

Crawley Borough Council



Minutes of Licensing Committee 7 September 2011 at 7.30pm

Present:

Councillor B McCrow (Chair)

Councillor V Cumper (Vice-Chair)

Councillors B K Blake, N Boxall, B J Burgess, L R Gilroy, M G Jones, S Kaur,
J L Millar-Smith, B J Quinn, D J Shreeves and K Trussell

Also in Attendance:

Councillor R A Lanzer

Officers Present:

Tony Baldock	Environmental Health Manager (Port Health, Food, Licensing, Workplace Safety & Wellbeing).
Steve Kirby	Enforcement & Technical Services Manager
Mez Matthews	Democratic Services Officer
Bill Nailen	Licensing Officer
Angela Tanner	Head of Planning & Environmental Services
Astrid Williams	Solicitor

Apologies for Absence:

Councillors P K Lamb, C Oxlade and K Williamson

5. Minutes

The minutes of the meeting of the Committee held on 8 June 2011 were approved as a correct record and signed by the Chair.

6. Members' Disclosure of Interests

No disclosures of interests were made by Members.

7. Hackney Carriage Vehicles: Providing an Excellent Service for our Customers

The Committee considered report PES/42 of the Head of Planning and Environmental Services which reviewed the way the Hackney Carriage Service was provided. The Committee noted that on 9 September 2002 the Licensing Committee resolved to “de-restrict” the number of Hackney Carriage Vehicle licences issued by the Council (minute 143 of that meeting refers). However, a proposal had been received from the Crawley Hackney Carriage Association to restrict the number of Hackney Carriage Vehicles that operated within the Borough by restricting the number of licences issued by the Council. During that consultation, a number of issues were discussed in respect of improving the service such as the opportunity to raise awareness of the needs of disabled customers using the Hackney Carriage Service.

The Head of Planning and Environmental Services drew the Committee’s attention to the following information contained within the report: legislation, government guidance, the Crawley context, the survey carried out on behalf of the Hackney Carriage Association and conclusions of that survey, as well as the need for increased awareness of disability issues. The Committee was also asked to consider Appendix A to the report which set out the results from the consultation exercise conducted by the Council and which included in some detail the comments made by those who participated. Angela Tanner stated that the results of the consultation exercise showed that the proposal was broadly supported by those who had participated.

Councillor R A Lanzer addressed the meeting and stated that the decision before the Committee was important and that there was a need to balance both the views of the trade and the public. He asked the Committee to note that the survey commissioned by the Hackney Carriage Association had been conducted by a reputable company. He reminded the Committee that, should it decide to restrict the number of Hackney Carriages within Crawley, another survey would need to be conducted in three years time and that regeneration of the Town Centre could increase the need for Hackney Carriages. Councillor Lanzer was of the opinion that the current de-restriction did not work and that there was a need for new taxi ranks as overcrowded ranks were undesirable. Councillor Lanzer informed the Committee that, although the report mentioned the value of Hackney Carriage licence plates, that was not a consideration of the Council and the Committee should not take that into account when making its decision.

Mr Alan Howard, Secretary of the Crawley Hackney Carriage Association and Hackney Carriage Driver, addressed the meeting and informed the Committee that the de-restriction of Hackney Carriage Vehicle licences had led to an increase in congestion within the town. He reminded the Committee that as the independent survey had concluded that there was no unmet demand, the Committee could decide to restrict the number of Hackney Carriage Vehicle licences. Mr Howard added that should the Committee be minded to restrict the number of licences, the Hackney Carriage Association accepted that Crawley Borough Council would not pay for future surveys and suggested that the licence fee be increased by £30 per driver per year to cover the cost of the future survey. Mr Howard was of the opinion that the Council’s Policy should be robust to avoid drivers obtaining additional licences in exceptional circumstances.

The Committee considered the report and the comments made by both Councillor Lanzer and Mr Howard and acknowledged the findings of the survey and consultation exercise. The Committee was informed that it would be premature to decide how the future survey would be funded as there were several options available and considerations which would need to be taken into account. It was noted that a review

of fees and charges would be brought to a future meeting of the Committee and that the option to include a levy on the licence fee for Hackney Carriages to cover the cost of any future survey would be considered at that time.

The Committee agreed that an increase in awareness of disabled customers' needs was important and it was noted that a formal Forum would be set up to consider the matter. That Forum would constitute service users as well as representatives from the Hackney Carriage Association. The Committee thanked the Hackney Carriage Association for their contribution, and thanked the officers for working effectively with the Trade.

RESOLVED

1. It was agreed:
 - (a) To implement a policy of limiting Hackney Carriage Vehicle licences granted by Crawley Borough Council (such limit to be the number of current licences granted by the date of the Committee's decision), subject to any applicant demonstrating exceptional circumstances;
 - (b) That the Head of Planning and Environmental Services determine all future applications for Hackney Carriage Vehicle licences in light of this and any other relevant policy.
 - (c) That should the Head of Planning and Environmental Services decide that the Policy should not be followed due to the exceptional circumstances of an Applicant and therefore grant the application, then he/she should report the fact to the next Licensing Committee;
 - (d) That any person who applies for a Hackney Carriage Vehicle licence and is refused because of this Policy be given the opportunity to join a waiting list for when the Policy is next reviewed;
 - (e) That the Policy be reviewed by no later than May 2014.

2. It was agreed that further investigation be carried out to develop a number of options in respect of improving awareness of the needs of disabled customers using the Hackney Carriage Service, and that officers present options to the Committee within the next 6 months.

8. Approval of the Food Safety and Port Health Service Plan 2011-2012

The Committee considered report PES/33 of the Head of Planning and Environmental Services which sought approval of the Food Safety and Port Health Service Plan 2011-2012 (attached to the report) which was a requirement of the Food Standards Agency. The Plan set out how the Food Safety Service would use the changes introduced by the Food Standards Agency in 2008 to promote food hygiene compliance in Crawley and how that would complement the Crawley Scores on the Doors Scheme.

It was suggested that the Scheme notices displayed on the food premises could include the contact details for the Environmental Health Department should a customer wish to comment on the rating of a premise.

The plan was well received and the officers thanked for an interesting presentation covering both this and the Health and Safety & Licensing Service Plan.

RESOLVED

That the contents of the Food Safety and Port Health Service Plan 2011-2012 be approved.

9. Approval of the Health and Safety & Licensing Service Plan 2011-2012

The Committee considered report PES/34 of the Head of Planning and Environmental Services which sought approval of the Health and Safety & Licensing Service Plan 2011-2012 (attached to the report). Revised guidance under Section [18] of the Health and Safety at Work etc Act 1974 indicated that such a Plan should be drawn to the attention of Members.

RESOLVED

That the contents of the Health and Safety & Licensing Service Plan 2011-2012 be approved.

10. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 8.43pm.

**B MECROW
Chair**