

Crawley Borough Council

Minutes of Licensing Committee

5 January 2012 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, P K Lamb,
J L Millar-Smith, C Oxlade, B J Quinn, D J Shreeves, K Trussell and
K Williamson

Also in Attendance:

Councillor R G Burgess

Mr Barry Jones – Independent Member of the Standards Committee (Observing)

Officers Present:

Tony Baldock	Environmental Health Manager (Port Health, Food, Licensing, Workplace Safety & Wellbeing)
Kevin Carr	Principal Lawyer
Mez Matthews	Democratic Services Officer
Bill Nailen	Licensing Officer
Angela Tanner	Head of Planning and Environmental Services

Apology for Absence:

Councillor S Kaur

17. Minutes

The minutes of the meeting of the Committee held on 2 November 2011 were approved as a correct record and signed by the Chair.

18. Members' Disclosure of Interests

No disclosures of interests were made by Members.

19. Licensing Sub Committee Minutes

The minutes of the following meeting of the Licensing Sub-Committee were approved as a correct record and signed by the Member indicated below:-

Date	Sub-Committee Minutes	Minutes signed by
29 November 2011	Application to Vary the Premises Licence – Downsman, Wakehurst Drive, Southgate, Crawley.	Councillor D J Shreeves (Chair of the Panel) subject to an amendment to the final paragraph, above “resolved”, in Minute 9 to read as follows: “The Chair informed those present that he would adjourn the hearing to consider the additional material which had been presented”.

20. Hackney Carriage Fares Objections, 2011-2012

The Committee considered report PES/60 of the Head of Planning and Environmental Services which considered objections received to the proposed increases to the Hackney Carriage table of fares for 2011/12 in accordance with Section 65(4) of the Local Government (Miscellaneous Provisions) Act 1976. The Council had received objections to the proposed increases by two members of the Hackney Carriage Trade. Copies of the objections were attached as an appendix to the report.

The Head of Planning and Environmental Services informed the Committee that there were currently 164 Hackney Carriage drivers and 124 Hackney Carriage vehicles. The Committee was reminded that the Hackney Carriage Association (HCA) had brought forward proposals to increase Hackney Carriage fares, and that the proposal had been considered and agreed by the Licensing Committee at its meeting on 2 November 2011 (minute 14 refers).

The Committee was provided with a table which detailed tariff comparisons of Crawley with neighbouring authorities (both of those tariffs agreed at the meeting held on 2 November 2011 and the tariffs proposed by the objectors).

Alan Howard, Crawley Hackney Carriage Association, addressed the Committee and stated the following:

- The fares consultation was carried out during the Annual General Meeting (AGM) of the Hackney Carriage Association on 2 October 2011. Notice of the meeting was posted on the Three Bridges and Boulevard ranks two weeks prior to the meeting.
- All drivers were aware that the increasing cost of running a car had led to a reduction in revenue. Even so, prevailing opinion at the meeting was that any increase should be kept to a minimum as the travelling public had become extremely price conscious, particularly regarding taxi fares.
- At the AGM, one driver submitted a fares proposal giving two options plus an option to leave fares unchanged. Of the 24 members present, 7 voted to “start at £3.50 and £2.20 per mile”, 10 voted to “start at £3.60 and subsequent mileage to

remain the same”, and 7 members abstained. There were no votes to leave fares unchanged. There were no objections to leaving tariffs two and three unchanged.

- Tariffs two and three no longer represented time and a half and double time respectively. Although HCA members were not prepared to abolish tariffs two and three, it was agreed that they would be frozen to reduce the adverse effect that they appeared to have on unsocial hours business.

Ray Pamment, Hackney Carriage Driver, addressed the Committee and stated that 24 members of the HCA had attended the AGM, and only 17 had voted on the fares for 2011/12.

The Licensing Officer informed the Committee that the meter installed in Hackney Carriage vehicles was based on the tariffs approved by the Council. Drivers could not charge more than that calculated by the meter, but could legally charge less.

The Committee considered the options available to them regarding the Hackney Carriage fares for 2011/12.

RESOLVED

That the objections received to tariff one and two be rejected and that the Hackney Carriage fares for 2011/12 remain as agreed at the Licensing Committee on 2 November 2011 namely:

“That the starting tariff (for Tariff 1) which is currently £3.40 be increased to £3.60, with the current “running mile” being £2.11 (on Tariff 1) and “waiting time” being £15.00 per hour (on Tariff 1). The effect equating to an overall rise of 20p per journey regardless of distance.”

21. Private Hire & Hackney Carriage Licence Fees 2012-2013

The Committee considered report PES/61 of the Head of Planning and Environmental Services which aimed to secure the Committee’s agreement to the proposed revision of fees for Hackney Carriage and Private Hire Driver, Vehicle and Operator Licences.

The Head of Planning and Environmental Services drew the Committee’s attention to Appendices A and B of the report which detailed the current charges for 2011/12 and the proposed charges for 2012/13. The Committee noted that in the past, several service areas had been grouped together and that the same fee had been charged for both. Following a review, it had become apparent that the same fee was being charged for services which differed greatly in the amount of work required. The proposed fees for 2012/13 now reflected the amount of work required for each service.

The Committee noted that the fees were reviewed annually. The cost associated with the unmet demand survey had been included in the fees, if no survey was undertaken the money would be refunded to the drivers.

RESOLVED

1. That the proposed Driver Fees (Appendix A to the report) and the Vehicle and Operator Fees (Appendix B to the report) be approved;
2. That the Head of Planning and Environmental Services be authorised to make the necessary arrangements to advertise the Vehicle and Operator Fees as part of the statutory consultation process;
3. That the fees set out in Appendices A and B to the report be adopted from 1 April 2012 if no representations are made within the statutory 28 day consultation period;
4. Noted that if formal objections are received in response to the statutory notice that a further report would be presented to the Licensing Committee.

22. Urgent Action

The Licensing Committee at its meeting held on 2 November 2011 approved to amend the current street trading controls in regard to changing the status of Broad Walk and The Broadway from 'Prohibited Streets' for the purposes of street trading to 'Consent Streets'. The Committee had also authorised that the Council give notice to the public of its intention to so re-designate the mentioned streets by advertising in the local press, as well as serving notice advertising intention to re-designate the mentioned streets on the Chief Officer of Police and Highways Authority.

The notice to be published must specify the date on which it is proposed that the designation is to take effect. However, a specific date was not decided by the Committee on 2 November 2011. Therefore, the Chief Executive took urgent action in consultation with the Chair of the Licensing Committee and agreed the specific wording of the notice (including the date as 22 February 2012) and authorised the Head of Planning and Environmental Services to publish the notice.

RESOLVED

The Committee noted the urgent action taken by the Chief Executive.

23. Review of Street Trading Policy

The Committee considered report PES/59 of the Head of Planning and Environmental Services. Although the report sought the Committee's approval of the reviewed and updated policy to apply to street trading within the Borough of Crawley, the policy had been omitted from the report. As a consequence, the Committee agreed that consideration of the Policy would be deferred to the next meeting of the Licensing Committee.

The report also sought that the designation for The Broadway and the Broad Walk be varied from their current designation of prohibited streets to consent streets with effect from 22 February 2012.

RESOLVED

1. That the Street Trading Policy be considered by the Licensing Committee at its meeting on 7 March 2012.
2. That with effect from 22 February 2012, the current designation of The Broadway and the Broad Walk, being streets within the Borough of Crawley, shall be varied from their current designation of prohibited streets to consent streets, and:
 - (a) That Crawley Borough Council's Policy, (Fees, Guidelines and Conditions) concerning street trading be applied;
 - (b) That a notice of the resolution outlining the designation be advertised for two consecutive weeks in the local press. The first publication shall not be later than the 28 days specified above for the coming into force of the designation.

24. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 8.15pm.

B MECROW
Chair