

MINUTES OF A SPECIAL MEETING OF THE LICENSING COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON FRIDAY, 17 OCTOBER 2008 AT 1.30PM

Present:

Councillor D Buttle – Vice Chairperson (in the Chair)

Councillors

M Butcher  
D K Edwards  
C E Hughes

Councillors

R D Jenkins  
W B Morgan  
D A Unwin

Councillors

K J Watts  
P J White  
M C Wilkins  
R Williams

Officers:

P Gavigan - Principal Solicitor  
Y Witchell - Licensing & Registration Officer  
S Richards - Enforcement Officer  
M A Galvin - Senior Cabinet and Committee Officer

16 APOLOGIES FOR ABSENCE

Apologies for not attending the meeting were received from the following Members:-

Councillor C J James - Unwell  
Councillor D N W Jones - Unwell  
Councillor M L Simmonds - Unwell

17 DECLARATIONS OF INTEREST

The following prejudicial declarations of interest were made:-

- Councillor R D Jenkins - Agenda item 4 a (ii) of the report, in that relatives of his were taxi drivers. Councillor Jenkins left the meeting whilst this report was being considered.
- Councillor C E Hughes - Agenda item 4 a (ii) of the report, regarding the application to increase the table of fares, in that the Chairperson of the Taxi Association was a tenant of his. Councillor Hughes left the meeting whilst this report was being considered.
- Councillor W B Morgan - Agenda item 4(a)(ii) of the report, regarding the application to increase the table of fares in that he had had previous business dealings with a person mentioned in the report. Following a brief discussion with the Principal Solicitor, Councillor Morgan confirmed that the interest so declared was not close enough to prevent him from taking part in the consideration of the report.

18 MINUTES OF THE PREVIOUS COMMITTEE MEETING

RESOLVED: That the minutes of a meeting of the Licensing Committee held on 16 September 2008, be approved as a true and accurate record.

19 LICENSING SUB-COMMITTEES

The Assistant Chief Executive Legal and Regulatory Services submitted a report which outlined certain proposals for the composition of Licensing Sub-Committees, in order to discharge the functions of the Licensing Act 2003 and the Gambling Act 2005.

The report further advised that the holding of Hearings under the provisions of these Acts should be arranged to determine certain applications and consist of a Sub-Committee(s) of no more than three Members.

Members of the Sub-Committee, having considered the report and the added verbal submissions of the Licensing and Registration Officer,

RESOLVED: That the Committee:

- (1) Approves the formation of two Licensing Sub-Committees to discharge the functions of the Licensing Act 2003 and the Gambling Act 2005.
- (2) Approves that the first Sub-Committee consists of the Chairperson of the Licensing Committee, together with two Members drawn from the Committee selected on a rota basis.
- (3) Approves that the second Sub-Committee consists of the Vice-Chairperson of the Licensing Committee together with two Members drawn from the Committee selected on a rota basis.

20 TAXI LICENSING  
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976  
SECTION 65: APPLICATION TO INCREASE TABLE OF FARES

The Licensing and Registration Officer submitted a report on behalf of the Assistant Chief Executive Legal and Regulatory Services, the contents of which sought the observations of the Committee upon representations made in respect of a proposal of the Committee to increase the table of taxi fares in the County Borough.

The report advised that at a meeting of the Licensing Committee on the 10<sup>th</sup> July 2008, Members resolved to approve an application for an increase in taxi fares (Appendix 'A' of the report referred), subject to the appropriate statutory consultation process being undertaken beforehand. This proposal had yet to be implemented.

The report went on to outline the responses received to the consultation process, which were in three categories, namely (a) representations received in support for part or all of the resolution (from the Bridgend County Hackney Association), (b)

representations received in support of an increase, but not to the level proposed in the previous resolution of the Committee (from Mr Borland and Mr Burke, Radio Cabs) and finally, (c) representations against the proposed resolution (J Phillips, Village Cars, Mr Scott and K Jones the latter supported with a petition on behalf of 76 members of the taxi trade).

The above representations were summarised for Members within paragraphs 4 to 6 (to 6.3) of the report. A full copy of these representations had been made available in the Members lounge.

The report then gave some of the options that were open to Members following receipt of these representations, and guidance on current taxi fares, those which had been proposed and an average for different distance journeys on both an all Wales and all UK basis.

The report culminated with guidance adopted by the Department of Transport in relation to taxi fares, bearing in mind the needs and practicalities of both the user and the provider.

Further Appendices were attached to the report as follows:-

- Appendix 'B' - Radio Cabs (Mr Burke) – proposed increase in taxi fares (covering the various tariffs).
- Appendix 'C' - Mr Borland's proposals regarding an increase in taxi fares.
- Appendix 'D' - Resolution of Committee made on 10<sup>th</sup> July 2008, re: proposal to increase taxi fares.

Members were mindful that since they had recommended the increase the economic climate of the country had altered, as well as the price of fuel having decreased.

Members made some general comments on the provisions of the report and the consensus of opinion was that as the taxi trade did seem to be against the resolution made of the Licensing Committee meeting on 10<sup>th</sup> July 2008, to increase taxi fares coupled with the recent decrease in fuel prices, could justify that such fares should remain as they are at present, and that the previous decision of the Committee should therefore be rescinded.

Members therefore:

- RESOLVED:** (1) That the resolution made at the Licensing Committee on 10<sup>th</sup> July 2008 (Minute 9 refers) insofar as it relates to the proposal to increase the Table of Fares be rescinded, and that the level of the fares remain as they are at present.
- (2) That the further views from representatives of the trade and the various taxi associations in relation to the above and other provisions of the report be obtained and that these be put before a future meeting of the Committee, at the earliest convenience.

**SPECIAL LICENSING COMMITTEE – 17 OCTOBER 2008**

The meeting closed at 14:10pm.