

Open

Licensing and Environmental Committee

Agenda

10.30am
Monday, 17th June 2013
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Licensing and Environmental Committee

Members of Committee:

Chairman: Councillor P B Harrison

Vice-Chairman: Councillor J A Hart

Councillor R Bishop

Councillor E Davies

Councillor N J Desmond

Councillor P Dyke

Councillor J Greener

Councillor P V Hayward

Councillor V Higgs

Councillor M B Kelly

Councillor N Knowles

Councillor M Price

Councillor D R Sheppard

Councillor N J Thomas

Councillor G C Yarranton

Information for Members of the Public:

Part I of the Agenda includes items for discussion in public. You have the right to request to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.

Part II of the Agenda (if applicable) deals with items of "Exempt Information" for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

There are particular circumstances when the Ethics and Standards Committee may exclude the public, which are in addition to those available at meetings of the Council, its Cabinet and Committees etc. These apply when the Ethics and Standards Committee considers the following:

Information relating to a particular chief officer, former chief officer or applicant to become a chief officer of a local probation board within the meaning of the Criminal Justice and Court Services Act 2000.

Information which is subject to any obligation of confidentiality.

Information which relates in any way to matters concerning national security.

Declaration of Interests by Members – interests of members in contracts and other matters

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct ("the Code") requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members' Code of Conduct as set out in Section 14 of this constitution for full details.

Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)

DPI's and ODI's are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council's Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

For further information:

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Louisa Bright, Democratic Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732763 or email louisa.bright@wyreforestdc.gov.uk

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If you have any queries regarding this, please speak with the Council's Legal Officer at the meeting.

Wyre Forest District Council

Licensing and Environmental Committee

Monday 17th June 2013

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1 - Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Appointment of Substitute Members To receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Director of Community Assets & Localism, together with the name of the Councillor for whom he/she is acting.	
3.	Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	Minutes To confirm as a correct record the Minutes of the meeting held on the 22nd April 2013.	6
5.	Application for an Increase in the Current Taxi Fare Tariff To receive a report from the Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council to consider giving approval to undertake a 4 week consultation with the Wyre Forest Hackney Carriage trade, to measure the level of support for a request from the Bewdley Taxi Association for an increase to the current Taxi Fare Tariff.	8
6.	To consider any other business, details of which have been communicated to the Director of Community Assets & Localism before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	

7.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in the paragraph 1 of Part 1 of Schedule 12A to the Act”.</p>	
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Part 2 - Not open to the Press and Public

8.	<p>To consider any other business, details of which have been communicated to the Director of Community Assets & Localism before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p>	
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WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

MONDAY 22ND APRIL 2013 (10.30AM)

Present:

Councillors: P B Harrison (Chairman), A T Hingley (Vice-Chairman), R Bishop, C Brewer, J A Hart, P V Hayward, N Knowles, B McFarland, M Price, M A Salter, J A Shaw, D R Sheppard and G C Yarranton.

Observers:

There were no members present as observers.

LIC.49 Apologies for Absence

Apologies for absence were received from Councillors P Dyke, J Greener, V Higgs, M B Kelly and N J Thomas.

LIC.50 Appointment of Substitutes

Councillor J A Hart was appointed as a substitute for Councillor J Greener. Councillor B McFarland was appointed as a substitute for Councillor M B Kelly. Councillor J A Shaw was appointed as a substitute for Councillor V Higgs.

LIC.51 Declaration of Interests

No declarations of interest were made.

LIC.52 Minutes

Decision: The minutes of the meeting held on 15th April 2013 be confirmed as a correct record and signed by the Chairman.

LIC.53 Increase of Hackney Carriage / Private Hire Licensing Fees and Charges for 2013/2014

The Committee received a report from the Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council to consider an objection received from The Wyre Forest Taxi Drivers Association relating to the proposed increase in Hackney Carriage / Private Hire Licensing Fees and Charges for 2013/2014.

Members were taken through the report and were advised that following agreement at the Council meeting on 27th February 2013 to increase the fees and charges for licensing fees, the Council were required by legislation to advertise the increases in the local newspaper and one letter of objection to

the increase had been received.

In response to a question, Members were advised that it was not possible to predict any legal challenge the Council could face nor the estimated cost. It was important that the Council broke even when setting the fees and charges. If any profit was made, this would have to be reflected in the following years accounts.

Members were informed that the Council had the most expensive fees and charging scale throughout the County but it was unknown as to why they varied between district to district. However it was noted that different Council's used different methods of calculating what they recharged. The projected potential surplus was in line with Section 70 of the Local Government Miscellaneous Provisions Act 1976. Members were referred to the budget book for figures relating to 2012/13.

The objector, Mr R South, addressed the Committee and reiterated the points in his letter which was at appendix 1 of the report.

A Member asked if the Committee could chose to vote against the Council decision to increase fees and charges and were informed that it could do so if they so wished.

Members had concerns that local taxi businesses could suffer from the increase and jobs could be lost.

Upon a show of hands the decision was carried.

Decision: The objection received in response to the public notice dated 7th March 2013 was considered and the increase in Hackney Carriage and Private Hire licence fees and charges by 5% as set out in the Council's 2013/2014 budget strategy be endorsed.

The meeting ended at 11.17am.

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

17TH JUNE 2013

Application for an Increase in the Current Taxi Fare Tariff

OPEN	
DIRECTOR:	Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council
CONTACT OFFICER:	Niall McMenamin – 01527 881454 Senior Licensing Practitioner Worcestershire Regulatory Services niall.mcmenamin@wocrsregservices.gov.uk
APPENDICES:	Appendix 1 - Fare Increase Request

1. PURPOSE OF REPORT

- 1.1 To ask the Licensing and Environmental Committee to consider giving approval to undertake a 4 week consultation with the Wyre Forest Hackney Carriage trade, to measure the level of support for a request from the Bewdley Taxi Association for an increase to the current Taxi Fare Tariff.

2. RECOMMENDATION

The Committee is asked:

- 2.1 **To give approval to the undertaking of a 4 week consultation with the Wyre Forest Taxi Trade, with a main outcome of establishing the level of support for the requested Hackney Carriage Fare Tariff increase.**

3. BACKGROUND

- 3.1 On 19th April 2013 the Licensing Office received an email from the Chairman of the Bewdley Taxi Association, formally requesting a review of the current taxi tariff, putting forward three increase proposals to be considered by the Council.

A copy of the Bewdley Taxi Associations formal fare increase request email is attached at “**appendix 1**”.

4. KEY ISSUES

- 4.1 The current Wyre Forest Taxi Fare Tariff has been in place since 1st June 2012.

- 4.2 If approval is given it is intended that the consultation will take place over a four week period starting on the 19th June 2013. All Wyre Forest licensed Hackney Carriage Drivers will be consulted, with the results of the consultation being presented to the next Licensing and Environmental Committee for consideration.

5. FINANCIAL IMPLICATIONS

- 5.1 There will be a cost to undertake the consultation, which will include both administration and postage.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 gives the local authority the powers to set fares for Hackney Carriages.

7. RISK MANAGEMENT

- 7.1 There is no risk management issues arising from this report.

8. EQUALITY IMPACT ASSESSMENT

- 8.1 There are no issues over Equality Impact Assessment.

9. CONCLUSION

- 9.1 Wyre Forest District Council is required to consider any request for an increase to the Hackney Carriage Fare Tariff.

10. CONSULTEES

- 10.1 Director of Community Assets and Localism.

11. BACKGROUND PAPERS

- 11.1 None.

From: Maurice Alton
Sent: 19 April 2013 07:03
To: Niall McMEnamin
Subject: Application for Taxi Fare Increase

Dear Niall,

As requested, this is a formal application from Bewdley Taxi Association for a fare increase to be implemented in May / June 2013.

We put forward the following options for the Councils consideration : -

- 1/. £3.50 flag
- 2/. £2.90 flag plus 20p per mile
- 3/. £2.80 flag plus 10p per mile
- 4/. Either of the above with an additional £1.00 per person above 4 people in vehicle.
- 5/. No increase.

Our own fees to the Council have increased again , and we feel that is only right that we should be afforded an increase too. Obviously fuel prices / cost of living increase / vehicle maintenance and capital outlay for WAV's are part of many reasons for our application .

I can bring supporting documentation to the next Taxi liaison meeting if required.

Best regards. Maurice Alton. Chairman Bewdley Taxi Association