

South Somerset District Council

Minutes of a meeting of the **Licensing Committee** held in **Council Chamber B, Council Offices, Brympton Way, Yeovil BA20 2HT on Tuesday 26 April 2016.**

(10.00 - 11.00 am)

Present:

Members: Councillor Martin Wale (Chairman)

Clare Aparicio Paul	Crispin Raikes
Jason Baker	David Recardo
Val Keitch	Alan Smith
Tony Lock	Linda Vijeh
David Norris	

Officers

Jo Morris	Democratic Services Officer
Nigel Marston	Licensing Manager

Note: All decisions were approved without dissent unless shown otherwise.

38. Apologies for Absence (Agenda Item 1)

Apologies for absence were received from Councillors Dave Bulmer, Jenny Kenton and Wes Read.

39. Declarations of Interest (Agenda Item 2)

There were no declarations of interest.

40. Public Participation at Committees (Agenda Item 3)

The Committee was addressed by David Lilley. He questioned whether the Licensing Department had the legal ability to pass on the cost of enforcement to licensing holders. He also raised the concern of License Holders bearing the cost of inefficiencies and the Licensing Department passing on unnecessary costs.

The Committee was then addressed by Roger Woodland. In summary, he made reference to the following:

- Previous meetings were open to the public. What was the communication process to advise interested parties that meetings were taking place?
- It was suggested that there would be a lot more objectors to the proposal had the proposal been notified to all taxi drivers/operators in the district.
- Had the Licensing Department looked at reducing internal waste?
- Was the business case to support the proposed increases available?
- The current economic climate is such that any further increases to taxi fees would push operators out of business. With a reduction in public transport certain sections

of the public, mainly the elderly, depend on services and are not in a position to pay more for the service.

- It could be viewed that if SSDC continue to hike up license fees and associated costs more operators in the area would explore the possibility of becoming private licensed in other council areas and operate within the SSDC boundary.

A copy of the full comments were circulated to members of the Committee at the meeting.

41. Licensing Fees & Charges 2016-17 (Agenda Item 4)

In response to the comments raised by the members of the public, the Licensing Manager advised that the fees were arrived at as a result of a long process involving a Scrutiny Task & Finish Review that looked at all licensing fees. The fees were agreed as part of the overall budget setting process and were set at a level to ensure total cost recovery as endorsed by the Scrutiny Committee, District Executive and Full Council.

With regard to enforcement costs, he advised that some costs did not have an enforcement element. Compliance costs were in relation to the operators keeping correct records which had resulted in the largest increase. He highlighted that it was vital for the operators to keep correct records.

He advised that in terms of the costs of internal processes occasionally some operators would receive duplicate letters by mistake but he was constantly looking at ways to improve internal procedures. The Council were shortly commencing a process of Transformation which would enable more online business to take place which could result in the fees being decreased in the future. He reiterated that the fees were set on a total cost recovery basis.

The Licensing Manager advised that MOT certificates could now be checked online reducing the burden on operators to visit the Council Offices.

He advised that the increase in fees was mainly in relation to the cost of checking compliance and noted that only four objections had been received. There was a statutory process for the setting of fees which required the proposed fees to be advertised by publishing a notice in a local newspaper, which had taken place. The fees and charges for private hire operators varied across the South West with some fees based on the number of vehicles operating. West Dorset District Council was able to reduce fees as they worked jointly with Weymouth and Portland Borough Council. He commented that maybe in future years if inspections were carried out satisfactorily and operator records were up to date, there could be scope for a reduced fee but was not something that could be considered at the present time.

In response to member questions and comments, the Licensing Manger informed members of the following:

- He was satisfied that the correct legal steps had been taken in respect of enforcement;
- The fee for compliance checks included officer time plus on costs and a proportion of recharge from other departments;
- The compliance checks involved checking computer and paper records and therefore required the checks to be undertaken at the operators base;

- The fees had been set using a recognised formula in conjunction with the Council's Finance Department;
- The same process would be undertaken for both new applications and renewal of drivers badges;
- The fees and charges would be kept under constant review as Transformation comes forward;
- It was highlighted that the Licensing Department were not able to make a profit on licence fees or subsidise between services;
- The service had been running at a considerable loss for many years and it was the intention to operate the service as close to cost neutral as possible;
- The checking of Vehicle/Driver applications at Churchfields in Wincanton had been delayed until after the fees are set;
- The increases resulted in a £3.15 per week increase for businesses which was not an unreasonable amount to make sure that proper checks were undertaken;
- He would be willing to look an instalment system for payment of the Private Hire Operators Fee.

During discussion, members expressed their support for the introduction of an instalment system for the payment of the Private Hire Operators Fee. This meant that the payment of fees could be spread out over the five year period.

It was proposed and seconded to agree not to modify the proposed fees and set a new date of 1st May 2016 for these to take effect. On being put to the vote the proposal was carried by 7 in favour, 2 against and 1 abstention. It was further proposed and seconded that the Licensing Manager be asked to arrange an instalment system for payment of the Private Hire Operators Fee if requested. On being put to the vote the proposal was unanimously agreed.

RESOLVED: 1. That the Licensing Committee agree not to modify the proposed fees and set a new date of 1st May 2016 for these to take affect;

(Voting: 7 in favour, 1 against, 1 abstention)

2. That the Licensing Manager be asked to arrange an instalment system for payment of the Private Hire Operators Fee if requested.

(Voting: unanimous in favour)

42. Permission to apply for a non-wheelchair accessible Hackney Carriage Vehicle Licence (Agenda Item 5)

The Licensing Manager explained that the Committee was being asked to consider a request from Greenway Travel Limited to be permitted to apply for a hackney carriage vehicle licence for a non-wheelchair accessible vehicle contrary to paragraph 6.32 of the South Somerset District Council – Taxi Licensing Policy.

He advised that the ethos of the company was to provide a green alternative to conventional taxis by using the most suitable ultra low emission vehicles. He provided an update to the report and advised that the total percentage of the hackney carriage fleet that is wheelchair accessible was 10%. He highlighted that whilst there were two

available electric or ultra low emission wheelchair accessible taxis neither vehicle had sufficient range to enable it to be used successfully in a rural area.

The Licensing Manager commented that supporting the proposal would fit well with the Council's corporate priority of wanting an attractive environment to live in with increased recycling and lower energy use. Ultra low emission vehicles and in particular businesses that use them should be encouraged.

During the debate, members expressed their support for the request and noted that the Committee could be asked to consider a similar request from any applicant and would consider any request on a case by case basis.

It was proposed and seconded to accept the request to allow the applicant to submit a full application for a hackney carriage vehicle licence for a non-wheelchair accessible vehicle and that once the application is received, the decision on the grant of the licence be delegated to the Licensing Manager. On being put to the vote the proposal was unanimously agreed.

- RESOLVED:**
- (1) That the request be accepted to allow the applicant to submit a full application for a hackney carriage vehicle licence for a non-wheelchair accessible vehicle;
 - (2) That once an application is received, the decision on the grant of the licence be delegated to the Licensing Manager.

(voting: unanimous)

43. Date of Next Meeting (Agenda Item 6)

Members noted that the next meeting of the Licensing Committee would be held on Tuesday 7th June 2016 at 10.00am in the Council Offices, Brympton Way, Yeovil.

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Chairman

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Date