

Central Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ



please ask for Helen Bell
direct line 0300 300 4040
date 30 August 2012

NOTICE OF MEETING

LICENSING COMMITTEE

Date & Time

Wednesday, 12 September 2012 9.30 a.m.

Venue at

Council Chamber, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

To: The Chairman and Members of the LICENSING COMMITTEE:

Cllrs L Birt (Chairman), K Janes (Vice-Chairman), R D Berry, D Bowater, I Dalgarno, C C Gomm, Mrs D B Green, I A MacKilligan, Mrs M Mustoe, R B Pepworth and N Warren

[Named Substitutes:

Mrs A Barker, Mrs J G Lawrence, Ms C Maudlin, D McVicar, J A G Saunders and A Shadbolt]

All other Members of the Council - on request

MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS MEETING

AGENDA

1. **Apologies for Absence**

Apologies for absence and notification of substitute members

2. **Chairman's Announcements and Communications**

To receive any announcements from the Chairman and any matters of communication.

3. **Minutes**

To approve as a correct record the Minutes of the meeting of the Licensing Committee held on 11 July 2012.

4. **Members' Interests**

To receive from Members any declarations of interest.

5. **Petitions**

To receive petitions in accordance with the scheme of public participation set out in Annex 2 in Part A4 of the Constitution.

6. **Questions, Statements or Deputations**

To receive any questions, statements or deputations from members of the public in accordance with the Public Participation Procedure as set out in Annex 1 of part A4 of the Constitution.

Report

Item	Subject	Page Nos.
7	Application for an increase in Hackney Carriage Fares	* 9 - 22

To consider whether to approve an application for an increase in Hackney Carriage fares and to bring into effect from 1 October 2012.

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CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **LICENSING COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Chicksands on Wednesday, 11 July 2012

PRESENT

Cllr L Birt (Chairman)
Cllr K Janes (Vice-Chairman)

Cllrs R D Berry
D Bowater
I Dalgarno
C C Gomm

Cllrs Mrs D B Green
Mrs M Mustoe
N Warren

Apologies for Absence: Cllrs P F Vickers

Officers in Attendance: Miss H Bell Committee Services Officer
Mrs M James Licensing and Enforcement Officer
Mr M Woolsey Managing Solicitor

L/12/1 **Chairman's Announcements and Communications**

There were none.

L/12/2 **Minutes**

RESOLVED

That the Minutes of the Licensing Committee held on 14 March 2012 be confirmed and signed as a correct record.

L/12/3 **Members' Interests**

(a) **Personal Interests:-**

None.

(b) **Personal and Prejudicial Interests:-**

None.

L/12/4 **Petitions**

The Chairman announced that no petitions had been referred to this meeting.

L/12/5 **Exclusion of Press and Public**

RESOLVED

that in accordance with Section 100A (4) of the Local Governemnt Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

L/12/6 **Application for a Private Hire Vehicle Licence**

The Committee received and considered a report of the Licensing and Enforcement Officer concerning an application for a Private Hire Vehicle Licence to Mr N W in view of the age of the vehicle.

A copy of the application form and supporting documents were attached as an appendix for members' information.

The Applicant attended the meeting and made representations in support of the application. The Committee were invited to view the vehicle, which was located in the car park.

In accordance with the procedures for hearings held in private, the applicant and Enforcement Officer were asked to withdraw whilst the Committee made their decision. The Committee's deliberation and visual inspection of the vehicle along with its appearance were recalled to hear the decision.

RESOLVED

That the application for a Private Hire Vehicle Licence for Mr N W be granted and the applicant being reminded of his responsibilities to comply with the conditions of the Licence and that the Council has the powers under the Local Government (Miscellaneous Provisions) Act 1976 to revoke at any time.

L/12/7 **Application for a private Hire Vehicle Licence**

The Committee received and considered a report of the Licensing and Enforcement Officer concerning an application for a Private Hire Vehicle Licence to Mr A R K in view of the location of the proposed operator premises.

A copy of the application form and supporting documents were attached as an appendix for Members' information.

The applicant attended the meeting and made representations in support of the application.

In accordance with the procedures for hearings held in private, the applicant and Licensing and Enforcement Officer were asked to withdraw whilst Committee made their decision. Following which all who had withdrawn were recalled to hear the decision.

RESOLVED

That the application for a Private Hire Vehicle Licence be granted subject to the applicant being reminded of his responsibilities to comply with the conditions of the Licence and that the Council has the power to revoke the Licence at any time.

L/12/8

Application for a Private Hire Operator Licence

The Committee received and considered a report of the Licensing and Enforcement Officer concerning an application for grant of a Private Hire Operator Licence to Mr M F in view of the location of the proposed operator premises.

A copy of the application form and supporting documents were attached as an appendix for Members' information.

The applicant attended the meeting and made representations in support of the application.

In accordance with the procedures for hearings held in private, the applicant and Licensing and Enforcement Officer were asked to withdraw whilst the Committee made their decision. Following which all who had withdrawn were recalled to hear the decision.

RESOLVED

That the application for a Private Hire operator Licence for Mr M F be granted in this case, subject to the applicant being reminded of his responsibilities to comply with the Licence and that the Council has powers under the Local Government (Miscellaneous Provisions) Act 1976 to revoke the licence at any time.

L/12/9

Application for a Private Hire Operator Licence

The Committee received and considered a report of the Licensing and Enforcement Officer concerning an application for a Private Hire Operators Licence in view of the location of the proposed operator premises.

A copy of the application form and supporting documents were attached as an appendix for Members' information.

The applicant attended the meeting and made representations in support of the application.

In accordance with the procedures for hearings held in private, the applicant and Licensing and Enforcement Officer were asked to withdraw whilst the Committee made their decision. Following which all who had withdrawn were recalled to hear the decision.

RESOLVED

That the application for a Private Hire Vehicle Operators Licence for Mr T M be granted subject to the applicant being reminded of his responsibilities to comply with conditions of the Licence and that the Council has the powers under the Local Government (Miscellaneous Provisions) Act 1976 to revoke the licence at any time.

(Note: The meeting commenced at 9.30 a.m. and concluded at 10.39 a.m.)

Chairman

Dated

Meeting: Licensing Committee
Date: 12 September 2012
Subject: Application for an increase in hackney carriage fares.
Report of: Gary Alderson – Director of Sustainable Communities
Summary: To consider whether to approve an application for an increase in hackney carriage fares and to bring them into effect from 1 October 2012.

Contact Officer: Margaret James, Licensing Enforcement Officer
Public/Exempt: Public
Wards Affected: All
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

Supporting and Caring for an ageing population – provision of safe public transport supports independent living.

Financial:

Fees are payable for this type of licence, the fees being charged represent the cost of the Council of producing this type of licence.

Legal:

Local Government (Miscellaneous Provisions) Act 1976.
Town Police Clauses Act 1847.

Risk Management:

Ensuring that Hackney Carriage and Private Hire vehicles operating in Central Bedfordshire are safe and properly regulated.

Staffing (including Trades Unions):

There are no staffing implications.

Equalities/Human Rights:

The Council has a legal duty to proactively promote race, gender and disability equality and to tackle discrimination experienced by other vulnerable groups. In order to ensure the personal safety of all vulnerable groups wishing to use licensed vehicles, conditions attached to licences ensure that this duty is met.

Community Safety:

Contributes to a safer public transport system and a safer night time economy. The Council has a statutory duty under Section 17 of the Crime and Disorder Act to do all that it reasonably can to reduce crime and disorder in its area. The provision of sufficient numbers of taxis is a key component of reducing crime and disorder problems linked to the night time economy and licensed premises. In addition, it is essential to ensure that the public, and particularly more vulnerable members of the community, are not left without safe transport options which may lead them to take decisions which put their safety at risk.

Sustainability:

By regulating this service area we can ensure that those businesses that are compliant can be supported and resources can be focused at those businesses that will not comply.

RECOMMENDATION:

- 1. that the Committee consider approving an application for an increase in hackney carriage fares to take effect from 1 October 2012.**

Background

1. It is the responsibility of Local Authorities to set the maximum fares for hackney carriages (taxis). The last request for an increase in fares was discussed on 3 December 2008 when Members of the Licensing Committee resolved to increase hackney carriage fares to their current level with effect from 2 January 2009.
2. In May 2012, a request for an increase in hackney carriage fares was received from Mr Bryan Burgin, a Leighton Buzzard based proprietor. A list of the names and badge numbers of eighty two licensed proprietors or drivers who agreed with the request accompanied are available on request. A copy of the letter is attached at Appendix A for Members information.
3. Upon receipt of the request, and following clarification regarding the proposed tariff with Mr Burgin, a letter, together with a copy of the Notice, was sent to all hackney carriage proprietors requesting their comments on the matter. A copy of the letter sent to all proprietors dated 1 July 2012 is attached at Appendix B for Members information.

4. A public Notice was also published in the Bedfordshire on Sunday, Bedford Midweek and the Biggleswade Advertiser.
5. No comments were received from the trade on the matter but one objection to the proposal was received from a member of the public. A copy of the letter of objection is attached at Appendix C for Members information.
6. On 18 July 2012, a second letter was sent to all hackney carriage proprietors informing them that an objection to the proposal had been received. The proprietors were informed that the matter would be considered by the Licensing Committee and their comments were invited. A copy of the letter dated 18 July is attached at Appendix D for Members information.

Other matters to take into consideration.

7. Hackney carriage fares are the maximum that may be charged. To clarify matters, and for Members information, the following rules apply:-
 - The meter must be used for every journey; however, a driver may accept a lesser fare than that shown on the meter.
 - If a fare is agreed in advance of a hiring, (including in advance through a private hire operator) the meter must still be used and the cost of the agreed fare must not be more than that shown on the meter.
 - The only time a meter does not have to be used is if a journey ends outside of Central Bedfordshire. In this case the customer should be advised at the start of the journey that it will be for an agreed fare as opposed to a metered fare.
8. Private Hire Operators set their own fares and they are not controlled by the local authority.
9. To assist Members, a chart is attached at Appendix E comparing rate 1 fares for neighbouring local authorities.
10. One e-mail letter of support for the proposal has been received from the trade and is attached at Appendix F for Members information.
11. Where a local authority modifies a table of fares in light of objections, the revised fare table must come into effect within two months of the original date shown on the Notice. If Members are minded to revise the hackney carriage fare table, it will be necessary for the fares to come into effect from 1 October 2012.

Appendices:

Appendix A – Letter from Mr Burgin requesting an increase in fares.

Appendix B – Letter to proprietors dated 1 July 2012

Appendix C – Copy letter of objection from a member of the public

Appendix D – Letter to proprietors dated 18 July 2012.

Appendix E – Fare chart for neighbouring authorities.

Appendix F – Letter of support from a member of the trade.

Background Papers:

None

Location of papers:

Watling House, Dunstable

A

Central Bedfordshire Council
Hackney carriage department
Dunstable
Beds

Burgins Taxis
Vernon Garage
Station approach
Leighton Buzzard
Beds
LU7 2LY

Date 15th May

Dear Mrs James,

Due to ever increasing cost of fuel, insurance and maintenance since the merger of south Beds and mid Beds, we are requesting a fare increase.

We propose an increase of 20p on tariff one, 30p on tariff two and 40p on tariff three. In addition to these tariff changes we like to lower the yards from 1500 yards to 1300 yards.

In addition we would like to bring to your attention that both Leighton Buzzard and Dunstable's bus lanes are not accessible to taxis. We feel it would be beneficial to the customer who would be charged less and to taxi operators would keep the fuel costs down. With everyone trying to be green nowadays it would help environmentally.

Last year there was a meeting about a proposed extension to the taxi rank in Leighton Buzzard high street and we were just wondering if there was any further development from that meeting.

Please find enclosed an additional list of hackney badge holders who agree with the above. We would be grateful if this could go to Licensing Committee as soon as possible.

Thank you for your assistance regarding these matters, we hope to hear from you in the near future.

Yours sincerely,



On behalf of Central Beds hackney and private hire badge holders.

**Central
Bedfordshire**

B

To all:-
Hackney Carriage Proprietors

Your ref:
Our ref: MEJ.FARES
Date: 01 July 2012.

Dear Sir or Madam

Hackney Carriages – Application for an Increase in Fares

I am in receipt of a letter from a Leighton Buzzard proprietor requesting an increase in hackney carriage fares.

As you are aware, any decision regarding this matter would apply to the district as a whole and I enclose a copy of a notice of the proposed changes for your information. A copy of the notice will also be published in the local press.

I should be grateful if you would let me know your comments on the proposal by 14 July 2012. The matter may then be put before the Licensing Committee for consideration.

I shall, of course, write to you again in due course but if you have any queries regarding this matter, please do not hesitate to contact me.

Yours sincerely

Margaret James
Licensing Enforcement Officer
Direct telephone 0300 300 4521
Email Margaret.james@centralbedfordshire.gov.uk

Please reply to:
Watling House, High Street North, Dunstable, Beds. LU6 1LF.

Central Bedfordshire Council
Priory House, Monks Walk
Chicksands, Shefford

Telephone 0300 300 8647
Email customer.services@centralbedfordshire.gov.uk

**CENTRAL BEDFORDSHIRE COUNCIL
HACKNEY CARRIAGE FARES**

Notice is hereby given that the Central Bedfordshire Council, in exercise of its powers under Section 65 of the Local Government (Miscellaneous Provisions) Act 1976, proposes to vary the table of fares in respect of hackney carriages as follows and to bring them into effect on 01 August 2012.

FARES FOR DISTANCE

If the distance does not exceed 1300 yards For the whole distance.	£ 3.20 (currently £3.00 for 1500 yards)
If the distance exceeds 1300 yards For the first 1300 yards	£ 3.20 (currently £3.00 for 1500 yards)
For each subsequent 98 yards or Uncompleted part thereof:	£ 0.10 (no change)

WAITING TIME

For each period of 40 seconds or uncompleted part	£ 0.10 (no change)
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ADDITIONAL CHARGES

For hirings commencing:	
Between 23.30 hours and 06.30 hours	50% of the normal rate (no change)
On Bank Holidays	50% of the normal rate (no change)
On Sundays	50% of the normal rate (no change)
On Christmas Day and Boxing Day	100% of the normal rate (no change)
On New Years Day between 0001 hours and 06.30 hours	100% of the normal rate (no change)
For each additional adult person in excess of two.	£ 0.20 (no change)
For each piece of luggage carried.	£ 0.10 (no change)
For each bicycle or perambulator	£ 0.10 (no change)
Vehicle Soiling Charge	£35.00 (no change)
London Congestion Charge	100% of charge (no change)

If you have any objections to the proposed variation of table of fares you should send your objections, in writing, to the address below stating the grounds of your objection by 14 July 2012. A copy of this Notice is available free of charge from Central Bedfordshire offices during normal office hours.

Dated 01 July 2012

Central Bedfordshire Council, Watling House, High Street North, Dunstable, Bedfordshire. LU6 1LF.

Margaret James

From: ~~XXXXXXXXXXXXXXXXXXXX~~
Sent: 12 July 2012 15:31
To: Margaret James
Subject: Central Beds Taxis - Proposed Price Increase

Good afternoon,

I note, with interest, the CBC are proposing to increase, again, the standard fare for taxis in its area.

I must advise that I am opposed to such an increase.

I do appreciate that times are hard, as they are for all of us, however, before the council looks to increase the fares I would suggest that the council employs its resources in ensuring that the current service provided is up to scratch.

Living in a village &, for my social life at least, being reliant on taxi's I have noticed a number of serious issues with the local Taxi firms recently.

We take it as read that they will turn up, when it suits them, & we live with this. We also accept that the state of a number of Taxi are less than perfect (are they all road worthy? They should be but I doubt it!). What I do take exception too is the amount of times I am overcharged for my journey.

I have lived in my village for 17 years I KNOW what the fare is but when you are, continually, being asked to over pay it starts to grate.

Yes, I appreciate that some passengers can be 'challenging' at times & I wouldn't wish their behaviour on anyone but Taxi drivers choose, for the most part, to do their job.

If we are forced to pay more could I suggest that the local taxi drivers association is forced to put (at least a half page) advert in the local press stating their costs. This would, once & for all, explode the myth that rate II actually starts at 11.30pm (not 11.00pm as most taxi drivers would have you believe), that ALL fare's (even if a price is agreed) should be metered. This would stop taxi drivers 'claiming' their meter isn't working & using this to over charge. If the meter really isn't working they shouldn't be on the road! Also state that the number of pick up's or drop offs does NOT affect the fare, again, as most drivers would have you believe.

In this way all parties, drivers & passengers, will understand the parameters within which their contract is agreed.

Regards

DD

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cloud.com

To all:-
Hackney Carriage Proprietors

Your ref:
Our ref: MEJ.FARES
Date: 18 July 2012

Dear Sir or Madam

Hackney Carriages – Application for an Increase in Fares

On 1 July 2012 I wrote to inform you that I had received a letter from a Leighton Buzzard proprietor requesting an increase in hackney carriage fares. I enclosed a notice of the proposed changes with my letter and informed you that a copy of the notice would also be published in the local press. I explained that any increase in fares would affect the trade as a whole and I asked for your comments on the proposal by 14 July 2012.

No comments on the proposal have been received from the trade but I am in receipt of a letter of objection from a member of the public. This means that the matter must be put before Members of the Licensing Committee for consideration. The next Licensing Committee meeting is due to take place on Wednesday 12 September. If you would like your views on the matter to be considered, please ensure that I am in receipt of your comments by 17 August in order for me to include them in my report.

I shall write to you again with further details of the meeting but, in the meantime, if you have any queries regarding this matter, please do not hesitate to contact me.

Yours sincerely

M James
Margaret James

Licensing Enforcement Officer

Direct telephone 0300 300 4521

Email Margaret.james@centralbedfordshire.gov.uk

Please reply to: Watling House, High Street North, Dunstable, Beds. LU6 1LF.

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Hackney Carriage Fares – Comparison Table

Authority	Flag	Cost in miles				Date implemented
		1	2	5	10	
Luton (Airport)	£4.00	£5.30	£7.30	£13.20	£23.00	October 2011
Luton	£3.00	£3.70	£5.70	£11.60	£21.50	October 2011
North Herts.	£3.40	£4.10	£6.30	£12.90	£23.90	October 2011
Dacorum	£2.80	£3.68	£5.44	£10.72	£19.52	August 2011
St. Albans	£2.50	£3.60	£5.80	£12.40	£23.40	March 2011
Milton Keynes	£2.40	£3.80	£5.40	£10.20	£19.20	April 2008
Bedford	£3.20	£3.20	£4.80	£9.60	£17.60	May 2008
Central Beds Current rate	£3.00	£3.30	£5.10	£10.50	£19.50	January 2009
Central Beds Proposed rate	£3.20	£3.70	£5.50	£10.90	£19.85	



Margaret James

To: Najam Mohiuddin
Subject: RE: Regarding application for an increase in fares
Good Morning Shamas

Many thanks for your views. A Copy of your e-mail will be included in the report that will be put before the Licensing Committee in September.

Kind Regards

Margaret James
Licensing Enforcement Officer (Public Protection)
Central Bedfordshire Council

From:
Sent: 30 July 2012 18:54
To: Margaret James
Subject: Regarding application for an increase in fares
Importance: High

Dear Margaret James,

My views towards the increase of fares, should happen, this is because inflation has gone up, thus causing the fuel prices to rise, insurance company charging more money, living costs have risen. I know the customers wont be happen, but we haven't increase the fare price in a good numbers of years.

Regards,

Woking in flitwick, ampthill and surrounding central bedfordshire

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

31/07/2012

To all:
Hackney Carriage Proprietors

Your ref:
Our ref: MEJ.FARES
Date: 17 August 2012

Dear Sir or Madam

Licensing Committee Meeting – Wednesday 12 September 2012.

I refer to previous correspondence regarding an application for an increase in hackney carriage fares.

I now write to confirm that the matter will be considered by Members of the Licensing Committee on Wednesday 12 September 2012 at the Priory House Offices in Shefford. The meeting will start at 9.30 am, however, there may be other matters to be discussed and I cannot confirm the exact time that this item will be heard.

The meeting will be open to the public and you are welcome to attend. It is also possible to speak at the meeting. However, no more than three speakers are allowed, and each speaker can only speak for up to 3 minutes. If you would like to speak at the meeting, you must register your intention by contacting the Committee Clerk after 30 August, when the report will be available, and before 11 September. You can contact her by telephoning 0300 300 4040 or by email at Helen.bell@centralbedfordshire.gov.uk

I shall contact you again after the meeting when a decision has been made on the matter. In the meantime, if you have any queries please do not hesitate to contact me.

Yours sincerely

Margaret James

Licensing Enforcement Officer (Public Protection)

Direct telephone 0300 300 4521

Email Margaret.james@centralbedfordshire.gov.uk

Please reply to: Watling House, High Street North, Dunstable, Beds. LU6 1LF.

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