

## MINUTES OF THE LICENSING COMMITTEE

17 AUGUST 2011

Present:

**Councillor R.W. Sider (Chairman)**  
**Councillor C.M. Frazer (Vice-Chairman)**

Councillors:

A. Ayub	R.B. Colison-Crawford	A.J. Mitchell
C.A. Bannister	J.A. Dale	Mrs I. Napper
M. Bushnell	D. Gohil	Mrs M.W. Rough
	A.C. Harman	

**Apologies:** Councillors F. Ayers and Mrs S.A. Dunn

**In attendance:** Councillors M.P.C. Francis and A.C. Patterson

### 217/11 MINUTES

The minutes of the meeting held on 8 June 2011 were approved as a correct record.

### 218/11 TO SEEK APPROVAL TO INCREASE THE TAXI FARE TARIFF RATES

The Environmental Health Manager (Commercial) recalled that the current hackney carriage tariff rates were last reviewed in 2010 and the current rates came into effect in August 2010. He considered that there was a general need to increase these tariff rates because the costs of living, fuel and vehicle maintenance had increased. Furthermore, the Council recently approved a slight increase in taxi licence fees for this current financial year in order to ensure the costs of providing the service were recovered.

Following approval by the Licensing Committee on 8 June 2011, a public notice was published in a local newspaper on 15 June 2011, advertising the Council's proposed taxi fare tariff rates. Furthermore, all taxi drivers licensed by the Council were notified of these proposals and given until 29 June 2011 to make representations or objections.

As a result of this consultation process two representations were received and a summary of their responses was provided to the Committee.

The proposal to increase taxi fare tariff one, after the first mile for every subsequent 160 metres, from £0.20 to £0.25 but keep corresponding rates for tariffs two and three the same at £0.30 and £0.40 respectively, would maintain Spelthorne's position to the approximate level of its nearest neighbour at Runnymede.

**RESOLVED** that the proposed increase to Hackney Carriage tariff one rate as set out in [Appendix B](#) to the report of the Assistant Chief Executive dated 17 August 2011, be approved.

**219/11**      **[TO APPROVE THE INTRODUCTION OF A PENALTY POINTS SCHEME FOR TAXI AND PRIVATE HIRE LICENSING ENFORCEMENT WORK](#)**

The Environmental Health Manager (Commercial) outlined the enforcement options currently available to Council officers when seeking to ensure compliance with legislation, byelaws and Council rules governing taxi and private hire licensing issues.

He explained that the introduction of a Penalty Points Scheme (PPS) would allow officers to apply an intermediate stage between informal and formal actions. The primary objective of the PPS was to improve levels of compliance with the regulatory framework and to help improve the standards, safety and protection of members of the public affected by the actions of taxi and private hire drivers. For the taxi and private hire licensees the PPS gave them more transparency and consistency in the way breaches of the regulatory framework would be dealt with by officers.

It was proposed to consult with the local taxi and private hire trades on the introduction of a PPS and invite their comments.

It was proposed that additions were made to the Scheme of Delegations to Officers to give the Head of Environmental Health and Building Control Services delegated powers to administer the scheme and to issue penalty points to licensed drivers, operators or owners of licensed vehicles who had committed breaches of the regulatory framework.

Members discussed the delegation to the Head of Environmental Health and Building Control Services to determine appeals by taxi drivers against the issue of penalty points. In view of the fact that this officer would also have the delegation to issue the penalty points the Committee agreed, in the interests of impartiality, that the delegation to determine appeals should be in consultation with the Chairman of the Licensing Committee.

The Committee suggested additional wording to the draft Scheme such that paragraph 11 would read:

“Where a licensee accumulates 12 or more penalty points in any 12 month period on his driver/vehicle/operator licence(s), it will be suspended pending a hearing of a Licensing sub-Committee and the Council will make all efforts that such sub-Committee will meet without delay.”

**RESOLVED** to recommend that Council:

1. approves the proposed Penalty Points Scheme for the enforcement of Hackney Carriage and Private Hire drivers, vehicles and operators as shown in [Appendix A](#) to the Report of the Head of Environmental Health and Building Control Services, as amended at this meeting at

paragraph 11 and subject to consultation with the local taxi and private hire trades and

2. agrees appropriate additions be made to the Scheme of Delegations to Officers to give:
  - a. delegated powers to administer the Penalty Points Scheme and issue penalty points in accordance with the Scheme to the Head of Environmental Health and Building Control Services and
  - b. delegated powers to determine appeals lodged in respect of penalty points issued in accordance with the Scheme to the Head of Environmental Health and Building Control Services in consultation with the Chairman of the Licensing Committee.

**220/11**      **WORK AND DECISIONS OF LICENSING SUB-COMMITTEES**

The decisions of Licensing Sub-Committees between 2 June 2011 and 2 August 2011 were reported.

**RESOLVED** that this information be noted.