

Crawley Borough Council

Minutes of Licensing Committee

7 March 2012 at 7.30pm

Present:

Councillor B McCrow (Chair)

Councillor V Cumper (Vice-Chair)

Councillors B K Blake, N Boxall, L R Gilroy, M G Jones, P K Lamb, C Oxlade,
B J Quinn, D J Shreeves, K Trussell and K Williamson

Officers Present:

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

Apologies for Absence:

Councillors B J Burgess, S Kaur and J L Millar-Smith

25. Minutes

The minutes of the meeting of the Committee held on 5 January 2012 were approved as a correct record and signed by the Chair.

26. Members' Disclosure of Interests

No disclosures of interests were made by Members.

27. Hackney Carriage Improvements: Disability Awareness

The Committee considered report PES/066 of the Head of Planning and Environmental Services which asked the Committee to decide whether Private Hire and Hackney Carriage drivers should be required to undertake disability awareness training. The report suggested that undertaking such training would enable taxi drivers to offer a better service to the general public.

The Licensing Officer advised the Committee that although the disability awareness training in question was not a statutory requirement, it would raise driver's awareness

of a various disabilities which would improve customer service. Although all Hackney Carriage drivers were required to undertake a Driving Standards Agency test which included a wheel-chair element, it was important that drivers were aware of a range of disabilities, such as visual, hearing and learning disabilities and not just the needs of wheelchair users.

The Licensing Officer informed the Committee that research had been conducted into the training alternatives available and an outline of the various options was circulated to the Committee. The Committee noted that the Equo E-Learning training course was most favourable as the Council would receive a discount for group booking which would make it cost effective, it would only take 10-15 minutes on average to complete and would therefore minimise driver's loss of earnings and would link well with the knowledge test as it was an e-learning course. Drivers would receive a certificate once the training had been completed which they could retain for the future.

RESOLVED

1. That Hackney Carriage and Private Hire drivers licensed by Crawley Borough Council shall be required to undertake a specified disability awareness course in order to improve the service they provide to the general public;
2. That a suitable condition be formulated and attached to Private Hire drivers' licences and that proof shall be required for all Hackney Carriage licence applications that disability training has been undertaken and passed prior to renewal or new licences being issued.

28. Private Hire and Hackney Carriage Licence Fees 2012-2013: Objections

The Committee considered report PES/065 of the Head of Planning and Environmental Services which considered the objections received (Appendix B to the report refers) to the proposed fees and charges for Hackney Carriage and Private Hire Vehicle and Operator Licences for 2012-2013.

On the 5 January 2012 the Licensing Committee had met, considered and accepted the proposed fees and charges for Hackney Carriage and Private Hire Driver, Vehicles and Operator Licences for 2012-2013 (minute 21 of that meeting refers). A copy of the report presented at that meeting was attached as an appendix to the report.

The Environmental Health Manager addressed the Committee and explained how the fees were calculated using a profit and loss account. The Objectors (Mr Robert Feasey and Mr Ray Pamment) addressed the Committee and questioned why it was necessary to include the cost of a future unmet demand survey into the fees. They were of the view that drivers should only be required to pay for a survey if one was undertaken, and that the cost of any necessary survey should be recouped only if one took place. The Environmental Health Manager informed the Committee and the Objectors that the procedure undertaken by the Council had been cited as best practice by the Department for Transport. The current procedure meant that the cost of the survey would be spread over a number of years and that drivers did not receive a single invoice for a large amount of money. The money would be held by the Council and would only be spent on an unmet demand survey. If it was not necessary to undertake an unmet demand survey in the future, the money would be reimbursed to the drivers and would not be kept by the Council.

The Committee noted that there were currently 124 Hackney Carriage proprietors and that only 2 objections had been received to the proposed fees and charges. The Environmental Health Manager informed the Committee that the notice regarding the fees and charges had been advertised in the local newspaper as well as being sent to the Hackney Carriage Association which was recognised as the most salient and established Hackney Carriage organisation.

RESOLVED

That the objections to the fees be rejected and that the Private Hire and Hackney Carriage licence fees for 2012-13 remain as agreed at the Licensing Committee on 5 January 2012 namely:

“That the fees set out in Appendices A and B to the report be adopted from 1 April 2012”.

29. Review of Street Trading Policy

The Committee considered report PES/067 of the Head of Planning and Environmental Services which sought the Committee’s approval of the reviewed and updated Policy to apply to street trading within the Borough of Crawley. The Policy (attached as Appendix A to the report) distinguished between street trading and the holding of markets for operational purposes. The Policy would encourage enterprises and high-class markets. The Policy also dealt with consents only and it was not proposed to amend the Council’s current controls to include street trading licences.

The Environmental Health Manager informed the Committee that the Council had already received three expressions of interest to trade. The Committee also noted that the Policy would be regulated by the Town Centre Manager and the Community Wardens. If there was a breach in conditions, the consent could be taken away from the person responsible for overseeing the market.

The Committee thanked the officers for producing such a detailed policy.

RESOLVED

That the reviewed and updated Policy regarding street trading (attached the report as Appendix A) be approved to commence operation as of 8 March 2012.

30. Meetings of the Licensing Sub Committee: Proposals for 2012/13

The Committee noted that the Licensing Sub Committees were currently arranged on an ad hoc basis which had often meant that dates were organised which were later found to be unsuitable for either Sub Committee Members, the Applicant or Interested Parties. Consequently it had been necessary on several occasions to re-arrange a Sub Committee meeting which had been very costly in officer time and not ideal for Councillors and other parties.

Under the circumstances, the Chair and Deputy Leader (as Portfolio Holder for the corporate calendar of meetings) had agreed that Licensing Sub Committee dates should be set in advance for the whole of 2012/13. This would enable Councillors to be aware of potential Sub Committee dates, and the dates could be advertised on the website for members of the public.

Although the dates detailed in the agenda would be added to the Corporate Calendar, the Committee noted that a Sub Committee would only take place if required and would be marked as provisional.

RESOLVED

That the principle of setting provisional dates for meetings of the Licensing Sub Committee a year in advance be approved, and that the dates proposed for 2012/13 be noted.

31. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 8.35pm.

B MECROW
Chair