

Time commenced : 6.00 pm
Time finished : 7.30 pm

**LICENSING AND APPEALS COMMITTEE
9 FEBRUARY 2005**

Present: Councillor Jackman (in the Chair)
Councillors Hird, Hussain, Jackson, Jones, and Redfern.

41/04 Apologies for Absence

Apologies for absence were received from Councillors Brown and Turner

42/04 Minutes of Previous Meeting

The minutes of the meeting held on 9 December 2004 were approved as a correct record and signed by the Chair.

43/04 Late Items to be Introduced by the Chair

Councillor Jackman introduced a late item relating to the Hackney Carriage Single Colour Policy. It was reported that at Policy Committee on 8 November 2000 a 'single colour policy' for all Hackney Carriages licensed by the authority was approved. The policy required that:

- All vehicles licensed as Hackney Carriages for the first time (in Derby) from 1 April 2001 must be in the specified colour (AA yellow), and
- All currently licensed Hackney Carriages (in Derby) must comply with the single-colour policy by 1 April 2006.

The Committee were informed that over a third of the Hackney Carriage fleet had still not been sprayed in the specified colour yellow. Those vehicles not sprayed would not be licensed beyond 31 March 2006, therefore from 1 April 2005 non-yellow Hackney Carriages due for licence renewal would receive new licences for less than the normal 12-month period. The Committee was asked to consider if the Authority should charge the full licence fee or a reduced rate for licences issued for a period of less than 12 months.

Resolved

- 1. to note the report.**
- 2. to charge the full licence fee for Hackney Carriages due for licence renewal after 1 April 2005.**

Councillors Jackson, Hussain and Redfern asked that their votes against the decision be recorded.

44/04 Declarations of Interest

There were no declarations of interest.

45/04 Taxi Licensing Review - Update

The Committee considered a report from the Director of Corporate Services that set out the prioritisation of taxi licensing workload by officers.

It was considered that there had been significant improvements and achievements within the licensing section including the modernisation of the taxi licensing reception areas, improved interview facilities and a new IT system.

It was reported that maintaining service standards whilst trying to implement large-scale operational change had resulted in significant increases in workload and pressure for all staff in the section, making it difficult to complete the work plan. Pressures to meet the 'e-government' targets for licensing and the development of the Customer Relationship Management – CRM - System had added further resource pressures to the section. New liquor licensing procedures would also result in a loss of operational capacity.

It was proposed to prioritise all taxi licensing work for 6 months to allow focus on completing the work plan. To achieve the prioritisation policy based issues would have to be deferred and only urgent matters would be referred to Committee.

Resolved

- 1. to approve the prioritisation of taxi licensing workload by officers**
- 2. to delegate to the Director of Corporate Services in consultation with the Chair of this Committee, the ability to take urgent decisions until 13 April 2005, following which a report should be brought back to this Committee.**
- 3. to request the Director of Corporate Services to further update this Committee on the implementation of the new taxi licensing systems by July 2005.**

46/04 Hackney Carriage and Private Hire Fees and Charges 2005/2006

The Committee considered a report from the Director of Corporate Services that set out the proposed changes to Hackney Carriage and Private Hire fees and charges for 2005/06. It was proposed that a detailed review be carried out of the time/cost allocation between April and September 2005, and findings to be reported to Committee by January 2006.

It was reported that the proposed increase in income for 2005/6 was 5.5%. Vehicle licences fees increasing by 4.0% and 8.0% for drivers' licences.

It was reported that due to increased costs within the licensing section, mainly attributable to increased staffing costs due to increased trade demands and changes to the maintenance charging policy increasing IT costs, the increase in fees would be necessary. It was noted that licensing functions were self-financing and non-profit making.

It was considered that there had been a balance shift in licence types due to significant increases in service demands the time/cost balance, with drivers' applications requiring greater input.

Councillor Hussain considered that there needed to be comparisons with neighbouring authorities and have due regard to the differences between them.

Councillor Redfern considered that the largest increases were where the largest number of consumers were, for example Private Hire drivers licences.

John Tomlinson responded that the increase was not due to it being the largest group, but because of the amount of work that related to the type of licence.

Resolved

- 1. to approve, subject to the consideration of objections/ representations, the proposed licence fees and charges for 2005/6 set out in Appendix 2.**
- 2. to request the Director of Corporate Services to advertise the proposed variation of fees.**
- 3. to authorise the Director of Corporate Services, in consultation with the Chair of Licensing and Appeals Committee, to consider any objections received within the objection period and take appropriate action if required.**
- 4. to approve the proposed licence fees becoming effective from 1 April 2005 if no objections are received during the objection period.**
- 5. to request the Director of Corporate Services to undertake a review the balance of taxi licensing fee apportionment during 2005 and report the findings to this Committee by January 2006.**

47/04 Advertising In Hackney Carriages

The Committee considered a report from the Director of Corporate Services that set out a request to approve the use of video-based advertising in Hackney Carriages. It was reported that two requests for the use of 'video-based' advertising had been received.

It was reported that flat screen (TFT) monitors mounted to the driver's side partition, connected to either a DVD drive or hard drive mounted in the driver compartment would provide the advertisement.

It was considered that safeguards would need to be imposed to ensure that:

- the system could not be used to show copyright or unsuitable material
- the equipment presented no safety risk
- the customer had the option to switch off the equipment
- the advertising material complied with UK and EU legislation and the Advertising Standards Authority
- the advertising material complied with the Council's Advertising Policy for Hackney Carriages.

It was confirmed that fees from advertising would go directly to the proprietors of vehicles.

Members raised concerns about the safety of the equipment for drivers and the advertising material in relation to children travelling in the vehicle.

Councillor Hussain asked how what material was advertised would be controlled.

John Tomlinson responded that advertising was currently pre-approved and could be done for the new advertising material. It was noted that material could be removed from the play list.

Olu Idowu suggested that Officers could talk to the policy unit to produce a draft policy that could be brought back to the Committee, after the 6 months agreed previously to focus on the work plan, and to allow Members to view the equipment.

Resolved to defer a decision on the use of video-based advertising in hackney carriages until July 2005, to allow a policy to be developed for the Committee's consideration.

48/04 Amendment to Private Hire Vehicle Specification

The Committee considered a report from the Director of Corporate Services that set out a request to approve the proposed amendment to the Private Hire Vehicle specification. It was reported that the proposed amendment would allow vehicle variants with rear facing passenger seats as well as forward facing.

Resolved to approve the amendment to the Private Hire Vehicle Specification to read:

6(a) All seats must be forward or rear facing and adequate in size, shape and condition for passengers.

MINUTES END