



# LICENSING COMMITTEE

BURNLEY TOWN HALL

Thursday, 17<sup>th</sup> January 2013

## PRESENT

## MEMBERS

Councillor John Fifield, in the Chair.

Councillors Margaret Brindle, Saeed Chaudhary, Gary Frayling, Mathew Isherwood, Arif Khan, Wajid Khan, Jennifer Knowles, Stephen Large, Andrew Newhouse, Tom Porter and Betsy Stringer.

## OFFICERS

Karen Davies	- Environmental Health & Licensing Manager
Peter Henderson	- Licensing Manager
Emma Barker	- Principal Legal Officer
Saima Afzaal	- Assistant Democracy Officer

### 32. Apologies

Apologies for absence were received from Councillor Ann Royle.

### 33. [Minutes of the last meeting](#)

The Minutes of the last meeting held on 22<sup>nd</sup> November 2012 were confirmed as a true record and signed by the Chair.

### 34. Scoping the Strategic Review of Taxi Licensing Policy

Karen Davies reported on the Strategic Review of taxi licensing policy as set out in the report and to ensure that the Council's taxi licensing policy accorded with the Principles of Good Regulation. She outlined that the Legislative and Regulatory Reform Act 2006, Part 2, required the Council to have regard to the Principles of Good Regulation when exercising a regulatory function such as taxi licensing.

She advised that it is proposed to begin the Review with a consolidation of the various taxi licensing policy documents into one document (in draft form), and have a better understanding of the scale of the task and then, moving on to a more focussed review of priority elements of the policy. She further advised that the Review was a significant undertaking which would need both time and resource from Members, officers and the Taxi Task Group. It was anticipated that all elements of the Review would take at least 12 months to complete. She stated that the Committee would

periodically receive substantive policy recommendations for Committee to make to Council, on specific themed elements, rather than wait to the end of the Review.

Members made the following comments:-

- That the review needs to take into account priority elements of the policy ensuring that the issue of “permitted hackney vehicle types – temporary relaxation on upper age limits” result as an immediate priority.
- Members felt that Officers had worked positively together with the taxi trade representatives, which had resulted in a constructive piece of work.

Karen Davies advised that it was proposed to agree a prioritised timetable with the Taxi Forum, to ensure that the most pressing matters were considered first.

**RESOLVED** (1) That the Head of People, Law & Regulation commence the Strategic Review of taxi licensing policy in line with the principle set out in the report; and

(2) That the Committee receives periodic progress reports.

### **35. Taxi Licence Fees and Charges 2013/14**

Karen Davies reported to determine the level of taxi licence fees for 2013/14 at a level that recovered the costs of providing the taxi licensing service. She indicated that Taxi licence fee setting was a function of the Licensing Committee and Legislation permitted the Council to set vehicle and operator licence fees.

She outlined that Appendix 1 showed the last years actual spend, together with this and next year’s estimated expenditure. She stated that the income projections provided for 2013/14 incorporate a fee freeze.

She highlighted that a reserve fund carried forward any surplus or deficit from previous years and at April 2012 the surplus carried forward amounted to £44,698. Last year taxi fees were frozen, following a 5% increase in 2011/12. She added taking into account revised budget projections for this year the reserve was expected to reduce to £31,503 by March 2013.

Members made the following comments:-

- That some of the costs for recharges seemed relatively high.
- Would the cost of vehicle inspection increase in the near future to reflect high standard of taxi vehicles and to develop public

confidence.

- That the Council needs to consider investing more on training issues with the taxi trade.

Karen Davies advised that Licensing support had decreased and Environmental Health support increased due to the internal movement of staffing within the Council.

In relation to vehicle inspection costs, a number of key initiatives had occurred by working together with multi agencies. She added that the Council envisaged that routine spot checks would be increased in the near future to ensure public safety.

She further indicated that the variation in fee income was due to the phasing in of 3 year driver licences and once all drivers had transferred onto a 3 year licence income would become stable again.

**RESOLVED** That Licensing Committee agree to freeze taxi fees and charges at existing levels for the year commencing April 2013.

**36. Exclusion of the Public**

To consider the exclusion of the Public from the meeting before discussion takes place on the following items of business on the grounds that, in view of the nature of the business to be transacted, if the public were present there would be a disclosure to them of exempt information within the meaning of Part VA of the Local Government Act 1972.

<u>Minute No</u>	<u>Information likely to reveal the identity of an individual.</u>
37, 38, 39 and 40	

**37. Report on Private Hire Driver - Penalty Points AR**

Peter Henderson reported on the conduct recorded against AR the current holder of a Private Hire Driver's Licence.

**RESOLVED** That no further action be taken against AR, the current holder of a Private Hire Driver's Licence.

**38. Report on Private Hire Driver – Penalty Points MH**

Peter Henderson informed Members that in view of that fact that the applicant was not able to attend the meeting due to family bereavement and therefore, would not be able to make representation regarding his conduct, the applicant requested that the matter be adjourned until the next available meeting.

**RESOLVED** That the Committee agreed that the matter regarding MH, be deferred to

the next available Committee meeting.

**39. Report on Conduct of Private Hire Driver – MI**

Peter Henderson reported on the conduct recorded against MI the current holder of a Private Hire Driver's Licence.

**RESOLVED** That no further action be taken against MI, the current holder of a Private Hire Driver's Licence.

**40. Application for a Private Hire Vehicle Licence – DP**

Peter Henderson reported on an application from DP for a Private Hire Vehicle Licence.

**RESOLVED** That the application for a Private Hire Vehicle licence from DP be granted subject to a re: test of the vehicle.