

BRIGHTON & HOVE CITY COUNCIL
LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

3.00PM 28 JUNE 2012

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Deane (Chair), Cobb (Opposition Spokesperson), Lepper (Opposition Spokesperson), Buckley, Gilbey, Hawtree, Hyde, Jones, Marsh, Mitchell, Pidgeon, Rufus, Simson and Summers

Apologies: Councillors Duncan and Turton.

PART ONE

1. PROCEDURAL BUSINESS

1a Declaration of Substitutes

1.1 Councillor Mitchell was substituting for Councillor Turton and Councillor Summers was substituting for Councillor Duncan.

1b Declarations of Interest

1.2 There were none.

1c Exclusion of the Press and Public

1.3 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Committee considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I of the Act).

1.4 **RESOLVED** - That the press and public not be excluded from the meeting.

2. MINUTES OF THE PREVIOUS MEETING

2.1 **RESOLVED** – That the minutes of the Licensing Committee (Non Licensing Act 2003 Functions) Meeting held on 8 March 2012 be agreed and signed as a correct record.

3. CHAIR'S COMMUNICATIONS

- 3.1 Since the previous Committee Officers in the Hackney Carriage Office have suspended one driver on medical grounds, revoked one licence following a conviction and refused two applications. In addition to this one driver had received a formal warning for not declaring previous convictions on application.

4. PUBLIC INVOLVEMENT

- 4.1 There were no petitions, written questions or deputations received from members of the public.

5. ISSUES RAISED BY COUNCILLORS

- 5.1 There were no petitions, written questions, letters or notices of motion received from Members.

6. HACKNEY CARRIAGE FARE REVIEW

- 6.1 The Committee considered a report of the Head of Regulatory Services Planning and Public Protection in relation to the Hackney Carriage Fare Review. The report sought the permission of the Committee to advertise proposed fare increases following the hackney carriage trade's request for an increase in fares.

6.2 RESOLVED – That the Committee:

- a) Recommends the proposed fare increases and authorises the Head of Regulatory Services, Planning and Public Protection to advertise the proposed variation in fares, and invite any objections in accordance with the legal requirements.
- b) Agree that if no objections are made, or if any objections which are made are withdrawn, the varied table of fares will come into force in accordance with the statutory scheme.
- c) Reconsider the matter at the next meeting of the Committee if valid objections are made but not withdrawn. As there are strict legal timescales relating to fare reviews a special meeting of the Committee may be required.

7. HACKNEY CARRIAGE AGE LIMITS

- 7.1 The Committee considered a report of the Head of Regulatory Services, Planning and Public protection requesting amends to the age limits for Hackney Carriage Vehicles.

7.2 RESOLVED – That the Committee agree the age limits for hackney carriage vehicles be amended as follows:

- a) In the case of a first application for a hackney carriage vehicle licence the vehicle must not normally exceed 7 years of age from date of initial DVLA registration and not more than 10 years of age in the case of any subsequent application for renewal of licence and not to be left-hand drive.
- b) In the case of a vehicle which conforms to the Conditions of Fitness as prescribed by

Transport for London, (i.e. purpose built London type hackney carriage vehicles), or is M1 ECWVTA (EC Whole Vehicle Type Approved) and wheelchair accessible, the vehicle must not normally exceed 12 years of age from date of first registration, and not more than 12 years of age in the case of any subsequent application and not be left hand drive.

8. CONSULTATION ON REFORMING THE LAW OF TAXI AND PRIVATE HIRE SERVICES

8.1 The Committee considered a report of the Head of Planning and Public Protection in relation to the consultation of reforming the law of taxi and private hire services.

8.2 **RESOLVED** – That Committee endorses a response to the Law Commission that local authorities

- should be allowed to retain the power restrict numbers of hackney carriages which is current licensing policy;
- should be allowed to set distinctive local vehicle standards such as livery (provisional proposal 34);
- should have comprehensive powers to set taxi fares for consumer protection (provisional proposal 43);
- should be allowed to set standards for drivers, such as topographical knowledge testing for private hire drivers, (Q27);
- have adequate powers to control cross border hiring (1.15 of summary); and this local authority would support any measures that would assist disabled passengers (Q57/63).

9. ITEMS TO GO FORWARD TO COUNCIL

9.1 There were none.

The meeting concluded at 4.00pm

Signed

Chairman

Dated this

day of