

Crawley Borough Council

Minutes of Licensing Committee

Wednesday 14 November 2007 at 7.35 pm

Present:

Councillor B M Brockwell (Chair)
Councillor D J Shreeves (Vice-Chair)
Councillors B K Blake, A G Brown, B J Burgess, J I Denman, R J Hull,
B McCrow, J L Millar-Smith, B J Quinn, C J Redmayne, and
L A Seekings

Officers Present:

Tony Baldock	Group Manager Food Licensing and Occupational Health
Manson Kendall	Principal Lawyer
Dave Packham	Licensing Officer
Angela Tanner	Head of Environmental Services
Chris Pedlow	Democratic Services Officer

Apologies for Absence:

Councillors: D P Kavanagh, C C Lloyd and J Singh

6. Minutes

The minutes of the meeting of the Committee held on 6th June 2007 were approved as a correct record and signed by the Chair.

7. Hackney Carriage Fares 2007 – 2008

The Committee considered report ES/192 of the Head of Environmental Services. The Licensing Officer reported the differences between the proposed options as defined within the recommendations contained within the report and explained the term flag rate, meant the rate that was shown on the taxi meter at the start of a journey. Members showed concern that, as in previous years the Licensing Committee had only been presented with two options either 20 pence on the flag rate or 20 pence on the price charged per mile.

The Chair of the Licensing Committee invited Mr Feasy, representing Crawley Hackney Carriages, to comment on the report before the Committee. Mr Feasy informed Members that an increase in fares was necessary due to the increase in petrol and diesel cost. He asked that the Committee to consider to increasing both the flag rate and the rate charged per mile. He also asked that the Committee considered

adding an extra surcharge to each journey due to the high price of fuel. The Licensing Officer confirmed that the Committee was able to alter the proposals contained within the report in whatever manner that they saw fit.

Members considered the recommendations and debated in full the benefits of increasing the flag rate by 20p, cost per mile by 20p, increasing both or not changing the charges. After much deliberation the Committee voted on the proposed options, 6 Members voted to increasing cost per mile and 3 Members to increase the flag rate and no votes for increasing both (cost per mile and flag rate).

The Committee asked for a review to be carried out into the process which Hackney Carriages fees and charges were amended. Included within this review should be an examination of the alternative options for charging, as well as consultation with the Hackney Carriages Drivers. It was noted that the review could be a Policy Development Forum or an Investigation Panel made up of the Licensing Members.

RESOLVED

1. That the current initial hiring amount of £3.00 for the first 1,759 yards (1,608.4 metres) remain unchanged with the meter showing £3.20 for a distance of 1,760 yards (1,609.3 metres) and that the distance travelled for each subsequent increase of 20p be changed from 196 yards (179.2 metres) to 176 yards (160.9 metres). Also, that relative increases apply to tariff 2 (time and a half) and tariff 3 (double time) as appropriate.
2. That 'waiting time' of 20p per each period of 52 seconds be changed to 20p per each period of 48 seconds.
3. That the Committee grant permission to advertise their decision in the local press and resolve to adopt the table of fares as set out in the Appendix to the Minutes.
4. That, following the advertisement the Committee meet to consider any objection that may be lodged within the specified time period: if no objection is received the Committee approve the proposals with an implementation date set for the 6th December 2007.
5. That a full review into Hackney Carriages and their charges take place over the next year and that the findings from the review be included in the report into Hackney Carriage Fares 2008 – 09.

8. Licensing Scrutiny Panel Referrals to the Licensing Committee and Proposed Training and Amendments to Process

The Committee considered the joint report ES/194 of the Head of Environmental Services and the Executive Member for Environmental Services. Councillor Redmayne, the Chair of the now completed, the Licensing Scrutiny Panel addressed the Committee and informed them that the scope of the Scrutiny Panel, had been to examine how the Council had implemented the Licensing Act 2003 and what lesson had been learnt and what possible changes could be made to the manner in which the Council operated in the future. It was noted the Scrutiny Panel was a short, sharp, focused, review, that included many witnesses from the responsible authorities and other bodies affected by the Licensing Act.

The Head of Environmental Service then guided the Committee through the report highlighting the Licensing Scrutiny Panel's (LSP) recommendations, and providing contextual background. The Committee was informed that LSP Recommendations 9 and 10 related to discussions with the Ambulance Service, which although not classed as a Responsible Authority under 2003 Act, had been greatly affected by the later drinking hours. Whilst Members were in favour of both of these LSP recommendations, it was felt that LSP recommendation 10 needed further development via a Policy Development Forum.

Members were informed that LSP Recommendation 14 related to providing the Licensing Sub Committee Members with further background information that's associated with any application or hearing before them. It was noted that this evidence would only be information currently within the public domain such as any relevant planning conditions. The Licensing Committee fully supported this concept. It was noted that in that the Head of Environmental Service had asked that recommendation 2.4 in report ES/194 be amended to remove LSP recommendation 14.

LSP recommendations 16 and 17 were supported by the Licensing Committee, as it was felt that any additional training could only benefit Members in gaining further knowledge of areas that were under the Licensing Committee's jurisdiction. It was noted that the proposed training schedule included was only an example and not the confirmed Members training itinerary. Members asked that the first training session of the Council year should be on the Licensing Act 2003, to enable any new Members to the Licensing Committee to gain knowledge on this as soon as possible. It was also requested that a training session on the role of the Licensing Committee within the Council's Constitution.

It was noted the Licensing Committee expressed their thanks and congratulations on a good piece of work to the Members, Officers and the witnesses that took part in the review carried out by the Licensing Scrutiny Panel.

Members also asked for their opinions on the two different Sub Committee report templates, which were attached as appendices A and B to the report. Appendix A was a suggested new format and Appendix B was the current Crawley Borough Council template. The Members' views were mixed on the templates as each Member liked different aspects of each. After a detailed discussion it was agreed that the Committee would like to see another template produced based on Appendix A with the additional elements of the 'Appendix links' and the 'Information Packs references', as found on the current Licensing Sub Committee Report. The Committee asked that a draft of that template be produced for the next meeting.

The Head of Environmental Services also asked the Licensing Committee, whether it wished to receive additional Licensing Briefing, after every Committee meeting. The briefing would be based on Appendix C to the report and include a number of updates on different issues such as the numbers of licences issued under delegated powers, what current operations were about to or had just taken place, précis of any stakeholder engagement, including the Responsible Authorities, that had taken place. Members liked this idea and agreed that it should be implemented for the next Licensing Committee.

RESOLVED

1. That the proposed training plan be adopted to enable the Recommendations 16 and 17 of the Licensing Scrutiny Panel to be realised.

2. That a new Licensing Sub Committee Report format be created based on the style of the template attached as Appendix A to the report, with the addition of the 'Appendix links' and the 'Information Packs references', as found on the current Licensing Sub Committee Report.
3. That the proposed standing agenda for Licensing Committee business be adopted.
4. That Recommendations 15 of the Licensing Scrutiny Panel be amend to prevent potential legal challenge to any decisions of the Committee

9. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 8.53 p.m.

B M BROCKWELL
Chair