

**BARNSELY METROPOLITAN BOROUGH COUNCIL****GENERAL LICENSING REGULATORY BOARD****27<sup>th</sup> October, 2010**

13. **Present:** Councillors C. C. Wraith (Chairman), Barlow, D. Birkinshaw, P. Birkinshaw, Brook, Butterwood, J. Carr, Clarke, Clowery, Dyson, Gaunt, Howard, Lofts, Millner, Mitchell, Parkinson, Picken, Stokes, Wainwright and Wilson.

14. **Declarations of Personal Interest**

There were no declarations of personal interest from Members in respect of items on the agenda.

15. **Minutes**

The minutes of the meeting held on 15<sup>th</sup> September, 2010 were taken as read and signed by the Chairman as a correct record, subject to the deletion from Minute 10 (ii) (a) of the words "3 months" and the substitution of the words "6 months".

16. **Prohibition of Alcohol Consumption in Designated Public Places**

Mr. Adrian Phillips (Solicitor, Neighbourhood Safety Unit) reported in detail on the proposals to designate the Town End and Kingstone areas of Barnsley as an area in which the consumption of alcohol was prohibited by the public.

**RESOLVED:-**

- (i) that the Board authorises the advertisement of the proposals to make the Order (as outlined in Appendix 1 to the report now submitted) designating the Town End and Kingstone areas as a place where the consumption of alcohol is prohibited by the public;
- (ii) that in the absence of any objection being received to the proposal, the respective Order be made as soon as reasonably practicable after the end of the statutory 28 days consultation period; and
- (iii) that the Assistant Director (Community Safety) and Interim Assistant Director (Neighbourhoods and Engagement) be authorised to commission the production of such signs and their affixation as considered necessary to comply with the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007.

17. **Proposed Amendments to the Hackney Carriage Tariff**

Further to Minute 11 of the previous meeting held on 15<sup>th</sup> September, 2010, the Assistant Director (Regulatory Services) submitted a report detailing 2 objections received to the proposed Hackney Carriage Tariff increase that had been received within the statutory timescales.

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The report indicated that the proposals had been advertised on 24<sup>th</sup> September, 2010 and that objections had been received on 7<sup>th</sup> October, 2010 from a Mr. R. Taylor (Hackney Carriage Proprietor) and on the 11<sup>th</sup> October, 2011 from Mr. B. Ford (One Call Taxis). Copies of the objection letters were appended to the report but in summary related to the following areas:-

- (a) The concern at the potential discrimination to passengers and inappropriate tariff for vehicles capable of carrying more than 5 passengers; and
- (b) The inappropriate increase in the soilage charge.

The Assistant Director also submitted, for information, two documents received from the National Private Hire Association as follows:-

- (1) Information on tariffs charged for 5 to 8 seat vehicles in other Authority areas (for the first 100 Authorities in alphabetical order) and
- (2) Details of the Court Case Regina v Liverpool City Council Ex Parte Curzon Ltd, which indicated that drivers had discretion as to whether or not to charge the maximum tariff.

Both objectors and the representative from the Hackney Carriage Association (which had requested the amendment to the tariff) had been invited to the meeting to make representation to Board Members in support of their case.

The Board was then addressed by Mr. R. Taylor (Hackney Carriage Proprietor) and by Mr. D. Wilson of A2Z Licensing, (representing the Hackney Association). Mr. Ford was indisposed and was, therefore, unable to attend the meeting.

It was noted that the Assistant Director's report also confirmed that in the event of the proposed amendments to the hackney carriage tariff being approved, such increases to the tariff and to the soilage charge were the statutory maximum that could be charged and would not preclude an operator of a hackney carriage from implementing lower tariffs.

After considering representations in detail the Board:-

**RESOLVED** that the proposed variations to the tariff be approved as advertised and come into effect at 00.01 hours on Friday 5<sup>th</sup> November, 2010.

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Chairman