



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING COMMITTEE

MONDAY, 21ST JANUARY, 2008 AT 6.00 PM

COUNCIL CHAMBER, THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

MEMBERS: Councillors D. Hancox (Chairman), Mrs. R. L. Dent (Vice-Chairman), Dr. D. W. P. Booth JP, R. J. Deeming, Mrs. J. M. L. A. Griffiths, Ms. J. A. Marshall, D. L. Pardoe, S. P. Shannon, Mrs. M. A. Sherrey JP, Mrs. C. J. Spencer, L. J. Turner, M. J. A. Webb and P. J. Whittaker

AGENDA

1. To receive apologies for absence
2. To confirm the accuracy of the minutes of the meeting of the Licensing Committee held on 29th October 2007. (Pages 1 - 2)
3. Declarations of Interest
4. Hackney Carriage Fares (Pages 3 - 8)
5. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting
6. To consider, and if considered appropriate, to pass the following resolution to exclude the public from the meeting during the consideration of item(s) of business containing exempt information:-

"RESOLVED: that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following items of business on the grounds that they involve the likely

disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraph of that part, in each case, being as set out below, and that it is in the public interest to do so:-

<u>Item No.</u>	<u>Paragraph(s)</u>
7	1,2 and 3
8	1,2 and 3
9	1,2 and 3"

7. To confirm the accuracy of the confidential minutes of the Licensing Committee held on the 29th October 2007 (Pages 9 - 10)
8. Application for a Hackney Carriage and Private Hire Vehicle Drivers Licence - Mr. R. Tyler (Pages 11 - 16)
9. Application for a Hackney Carriage and Private Hire Vehicle Drivers Licence - Mrs. K. Ward (Pages 17 - 24)

K. DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

10th January 2008

Agenda Item 2

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING COMMITTEE

MONDAY, 29TH OCTOBER 2007

PRESENT: Councillors D. Hancox (Chairman), Mrs. R. L. Dent (Vice-Chairman), Dr. D. W. P. Booth JP, Mrs. J. M. L. A. Griffiths, Ms. J. A. Marshall, D. L. Pardoe, Mrs. M. A. Sherrey JP, Mrs. C. J. Spencer, L. J. Turner, M. J. A. Webb and P. J. Whittaker

Officers: Mrs. S. Sellers, Mrs. S. Smith and Mr. A. Jessop.

12/07 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R. J. Deeming and S. P. Shannon.

13/07 MINUTES

The minutes of the meeting of the Licensing Committee held on 8th October 2007, were submitted.

RESOLVED that the minutes be approved as a correct record.

14/07 DECLARATIONS OF INTEREST

No declarations of interest were received.

15/07 LOCAL GOVERNMENT ACT 1972

RESOLVED: that, under Section 100 1 of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act, as amended, the relevant paragraphs of that part being as set out below, and that it was in the public interest to do so:-

<u>Minute No.</u>	<u>Paragraphs</u>
16/07	1, 2 and 3
17/07	1, 2 and 3

16/07 HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVERS LICENCE

RESOLVED that, subject to a written warning being issued as to future conduct, no further action be taken.

17/07 **APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE
VEHICLE DRIVERS LICENCE**

RESOLVED that the application be refused.

The meeting closed at 7.45 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

LICENSING COMMITTEE

21ST JANUARY 2008

HACKNEY CARRIAGE FARES

Responsible Portfolio Holder	Cllr P. Whittaker
Responsible Head of Service	Dave Hammond

1. SUMMARY

- 1.1 To consider the Table of Fares charged by Hackney Carriage owners.

2. RECOMMENDATION

- 2.1 That the mileage rates as set out in section (i) of the Table of Fares attached at Appendix 1 be approved.

3. BACKGROUND

- 3.1 The Council carries out an annual review of the Table of Hackney Carriage Fares, which applies in the District.

- 3.2 As part of the review all Hackney Carriage owners are consulted on whether or not there should be an increase in the fares charged to passengers. There are presently 49 individuals or firms in the district, which own Hackney Carriages. They have 75 vehicles between them. The results of this year's consultation are:

- 1 respondent (owning 1 vehicle) favour a 2.5% increase
- 1 respondent (owning 1 vehicle) favour an 8.3% increase
- 1 respondent (owning 1 vehicle) favour a 10% increase.

- 3.3 The remaining owners have not responded to the consultation letter. The low level of response reflects the levels of responses received in previous years and it is not suggested that any further consultations should be undertaken. All drivers were reminded to respond to the consultation in the Council's December newsletter.

- 3.4 Comparisons with other nearby Councils, based on the cost of a 2-mile journey, are as follows:

Wyre Forest	£4.00
Redditch	£4.20
Worcester	£4.50
Bromsgrove	£4.60

Wychavon	£4.60
Dudley	£5.10
Malvern Hills	£5.20
Birmingham	£5.50
Solihull	£5.50

- 3.5 The national average is £4.65 for a 2-mile journey as at December 2007.
- 3.6 The Council has not increased the mileage rates since April 2005.
- 3.7 Based on these comparisons, and that the cost of a 2-mile journey in Bromsgrove is just under the national average, Members may wish to consider increasing the mileage rates by 2.5% for 2008/09.
- 3.8 The proposed increase will result in a charge of approximately £4.67 for a 2-mile journey.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from this report.

5. LEGAL IMPLICATIONS

- 5.1 The Committee has the power to fix the rates or fares within the district as well for time as distance and all other charges in connection with the hire of a hackney carriage vehicle by means of a table under section 65 of the Local Government (Miscellaneous Provisions) Act 1976.
- 5.2 When the Council varies a table of fares, it must publish in a local newspaper, a notice setting out the table of fares or variations to the table. If there are no objections, the variation comes into operation upon the expiry of the period specified in the notice. If there are objections the matter will have to be considered further by the Committee.
- 5.3 In accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976, there is no limit to the amount of increase or variation, nor need an increase be dependent upon external factors such as the increase in fuel prices.

6. COUNCIL OBJECTIVES

- 6.1 How the item links to the Council's objectives and priorities.

7. RISK MANAGEMENT

- 7.1 The main risks associated with the details included in this report are:
- Potential for those who are affected by the proposal to challenge the Council, by arguing that the proposed increases are unreasonable.

7.3 Currently the risk identified in paragraph 7.1 is not addressed by any risk register and will be added to the Planning and Environment Services risk register as follows:

- *To ensure that any increase to the Table of Hackney Carriage Fares is deemed reasonable, following consultation with all Hackney Carriage Owners.*

8. CUSTOMER IMPLICATIONS

- 8.1 All Hackney Carriage owners will be notified in writing of any increase, which will take affect as soon as possible after 1st April 2008. Where after their meters will have to be calibrated to the new tariffs and tested by the Depot.
- 8.2 In accordance with legislation, the Council must publish details of any proposed variances to the table of Fares, allowing for objections to the proposals.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

9.1 There are no equalities and diversity implications.

10. VALUE FOR MONEY IMPLICATIONS

10.1 There are no value for money implications.

11. OTHER IMPLICATIONS

Procurement Issues - None
Personnel Implications - None
Governance/Performance Management - None
Community Safety including Section 17 of Crime and Disorder Act 1998 –
Policy - None
Environmental - None

12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	YES
Chief Executive	No

Executive Director (Partnerships and Projects)	No
Executive Director (Services)	No
Assistant Chief Executive	No
Head of Service	Yes
Head of Legal, Equalities & Democratic Services	Yes

13. WARDS AFFECTED

All Wards are affected by the contents of the report.

14. APPENDICES

Appendix 1 Proposed Table of Fares for 2008/09

15. BACKGROUND PAPERS

Responses received from Hackney Carriage Owners

CONTACT OFFICER

Name: Sharon Smith
E Mail: sharon.smith@bromsgrove.gov.uk
Tel: (01527) 881626

DISTRICT OF BROMSGROVE
TABLE OF FARES FOR HACKNEY CARRIAGES

(i) MILEAGE

If the distance does not exceed one mile:	
for the whole distance	£3.10
If the distance exceeds one mile:	
for the first mile	£3.10
for each subsequent 112 yards or uncompleted part thereof	10p

(ii) WAITING TIME

For each completed period of 21 seconds	10p
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(iii) EXTRA CHARGES

(a) For hirings begun between 6.00 pm on 24th December and 7.00 am on 27th December	<i>Double meter charges</i>
(b) For hirings begun between 6.00 pm on 31st December and 7.00 am on 2nd January	<i>Double meter charges</i>
(c) For hirings begun on Easter Monday, May Day Bank Holiday, Spring Bank Holiday and Late Summer Bank Holiday	<i>1 ½ meter charges</i>
(d) For hirings begun in severe weather conditions, or when visibility is less than 25 yards	<i>Double meter charges</i>
(e) For hirings when the hirer arranges in advance by letter or telephone or otherwise, with the proprietor or driver for the hire of a hackney carriage where no part of the trip passes within 1 mile of any hackney carriage rank in the Bromsgrove District	<i>1 ½ meter charges</i>
(f) For hirings begun between midnight and 2.00 am on days other than those specified in (a), (b) and (c) above	<i>£1.00</i>
(g) For hirings begun between 2.00 am and 4.00 am on days other than those specified in (a), (b) and (c) above	<i>£2.00</i>
(h) For hirings begun between 4.00 am and 6.00 am on days other than those specified in (a), (b) and (c) above	<i>£3.00</i>

(i) For the carriage of animals (except guide and assistance dogs) per animal per trip	<i>50p</i>
(j) For hirings in which the number of passengers carried is greater than four	<i>1 ½ meter charges plus 1 ½ extra charges</i>
<i>derived from (a), (b), (c), (d), (e), (f), (g) and (h) above</i>	

(iv) FOULING OF THE VEHICLE

To cover valetting:

(a) For vehicles licensed to carry less than five passengers	<i>£50.00</i>
(b) For vehicles licensed to carry five or more passengers	<i>£66.00</i>

PLANNING & ENVIRONMENT SERVICES

THE TABLE OF FARES WILL BE REGARDED AS FIXED FARES AND IT WILL NOT BE POSSIBLE TO CHARGE A LOWER OR HIGHER RATE THAN SPECIFIED IN THE TABLE

£17.50

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By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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