

**Minutes of a meeting of Licensing Committee
held on Tuesday, 8th February, 2022
from 5.00 pm - 6.05 pm**

Present: J Dabell (Chairman)
S Smith (Vice-Chair)

G Allen	J Knight	J Mockford
M Cornish	C Laband	R Webb
R Cromie	Anthea Lea	N Webster
L Gibbs	G Marsh	

Absent: Councillors J Henwood and N Walker

1. TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillors Henwood and Walker.

2. TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.

None.

3. TO CONFIRM THE MINUTES OF THE PREVIOUS MEETINGS HELD ON 2 FEBRUARY AND 28 APRIL 2021.

The Minutes of the meeting of the Committee held on 2 February and 28 April 2021 were approved as a correct record and signed by the Chairman.

4. TO CONSIDER ANY ITEMS THAT THE CHAIRMAN AGREES TO TAKE AS URGENT BUSINESS.

None.

5. REQUEST FOR INCREASE IN HACKNEY CARRIAGE FARES 2022.

Jon Bryant, Senior Licensing Officer introduced the report which asked the Committee to consider a request by Station Taxis of Burgess Hill, on behalf of the Hackney Trade to increase the Hackney Carriage Fares. It was noted that they have already increased the fares charged by their Private Hire vehicles. The recommendations were to: (a) Agree with the submitted proposal and amend and increase the tariff by the requested amounts, (b) Consider an alternative increase to the existing three tariffs, (c) Consider no increase to the tariff or (d) Review the request in 6 months. The officer advised the tariff for Hackney Carriages is set by the Council, but Hackney Carriages can charge a rate below the metered rate. He highlighted that the Mid Sussex Taxis Association has not been active since 2018. Station Taxis petitioned interested parties and then made their representation to the

Licensing Team, the Licensing Team canvassed all Hackney Carriage Drivers and 50% replied. 55% of the responses were in favour of the increase.

He advised that there has been one increase in the last seven years, in 2018 and the drivers have incurred increased costs. The additional costs include the introduction of statutory standards: mandatory training, installation of CCTV and loss of income due to the pandemic. There are currently three tariffs, and the proposal is to introduce five tariffs to cover unsociable hours and increase the waiting time rate. The Local Government (Miscellaneous Provisions) Act 1976 provides the power and mechanism for the local authority to set fares for Hackney Carriages, the costs to advertise any change in the tariffs would be met from the existing budget.

The Chairman highlighted to the Committee that some drivers were concerned that they were losing money whilst others thought the fare increase might reduce the number of people using Hackney Carriages.

Members agreed a fare increase was a balancing act and discussed the rate of inflation, increased costs incurred by the drivers and the possible change in the way the public use Hackney Carriages (particularly lone females and families) of an increase in fares and introduction of a 5-band tariff. They noted some of the increased costs could be tax deductible and thought the timings for the 5-band tariff needed to be clearer.

Some Members were concerned that only 55% had responded to the canvass by the Licensing Team. The Members suggested reviewing the request for an increase once more data was available.

In response to a Member's questions the Senior Licensing Officer confirmed that all Hackney Carriage drivers are self-employed but they may rent out their cars to other licence holders. He was not aware of the impact of the increase in Private Hire charges by Station Taxis and the Hackney Trade could ask for an annual review of the Hackney Carriage tariff.

Councillor Marsh proposed recommendation (d) that the Licensing Team review the request in six months, this was seconded by Councillor Cromie.

As there were no further questions the Chairman took Members to a vote which was agreed with 11 votes in favour and 1 against.

RESOLVED

That the Committee review the request in six months.

6. REPORT INFORMING LICENSING COMMITTEE OF INTRODUCTION OF MANDATORY TAX CONDITIONALITY CHECKS.

Jon Bryant, Senior Licensing Officer introduced the report which asked the Committee to note that additional checks will be introduced by HMRC on new or renewal applications for taxi and private hire drivers, private hire vehicle (PHV) operators and scrap metal dealers in England and Wales. The Licensing Team must confirm that all applicants have completed the mandatory 'tax check' and it will be part of the application process from 4 April 2022. This 'tax check' is to identify the hidden economy of individuals and businesses with sources of taxable income that are entirely hidden from HMRC, thereby depriving the Government of valuable funding for essential public services, estimated to be £2.6 billion in 2018 to 2019.

The Licensing Team will sign post first-time applicants to HMRC guidance about their potential tax obligations and use a portal to check the code supplied by the applicant. HMRC will provide details to the licensing authorities if they have a technical failure which prevented applicants obtaining the check code and a dispensation will be given.

Following a Member's question the Senior Licensing Officer confirmed there would be no changes to the Council's policy and it will be a legal requirement to complete the check before commencing the 'fit and proper' process.

As there were no further questions the Chairman took the Committee to the recommendation.

RESOLVED

The Committee noted the report.

7. REPORT TO LICENSING COMMITTEE REGARDING INTRODUCTION OF LICENSED VEHICLE DOOR SIGNS.

Jon Bryant, Senior Licensing Officer introduced the report which asked the Committee to identify the type of door signs to be adopted by the Council and whether the signs should be solely adhesive or whether they could be mounted magnetically. He noted that it was a requirement to display the Mid Sussex logo, the new door signs help protect the public and would be introduced from 1 October 2022. He noted some issues of using a magnetic fixing for the door signs, theft of the signs and possibility of them becoming detached when incorrectly attached or when vehicles travel at high speed. Some licence holders prefer to remove the signs as they may only have one car which is also used as a family car. However, he noted that a licensed vehicle is always a licensed vehicle even if it is being used for family purposes. He confirmed that licence holders would cover the cost of the backing for magnetic signs if that option was selected and must notify the Council if signs are lost. The fees are reviewed annually and any additional costs arising from the implementation and enforcement of the revised policy would be met, where necessary through changes to taxi and private hire licence fees and charges.

Members discussed the possibility and implications of theft of the magnetic door sign and were advised that many vehicles would also have a roof sign to indicate they were a bona fide licensed vehicle and the impact of adhesive signs on paint work. Members agreed to the adhesive signs.

Following a question for the Chairman the Senior Licensing Officer confirmed that the door signs for Hackney Carriages would be the same shape and similarly all Private Hire vehicle would have the same shape door sign. The colour of the door signs would match the colour of the licence plate, white for Hackney Carriages and yellow for Private Hire vehicles. He confirmed that all Hackney Carriage Vehicles will have to be white from 1 October 2022 and Private Hire vehicles can be any colour except white. Crawley Borough Council have white logos on their licenced vehicle which are also white, and these are highly visible.

As there were no further questions the Chairman took the Members to the recommendations that the Committee identify the type of door sign to be adopted and whether the signs are solely adhesive or if vehicle proprietors can mount them magnetically.

Councillor Marsh proposed elliptical door signs for Private Hire vehicles, this was seconded by Councillor Anthea Lea. The Chairman took the Members to a vote which was agreed unanimously.

Councillor Laband proposed rectangular door signs for Hackney Carriage vehicles, this was seconded by Councillor Cromie. The Chairman took the Members to a vote which was agreed unanimously.

Councillor Marsh proposed adhesive door signs, this was seconded by Councillor Cromie. The Chairman took the Members to a vote which was agreed with 11 votes in favour.

RESOLVED

That the Committee approved adhesive door signs for licensed vehicles, elliptical signs for Private Hire and rectangular signs for Hackney Carriages.

8. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.2 DUE NOTICE OF WHICH HAS BEEN GIVEN.

None.

The meeting finished at 6.05 pm

Chairman