

MEETING:	General Licensing Regulatory Board
DATE:	Wednesday, 4 September 2019
TIME:	2.00 pm
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present

Councillors Wraith MBE (Chair), P. Birkinshaw, Cherryholme, Danforth, Gillis, Green, Greenhough, C. Johnson, W. Johnson, Kitching, Saunders, Shepherd, Tattersall, Williams and Wilson

6 Declaration of Interests

There were no declarations of pecuniary and non-pecuniary interest from Members in respect of items on the agenda.

7 Minutes

The minutes of the meeting held on the 26th June, 2019 were taken as read and signed by the Chair as a correct record.

8 Hackney Carriage Tariff Increase - Objection

Further to Minute No 5 of the previous meeting held on the 26th June, 2019, the Service Director Legal Services submitted a report requesting Members to determine the objection received to the proposed increase in the current Hackney Carriage Tariff.

The proposal to increase the tariff had been published in accordance with the requirements of the Local Government Miscellaneous Provisions Act 1976 and an objection in the form of a petition had been received from 37 Hackney Carriage Licence Holders, however, upon closer inspection it was noted that a number of licence holders had signed the petition twice as they held more than one Hackney Plate.

Mr D Wilson (Licensing Consultant) representing the Hackney Carriage Association attended the meeting to make representations in support of the increase. In summary, the request was aimed at encouraging drivers to work later into the evening/early morning (3.00 am – 7.00 am Sunday Mornings) to address issues of taxi availability for night time revellers (an issue outlined within the most recent Hackney Carriage Demand Survey) and also because the last tariff increase was in 2017 when only small changes had been introduced to fares that had applied since November 2010. The increase would be relatively small for all but the late night passengers and some short journeys could be cheaper based on the proposals to increase the distance for the initial fare (flag fall). Mr Wilson also submitted a further petition from 10 Licence Holders who had signed the original petition and who now wished to withdraw their objection as this related to a proposal originally submitted in February, 2019 and not to the current proposals under consideration.

Mr R Ford, representing the original petitioners objecting to the proposed increase addressed the meeting and outlined the substance of the objections which related to

concerns that drivers had not been consulted on the proposals and also the fact that the Jumble Lane crossing in Barnsley had been closed which had caused a consequential increase in taxi fares because of the inconvenience of having to go around the town instead.

Mr Wilson and Mr Ford were both questioned by Members of the Board on the substance of their representations.

The Board noted that as a result of the withdrawal of objections and the 'double entries' on the original petition, there were now 23 remaining objections on the petition. Arising out of this and in response to comments made by Mr Ford, the Service Director Legal Services indicated that the consultation on the proposals had been undertaken in accordance with the prescribed regulations. It was acknowledged that not all Hackney Drivers were members of the Hackney Carriage Association but discussions within this group did not form part of the formal consultation process.

After considering all the representations in detail the Board:

RESOLVED that the proposed variations to the tariff be approved as advertised and come into effect at 23.59 on Friday 13th September, 2019.

9 Driver Appeals Update

The Service Director Legal Services submitted a report providing an overview of the results given by the Magistrates Court following the appeal by Private Hire and hackney Carriage Drivers against decision made in relation to the immediate revocation of a Driver's Licence and against a decision of the General Licensing Regulatory Board.

Two cases had been presented recently and Members noted that on both occasions the Magistrates had found in favour of the Local Authority and decisions made to revoke both licences had been upheld.

RESOLVED:

- (i) That the report be received; and
- (ii) That thanks be given to the Solicitors of the Council for their continued hard work in supporting the Licensing function.

Chair