

## **Mission Statement**

To Improve the Quality of Life  
For Those Who Live and Work in The District

5 January 2007

Dear Councillor

You are hereby invited to a meeting of the Licensing Committee to be held in Committee Room 2, Civic Centre, Portholme Road, Selby on Monday, Monday 15 January 2007 commencing at 10.00 am.

The agenda is set out below.

**1. Apologies for Absence and Notice of Substitution**

To receive apologies for absence and notification of substitution.

**2. Disclosure of Interest**

To receive any disclosures of interest in matters to be considered at the meeting in accordance with the provisions of Sections 94 and 117 of the Local Government Act 1972 or the National Code of Local Government Conduct.

**3. Minutes**

To confirm as a correct record the minutes of the proceedings of the meeting of the Licensing Committee held on 11 December 2006 (previously circulated)

**4. Procedure**

To outline the procedure to be followed at the meeting (pages 5 to 6 attached).

**5. Chair's Address to the Licensing Committee**

**6. Hackney Carriage Tariffs and Licence Fees – Report of the Head of Service – Legal and Democratic Services (pages 7 to 13)**

**7. Private Session**

**That in accordance with Section 100(A)(4) of the Local Government Act 1972 in view of the nature of the business to be transacted, the meeting be not open to the Press and public during discussion of the following items as there will be disclosure of exempt information as defined in Section 100(1) of the Act as described in paragraph 3 of Part 1 of Schedule 12(A) of the Act.**

- 8. Application for a Hackney Carriage Licence** - Report of the Head of Service – Legal and Democratic Services (pages 14 to 19)
- 9. Application for a Hackney Carriage Licence** - Report of the Head of Service – Legal and Democratic Services (pages 20 to 30)



M Connor  
Chief Executive  
5 January 2007

**Disclosure of Interest – Guidance Notes:**

- (a) Councillors are reminded of the need to consider whether they have any personal or prejudicial interests to declare on any item on this agenda, and, if so, of the need to explain the reason(s) why they have any personal or prejudicial interests when making a declaration.
- (b) The Democratic Services Officer or relevant Committee Administrator will be pleased to advise you on interest issues. Ideally their views should be sought as soon as possible and preferably prior to the day of the meeting, so that time is available to explore adequately any issues that might arise.

**[Please note that the papers relating to the applications have been circulated to councillors of the Licensing Committee only, who should return the agenda to Democratic Services at the conclusion of the meeting to enable the papers to be destroyed confidentially].**

**Dates of Future Meetings of the Licensing Committee**

<b>Date of Meeting</b>	<b>Deadline Date</b>	<b>Distribution Date</b>
12 February 2007	25 January 2007	2 February 2007
12 March 2007	22 February 2007	2 March 2007
16 April 2007	27 March 2007	4 April 2007

**Membership of the Licensing Committee  
10 Members**

<b>Conservative</b>	<b>Labour</b>	<b>Independent</b>
J Ashton	G Croston	J McCartney
J Dyson	D Davies	
K McSherry	S Duckett	
C Pearson (Vice Chair)		
R Sayner (Chair)		
D Peart		

Enquiries relating to this agenda, please contact Tracey Peam on:

Tel: 01757 292022

Fax: 01757 292020

Email: [tpeam@selby.gov.uk](mailto:tpeam@selby.gov.uk)

## **LICENSING COMMITTEE**

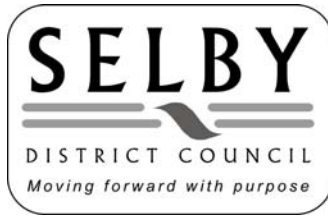
### **PROCEDURES TO BE FOLLOWED**

The Licensing Committee acts in a quasi judicial capacity to give a fair hearing to an applicant where a hearing is required by law or equity. When considering the case the only evidence the Members of the Committee can take into account is evidence previously submitted to form the agenda and any verbal evidence given at the actual meeting by Officers representing the Council and by the applicant or his/her representative, and their witnesses. The following procedures must be followed.

1. Procedures to be followed when submitting an application to the Licensing Committee for consideration;
  - i) The Council's Officers will liaise with the Committee Section to arrange a suitable date for the meeting. The applicant and Members of the Committee will be informed of this date in writing and a copy of the procedure note will be included for the applicant.
  - ii) The applicant and Council's Officers will submit any written evidence to the Committee Section for inclusion in the agenda by a given date. If the evidence is to be verbal, this should be stated.
  - iii) If witnesses are to be called the Committee Section must be notified prior to the hearing.
  - iv) Any application for adjournment because of late submission of papers, will in principle be considered sympathetically by the Committee.
2. The procedure to be followed by the Licensing Committee:
  - i) For each individual case the applicant and any representatives will be shown into the Committee Room at the same time as the appropriate Council's Officers. Witnesses will enter the room at the same time unless there are any objections.
  - ii) The District Solicitor will introduce the applicant, any representatives, witnesses and the Council's Officers to the Members of the Committee.
  - iii) The Chair will introduce Members of the Committee.
  - iv) The Chair will then go through the procedure as follows:

- a) Officers representing the Council will present the case for the Council. They may present such witnesses as they believe are appropriate.
- b) Officers representing the Council, and any witnesses, will then answer questions from the applicant or his/her representative, and from Members of the Committee.
- c) The applicant or his/her representative will then present the applicant's case. They may present such witnesses as they believe are appropriate.
- d) The applicant or his/her representative, and any witnesses, will then answer questions from the Committee and the Council's Officers.
- e) The Council's Officers will then sum up on behalf of the Council.
- f) The applicant or his/her representative will then sum up.
- g) The applicant and his/her representative will then be asked whether they consider they have had a fair hearing and the Committee will take into account any comments, which are then made. The Chair of the Committee will then ask the Council's Officers presenting the case the same question and will again take account of any comments made.
- h) The Council's Officers, the applicant and his/her representative, all witnesses, press and public, will then be asked to withdraw from the meeting whilst the Committee makes their decision on the evidence presented.
- i) The applicant and his/her representative, the Council's Officers, all witnesses, press and public, will be invited back into the meeting to be informed of the Committee's decision.

Following the Committee meeting the Committee Section will inform in writing to the applicant the decision of the Licensing Committee.



**Agenda Item No:**

---

**Title:** Hackney Carriage Tariffs and Licence Fees  
**To:** Licensing Committee  
**Date:** 15<sup>th</sup> January, 2007  
**Service Area:** Legal and Democratic Services  
**Author:** Tim Grogan  
**Presented by:** Tim Grogan

---

**1. Purpose of Report**

1.1 To bring to the attention of the Licensing Committee the annual review of the Hackney Carriage tariffs and Licence fees.

**2. Recommendation**

2.1 **That Councillors consider and approve the tariff increase and increase in Licence fees.**

**3. Executive Summary**

3.1 The District Council seeks permission to approve an increase in Hackney Carriage tariffs.

3.2 The District Council seeks permission to approve an increase in Licence fees.

**4. The Report**

4.1 A review of Hackney Carriage tariffs takes place each year and the present tariff has been in place since 2006.

4.2 On the 20<sup>th</sup> October, 2006, forty letters were sent to Hackney Carriage Operators as to their views. Within the closing date of the 20<sup>th</sup> November, 2006, twenty three replies were received. The views registered were as follows:-.

- (a) One wanted no change.
- (b) One wanted fares reduced but recommended no specific reduction.
- (c) Two wanted an increase in fares from 3.00 a.m.
- (d) One wanted to delete tariff 4 over Christmas and New Year. In addition, to retain tariff 3.
- (e) Eighteen wanted no change to tariff 1, but changes to tariff 2 and tariff 5 (shown in detail below)

4.3 Following receipt of the eighteen letters, a meeting was held on the 21<sup>st</sup> November, 2006 at the Railway Club, Selby. Twenty eight Operators attended this meeting and amongst the matters discussed was the issue of Hackney Carriage tariffs. At this time, all twenty eight Operators agreed to the changes to tariff 2 and tariff 5 proposed by the eighteen letters.

4.4 The current and proposed tariffs are as follows:-

**CURRENT**

**PROPOSED**

Tariff 1

Daytime 7.00 a.m. – 11.00 p.m. Monday to Saturday

£2.50 for the first ¾ mile  
 £1.50 for every mile thereafter  
 (10p for every other 1/15 mile)

£2.50 for the first ¾ mile (no change)  
 £1.50 for every mile thereafter (no change)  
 (10p for every other 1/15 mile) (no change)

Waiting Time  
 £15.00 per hour

Waiting Time  
 £15.00 per hour (no change)

Tariff 2

Night time 11.00 p.m. – 7.00 a.m. all day Sunday & Bank Holidays

£3.50 for the first ¾ mile  
 £1.60 for every mile thereafter  
 (10p for every other 1/16<sup>th</sup> mile)

£3.50 for the first ¾ mile (no change)  
 £1.70 for every mile thereafter (10p increase)  
 (10p for every other 1/17<sup>th</sup> mile)

Waiting Time  
 £20.00 per hour

Waiting Time  
 £20.00 per hour (no change)

Tariffs 3 and 4  
Christmas and New Year

Double the appropriate tariff  
1800 hours 24<sup>th</sup> December to 0700 hours 27<sup>th</sup> December each year and  
1800 hours 31<sup>st</sup> December to 0700 hours 2<sup>nd</sup> January each year.

Tariff 5  
Day and night time including Sundays and Bank Holidays  
To be used only when carrying 5 or more passengers in a vehicle licensed to do so.

£3.50 for the first ½ mile	£3.50 for the first ½ mile (no change)
£2.00 for every mile thereafter	£2.20 for every mile thereafter (20p increase)
(10p for every other 1/20 <sup>th</sup> mile)	(10p for every other 1/22 <sup>nd</sup> mile)
Waiting Time	Waiting Time
£20.00 per hour	£20.00 per hour (no change)

Tariff 6  
Christmas and New Year  
Double tariff 5

1800 hours 24<sup>th</sup> December to 0700 hours 27<sup>th</sup> December each year and  
1800 hours 31<sup>st</sup> December to 0700 hours 2<sup>nd</sup> January each year.

Extras

Cats & dogs	Carried at Driver's discretion 20p	(no change)
Guide dogs	Free carriage	(no change)
Fouling charge	£50.00	(no change)

- 4.5 In the recent past, Hackney Carriage tariffs have provided a bone of contention which has resulted in much unnecessary expenditure. As a consequence the consultation for this year's tariff review has been very carefully considered. Upon examination of the proposed tariff, the Licensing Officer considers that it is sensible and well thought out. The proposal has the support of an overwhelming number of Operators and drivers, the increases are considered reasonable and certainly not excessive. The Licensing Officer therefore has no reservation in recommending the proposed changes to the Licensing Committee.
- 4.6 With regard to the increase in charge for Licences, there is a proposal for an increase of three percent. This is considered appropriate and in line with recent increases. A Schedule is attached for the information of the Licensing Committee.



## **5. Financial Implications**

- 5.1 There are no financial implications for the Council as a result of the proposed changes to the Hackney Carriage tariffs.
- 5.2 In relation to the proposed increase in Licence fees, an increase of three percent is wholly in line with recent increases and those of our neighbouring Authorities. Such an increase would raise an additional £500. An increase of 5% would raise an additional £840.

## **6. Link to Corporate Plan**

- 6.1 To promote community safety.

## **7. How Does This Report Link to Council's Priorities?**

- 7.1 It is a Council priority to promote the safety of those who live and work in the District.

## **8. Impact on Corporate Policies**

- |     |                                   |                  |
|-----|-----------------------------------|------------------|
| 8.1 | <b>Service Improvement</b>        | <b>No Impact</b> |
| 8.2 | <b>Equalities</b>                 | <b>No Impact</b> |
| 8.3 | <b>Community Safety and Crime</b> | <b>No Impact</b> |
| 8.4 | <b>Procurement</b>                | <b>No Impact</b> |
| 8.5 | <b>Risk Management</b>            | <b>Impact</b>    |

Members should note that, in relation to the proposed fee increase for Licences, the increased income generated will be subject to continued demand for Licences. There is a risk, therefore, that demand for Licences may fall as a consequence of the price increase although this is not anticipated.

- |     |                        |                  |
|-----|------------------------|------------------|
| 8.6 | <b>Sustainability</b>  | <b>No Impact</b> |
| 8.7 | <b>Value for Money</b> | <b>No Impact</b> |

## **9. Background Papers**

- 9.1 Schedule of proposed and existing Licence fees.
- 9.2 The Hackney Carriage tariff file is held in the Legal Section.
- 9.3 Letters from Operators are held in the Legal Section.