

BRIGHTON & HOVE CITY COUNCIL
ADVISORY COMMITTEE FOR EXECUTIVE LICENSING FUNCTIONS

4.00pm 24 JUNE 2010

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present : Councillors Cobb (Chairman), Fryer, Hawkes, Kitcat, Lepper (Deputy Chairman), Marsh, Older, Phillips, Pidgeon, Simson, Smart, C Theobald, Watkins, West and Young

Apologies : Councillors Harmer-Strange, Hyde and Wrighton

Officers Present: Tim Nichols, Head of Environmental Health and Licensing; Martin Seymour, Hackney Carriage Officer; Rebecca Sidell, Lawyer and Penny Jennings, Democratic Services Officer

PART ONE

1. PROCEDURAL BUSINESS

1a Declarations of Substitutes

- 1.1 Councillor Fryer declared she was present in substitution for Councillor Wrighton.
- 1.2 Councillor Smart declared that he was present in substitution for Councillor Harmer-Strange.
- 1.3 Councillor Young declared that she was present in substitution for Councillor Hyde.

1b. Declarations of Interest

- 1.4 There were none.

1c. Exclusion of Press and Public

- 1.5 In accordance with Section 100A of the Local Government Act 1972 ("The Act"), the Advisory Committee for Executive Licensing Functions 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 100(1) of the Act).

1.6 **RESOLVED** – That the press and public be not excluded.

2. CHAIRMAN'S COMMUNICATIONS

2.1 There were none.

3. PUBLIC QUESTIONS

3.1 There were none.

4. HACKNEY CARRIAGE FARE REVIEW

4.1 The Committee considered a report of the Director of Environment seeking authority to advertise the proposed fare increases following the hackney carriage trades request for an increase in fares.

4.2 The Hackney Carriage and Licensing Officer, Mr. Seymour explained the proposed increases by reference to the circulated tables which set out the proposed changes to the existing fare structure.

4.3 Councillor Young sought clarification of the circumstances under which an additional booking charge was made and how this would impact on the level of fees charged.

4.4 Councillor Pidgeon referred to the small print contained within some of the circulated sheets. The Chairman agreed that whilst the Officer's presentation had effectively explained the rationale for the increases clarity might be improved if such information was to be included on overhead slides on another occasion.

4.5 Councillor Smart referred to the proposed levels of increases, he considered that they were high and could deter people from going out or using taxis, and could also result in an increase in drinking and driving. He also enquired whether a specific number of objections to the proposals were required. It was confirmed that any valid objection would need to be considered.

4.6 Councillor Kitcat stated that whilst not unsympathetic to requests by the trade to increase fares he also considered that they were very high and were difficult to justify in the current economic climate and would have the greatest impact on those who were least able to pay.

4.7 Councillor West concurred with the views expressed and whilst noting that these proposed increases were part of a consultation process expressed concern as to whom would be consulted. Any consultation process needed to extend more widely than within the taxi trade itself, customers should be consulted too.

4.8 The Head of Environmental Health and Licensing, Mr. Nichols explained that the process was carried out within an agreed legal framework. The consultation process would be carried out in line with the legal statutory process. Fares had not risen since 2008 and the trade had argued that there had been significant rises in fuel and other costs since that time. The trade was seeking increases which they considered the "market could bear" and weight had been given to their intimate knowledge of their own

business. The trade could have sought to implement higher fares as they would still have fallen within the agreed policy framework. He stressed that the Committee were being asked to authorise further consultation, any valid objections received would be referred back for their further consideration.

4.9 In answer to further questions, the Head of Licensing explained that a statement relating to taxi provision was included within the Local Transport Plan and that it should be considered within the context of the overall plan.

4.10 A vote was taken and on a vote of 11 with 4 abstentions the following resolutions were approved.

4.11 **RESOLVED** – (1) that the Committee recommends the proposed fare increases and authorizes the relevant Director to advertise the proposed variation in fares and to invite objections in accordance with legal requirements;

(2)The Committee agrees that if no objections are made or if any objections are made, or if any objections which are made are withdrawn thee table of fares will come into force from the date specified in the relevant notice; and

(3) The Committee will reconsider the matter at the next meeting of the Licensing Committee if valid objections are made and not withdrawn.

Note: Councillors Fryer, Kitcat, Phillips and West abstained from voting in respect of the above matter.

5. ITEMS TO GO FORWARD TO COUNCIL

5.1 There were none.

The meeting concluded at 6.00pm

Signed

Chairman

Dated this

day of