

The Committee considered a request to reset the point when the fuel surcharge can be added to the current Hackney Carriage metered tariff.

Alec Lee, the Council's Hackney Carriage and Private Hire Licensing Officer introduced the report and explained that the Mid Sussex Taxi Association had requested a change to the point where the current fuel surcharge, which is added to the current Hackney Carriage metered tariff, comes into effect when fuel prices rise to £2.00 or above per litre.

He added that, if the proposed increase is agreed, the fuel surcharge trigger will be advertised in the local press.

RESOLVED

That the revised fuel surcharges, as shown in Appendix 3 to the report be agreed.

24. CHANGE TO MULTI-SEAT VEHICLE TARIFFS

The Committee considered a change in the tariff charged by multi-seat vehicles when carrying five or more passengers.

Alec Lee, the Council's Hackney Carriage and Private Hire Licensing Officer introduced the report and explained that Mid Sussex Association had requested a change in the tariff charged by multi-seat vehicles when carrying five or more passengers at times when Tariff 2 fares apply.

The Hackney Carriage and Private Hire Licensing Officer, in response to a question from a Member, clarified that, following the Committee's agreement to the increase in Emergency Fuel Surcharge, the change to multi-seat vehicle tariffs be advertised with the Emergency Fuel Surcharges (as amended).

RESOLVED

That the extra tariff rate for multi-seat vehicles as shown in Appendix 3 to the report be agreed.

26. LIQUOR LICENSING PANEL MINUTES

The Committee received and confirmed the minutes of the Liquor Licensing Panel held on 21st December 2012, subject to the closure time being "11.34 a.m." rather than "11.34 p.m.". These minutes were signed by the Chairman of the Committee.

Chairman.