

Time commenced : 6.00pm  
Time finished : 7.30pm

**LICENSING AND APPEALS COMMITTEE**  
**18 JUNE 2003**

Present: Councillor Skelton (in the Chair)  
Councillors Bolton, Brown, Hird, F Hussain, Jackman, Jackson  
Jones, Redfern, Samra and MacDonald

**01/03 Apologies for Absence**

An apology for absence was received from Councillor Rehman.

**02/03 Minutes of Previous Meetings**

The minutes of the meeting held on 13 March 2003 were approved as a correct record and signed by the Chair.

**03/03 Late Items to be Introduced by the Chair**

There were no late items.

**04/03 Declarations of Interest**

There were no declarations of interest.

**05/03 Potential Changes to Meter Checks Due to the Adoption of the Proposed Hackney Carriage Fare Structure**

The Committee considered a report of the Director of Corporate Services on the proposed changes to the meter check procedures for Hackney Carriages.

John Tomlinson explained that since changes had been made to the fare scales applying to Hackney Carriages, it appeared that meter checks needed to be performed over a six mile test route rather than over one mile. Checks only address tariff 1, tariffs 2 and 3 were not checked. The current rates of meter checks were in the region of £40 - £50, the testing station had estimated that the rate for a meter check over a suitable six-mile route would be approximately double the current rate. The report outlined the following five options that were available.

- a) to perform a six mile meter check on each vehicle.
- b) to perform a one mile check on each vehicle that would test the accuracy for the first part of the tariffs and then perform six mile meter checks on a small sample number of vehicles.
- c) to discontinue the current meter check regime and rely on certification from each of the commercial organisations that programme the meters, confirming that each vehicle had been correctly programmed. This would be combined with sample meter checks on a number of vehicles.
- d) to test one example of each of the types of Hackney Carriage currently used in Derby and the six mile test to assess the accuracy of the 'tariff 1' part of the fare structure.
- e) for the Council Enforcement Officers to oversee or perform all the meter checks themselves.

The Chair invited Mr Afzal, representing the taxi trade, to speak to the Committee on this issue. Mr Afzal commented that he agreed with the report and the comments made and that the taxi trade agreed that option 'C' was the most cost and time effective solution. He also commented that the trade needed to work with the Council to benefit all concerned.

It was noted that as set out above DATOA had proposed that the taxi trade would meet any cost arising from the option (for example, certification costs). The sample checks would still be funded by the Council.

**Resolved to approve option 'C'.**

## 06/03 Review of Taxi Licensing Procedures

The Committee considered a report of the Director of Corporate Services advising them of the review of the taxi licensing procedures.

In June 2002 a review team, comprising of managers within the Environmental Health and Trading Standards Division, had been established to review procedures within the taxi licensing section.

The team conducted a review of licensing administration procedures, the roles and responsibilities of licensing staff and considered the suitability of the office accommodation and made recommendations for improving and simplifying the licensing process.

The review team had produced a work plan for achieving these improvements, which would form the basis for a wider consultation

with service users to ensure that their needs and concerns were being addressed.

Hackney Carriage and Private Hire trade organisations had been informed of the review's progress through regular trade meetings.

It was envisaged that the work plan items would be completed by the end of March 2004.

It was suggested that Councillors should make visits to meet staff and see progress made.

**Resolved:**

- 1 To approve the work plan for improvements to taxi licensing procedures**
- 2 To ask the Director of Corporate Services report back to the Committee at regular intervals on the licensing team's progress towards completing the work plan items.**

## **07/03 Request to Consider the Use of Top Signs on Licensed Private Hire Vehicles**

The Committee considered a report of the Director of Corporate Services advising them of a request from a Private Hire Operator to amend license conditions so all Licensed Private Hire Vehicles in Derby carry roof mounted top signs to identify a vehicle as a Private Hire Vehicle. If approved the cost of signage would be met by the vehicle proprietors.

The Operator concerned had also asked that Private Hire Vehicles, fitted with top signs, be authorised to use bus lanes within the city. The Council's Traffic and Transportation Section advised that Private Hire Vehicles would not be able to use the bus lanes in this manner, even if fitted with top signs as they were not classed as Public Service Vehicles.

John Tomlinson advised that all licensed Private Hire Operators had been contacted and their views asked for on the proposal. Of those who had responded 100 had supported top signs, 63 had objected. It was noted that the Disabled Peoples Advisory Committee had raised concern that since the new bus lanes and traffic orders had been introduced, some disabled people who had no choice but to use Private Hire Vehicles, could not access Victoria Street or Albert Street. The Chair stated that this issued was being investigated.

The Committee were advised that a system had to be in place that

made private hire vehicles distinguishable from hackney carriage vehicles. As a clear distinction was already in place and there was no evidence that there were problems in its operation, a decision with financial implications for licence holders could be challenged as unnecessary.

**Resolved not to approve the use of top signs on licensed Private Hire Vehicles in Derby.**

## 08/03 Request to Consider the Use of Motorcycles as Licensed Private Hire Vehicles

The Committee considered a report of the Director of Corporate Services detailing the standards and conditions for the use of motorcycles as private hire vehicles.

John Tomlinson advised that consultation had taken place with the existing trade who had expressed surprise at the request for having motorcycles as Private Hire Vehicles. He advised that currently, six authorities were considering the use of motorcycles as Private Hire Vehicles. He also stated that there were no strong views as to whether there was a market for this service.

Concerns were raised over whether the Director of Development and Cultural Services had been properly consulted on the proposals and whether the proposed licensing conditions adequately addressed concerns over passenger safety.

**Resolved to defer consideration of this matter for the following reasons:**

- 1 To enable the Director of Development and Cultural Services to be consulted on this issue.**
- 2 To request that the Director of Corporate Services reconsider the conditions for passenger equipment and provide a clearer more detailed specification to tighten up on safety issues.**

## 09/03 Draft Licensing Policy

The Committee considered a report of the Director of Corporate Services detailing the draft licensing policy and consultation plan. It was noted that further guidance and draft legislation was expected from the government in September / October.

The new legislation would set out four licensing objectives that would have to be considered when making decisions. These were:

- public safety
- protection of children from harm
- prevention of crime and disorder
- prevention of public nuisance.

The introduction of the new system would inevitably lead to increased workloads, particularly in Environmental Health and Trading Standards, Legal Services and Members Services.

Concern was raised over a letter received from the police at a Licensing Sub B meeting, that they could not support an application for an entertainments license due to lack of resources. It was agreed that the Director of Corporate Services would write to the Divisional Commander to invite him to address the Committee at a future meeting.

It was noted that the Draft Policy would evolve as the government made further decisions. If any of these changes were significant, then the Policy would be brought back to the Committee for consideration. A timetable had been produced which detailed periods of consultation with the police, fire, general public, crime and disorder partnerships, licensees and trade, with the Policy in place by 31 December 2003.

### **Resolved**

- 1 To approve the consultation plan**
- 2 To approve the draft licensing policy for consultation**
- 3 To note that after consultation an amended policy would be brought back for review by the Licensing and Appeals Committee for comment, before being referred to Council for final approval.**

MINUTES END