

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Licensing Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Thursday, 18 June 2015
commencing at 2:30 pm**

Present:

Chairman
Vice Chairman

Councillor R E Garnham
Councillor Mrs J Greening

and Councillors:

Mrs K J Berry, Mrs G F Blackwell, G J Bocking, Mrs J E Day,
R D East (Substitute for Mrs P A Godwin), A J Evans, R Furolo, Mrs R M Hatton,
Mrs A Hollaway, A S Reece, H A E Turbyfield, M J Williams and P N Workman

LIC.3 ANNOUNCEMENTS

3.1 The evacuation procedure, as noted on the Agenda, was taken as read.

LIC.4 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

4.1 Apologies for absence were received from Councillor Mrs P A Godwin.
Councillor R D East would be acting as a substitute for the meeting.

LIC.5 DECLARATIONS OF INTEREST

5.1 The Committee's attention was drawn to the Tewkesbury Borough Council Code of Conduct which was adopted by the Council on 26 June 2012 and took effect from 1 July 2012.

5.2 There were no declarations made on this occasion.

LIC.6 MINUTES

6.1 The Minutes of the Licensing Committee meetings held on 5 March 2015 and 26 May 2015, and the Licensing Sub-Committee (Street Trading and Hackney Carriage and Private Hire Vehicles, Drivers and Operators) meeting held on 22 April 2015, copies of which had been circulated, were approved as correct records and signed by the Chairman.

LIC.7 DEREGULATION ACT 2015 AND REVIEW OF TAXI AND PRIVATE HIRE POLICY

7.1 Attention was drawn to the report of the Licensing Team Leader, circulated at Pages No. 10-72, which asked Members to agree to defer the redrafting of the Taxi and Private Hire Policy until further information and statutory guidance on the full implications of deregulation were available, and to approve the renewal of the existing taxi and private hire policies and conditions until such time a new policy was in place, but no later than 31 March 2016.

7.2 On 5 March 2015, the Licensing Committee had agreed to redraft a Taxi and Private Hire Licensing Policy following a comprehensive review of the existing policies. On 26 March 2015, the Deregulation Act 2015 received royal assent,

followed by The Deregulation Act 2015 (Commencement No 1 and Transitional and Saving Provisions) Order 2015 which set out the commencement date for taxi and private hire deregulation measures. The provisions would be coming into force on 1 October 2015 and the main changes were highlighted in Paragraphs 2.2-2.5 of the report. This would be a major amendment to the 1976 Act affecting taxi and private hire drivers and operators and the deregulation would have far reaching implications for private hire operators in relation to the sub-contracting of bookings from one private hire vehicle operator to another. There was currently no detailed information or operational guidance on the deregulation measures available from the Government or other organisations, therefore, it was recommended to defer redrafting the Council's Taxi and Private Hire Policy until such time as further information was available. If Members were minded to agree to a deferral, it would be necessary to renew the existing taxi and private hire policies and conditions until such time a new policy was in place, but that should be no later than 31 March 2016.

- 7.3 A Member drew attention to Page No. 28 of Appendix B to the report which set out the existing Hackney Carriage and Private Hire Driver's Licensing Policy. She noted that the applicant's photograph for their licence must "show full face uncovered without sunglasses and, unless the applicant wears a head covering due to his/her religious beliefs, without a head covering" and she queried whether this was acceptable from a racial discrimination point of view. The Licensing Team Leader clarified that this was in line with the HM Passport Office and Driver and Vehicle Licensing Agency (DVLA) photograph requirements. The Chairman expressed the view that the redrafting of the Taxi and Private Hire Policy should not be delayed indefinitely and he asked that an update be brought to the next meeting of the Licensing Committee. It was subsequently proposed, seconded and

RESOLVED

1. To **DEFER** the redrafting of the Taxi and Private Hire Policy until further information and statutory guidance was available on the full implications of deregulation.
2. To **APPROVE** the renewal of the existing taxi and private hire policies and conditions until such time as a new policy was in place, but no later than 31 March 2016, with an update to be brought to the Licensing Committee meeting on 15 October 2015.

LIC.8 REVIEW OF HACKNEY CARRIAGE TARIFF

- 8.1 The report of the Licensing Team Leader, circulated at Pages No. 73-77, asked Members to conduct the annual review of the hackney carriage tariff. It was recommended that no amendment be made to the tariff.
- 8.2 Members were informed that Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 allowed a District Council to fix and vary a table of fares for hackney carriages in the area. There were four hackney carriages in operation in Tewkesbury Borough. The current table of fares, attached at Appendix A to the report, had been agreed by all Hackney Carriage proprietors and set by the Licensing Committee in 2012. The tariff had been reviewed annually since that time but no changes had been made.
- 8.3 There had been no significant changes in the last 12 months which would affect the tariff. All licensed proprietors and drivers of hackney carriages in the Borough had been contacted in March 2015 inviting them to make suggestions regarding amending the current tariff. No responses had been received from the proprietors

and this was taken to mean that they were happy with the current tariff in operation. There had been no increase in the fuel prices in the South West region since the tariff was last reviewed in July 2014 and the consumer price index, the Government's target measure of inflation, was at 0.01% in May 2015.

8.4 Having considered the information provided, it was

RESOLVED That no amendment be made to the hackney carriage tariff.

LIC.9 SEPARATE BUSINESS

9.1 On a proposal from the Chairman, it was

RESOLVED That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

LIC.10 SEPARATE MINUTES

10.1 The separate Minutes of the meeting of the Licensing Sub-Committee (Street Trading and Hackney Carriage and Private Hire Vehicles, Drivers and Operators) meeting held on 22 April 2015, copies of which had been circulated, were approved as a correct record and signed by the Chairman.

The meeting closed at 2:45 pm