

Swindon Borough Council

Private Hire and Hackney Carriage Licensing Sub-Committee

Tuesday, 4 October 2005

Committee Room 2, Civic Offices, Swindon (Anticipated meeting room)

At 6.00 p.m.

**Conservative
Councillors**

Andy Albinson
Michael Dickinson
Brian Ford
Colin Lovell

**Labour
Councillors**

David Glaholm
Andy Harrison

**Liberal Democrat
Councillors**

Mike Every

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AGENDA

PART 1 (PUBLIC ITEMS)

1. Apologies for Absence

2. Declarations of Interest

Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.

3. Minutes (Pages 1 - 4)

To receive the minutes of the meeting held on 16th May, 2005.

4. Exempt Items - Exclusion of Press and Public

Certain items are expected to include the consideration of exempt information and the Sub-Committee is, therefore, recommended to resolve "That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the item listed below, on the grounds that its involves the likely disclosure of exempt information, as defined in the respective paragraph of Part 1 of Schedule 12A of the Act".

<u>Item No.</u>	<u>Paragraph No.</u>
5	4

PART 2 (TO BE CONSIDERED WITHOUT THE PRESS AND PUBLIC PRESENT)

5. Application for Private Hire Drivers Licence (GDEL) (Pages 5 - 26)

Date of Despatch: 23 September 2005

Key:

CE	- Chief Executive
DCC	- Director of Cultural Change
DE	- Director of Education
DEP	- Director of Environment and Property
DF	- Director of Finance
DH	- Director of Housing
DLCG	- Director of Law and Corporate Governance
DSS	- Director of Social Services
DSwS	- Director of Swindon Services

Public Question Time - Swindon Borough Council is committed to increasing its accountability to the public and to promoting active citizenship. Up to 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from members of the public about the work of the Committee (except for confidential matters and specific planning applications). Questions must be relevant, clear and concise. Because of time constraints Public Question Time is not an opportunity to make speeches or statements. Prior notice of a question to the Director of Law and Corporate Governance is desirable - particularly if detailed background information is needed.

Access Arrangements – The Venue is wheelchair accessible and an infrared receiver hearing system is provided. If you would wish to attend the meeting but have any special requirement to enable you to do so please contact the Committee Clerk above, as soon as possible prior to the date of the meeting.

If you would like to receive any of the pages contained in this agenda in a larger print size please contact the Committee Officer whose name appears on the first page of this agenda.

PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING SUB-COMMITTEE

MONDAY, 16 MAY 2005

PRESENT:- Councillor Michael Dickinson, Councillor David Glaholm, Councillor Colin Lovell (Vice-Chair), Councillor Melanie Duff and Councillor Andy Harrison.

Apologies for absence were received from Councillor Brian Ford and Councillor David Wren.

Councillor Jemima Milton (Cabinet Member for Environment and Transport) was also in attendance.

1. Appointment of Chair for the Municipal Year, 2004/05.

Resolved – That Councillor Colin Lovell be Chair of this Sub-Committee for the Municipal Year 2004/05.

(Councillor Lovell took the Chair.)

2. Appointment of Vice-Chair for the Municipal Year, 2004/05.

Resolved – That Councillor Melanie Duff be Vice-Chair of this Sub-Committee for the Municipal Year, 2004/05.

3. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

4. Public Question Time

The following questions were received in accordance with Standing Order 28:

Mr. Keith Radway (Swindon Black Cabs) asked if the Sub-Committee was the correct forum to consider the debate as the Taxi trade had been told that the Licensing Committee would consider the issue and 14 days notice had not been given.

The Chair indicated that reports such as the one to be considered tonight would normally be dealt with by the Sub-Committee. The Members of the Sub-Committee were all Members of the main Committee and the papers had been dispatched in accordance with Access to Information requirements.

Mr. Keith Radway (Swindon Black Cabs) asked does the Committee think it right to deny consultation and to have consultation through a body whose representation was appointed by the Council?

The Cabinet Member for Transport indicated that the Task Group referred to by Mr. Radway was made up of officers and representatives of the trade who had put themselves forward as nominees. All those persons who had asked to serve on the Task Group had been appointed.

Mr. Keith Radway (Swindon Black Cabs) asked why no Trade Union representatives or supporters had been on the Task Group and didn't they have the right to negotiate on behalf of the Trade as those present had no mandate to do so?

The Cabinet Member for Environment responded that not all members of the trade are Trade Union Members so the Council couldn't meet just with the Trade Unions. She again indicated that all those persons who had asked to serve on the Task Group had been appointed.

Mr. Keith Radway (Swindon Black Cabs) asked if all Councillors had seen the Department of Transport letter dated 16th June 2004 regarding delimitation?

The Cabinet Member for Transport indicated that those Members serving on the Task Group had seen the letter.

Mr. Keith Radway (Swindon Black Cabs) asked if the Council were aware that if they decided to delimit the number of Hackney Carriages 150 years of tradition would be lost and the taxi trade would face bankruptcy? He asked if Members were aware of the damage to the trade over the last 18 months as a result of the hackney carriage knowledge test and lower standards for the private hire trade and were the Council aware of their responsibilities?

The Chair indicated these points had been taken on board by Members.

Mr. Keith Radway (Swindon Black Cabs) asked why the report didn't list all options the Government has offered, for example, no delimitation if there were no unmet demand. Are Councillors aware of the £10,000 spent 2 years ago to survey unmet demand and that this survey showed no unmet demand? Why do they trust officers who say there is now unmet demand when they said the same in 2001?

The Chair noted that Mr. Radway's questions would be considered by the Members as part of their deliberations.

Mr. Keith Radway (Swindon Black Cabs) asked why the trade hadn't been given 14 days notice of the Members attending the meeting?

The Cabinet Member for Transport indicated that it had originally been thought that the Licensing Committee would consider the report. All Members of the Sub-Committee present are Members of the Licensing Committee and so all the Members present are part of the list of Members given to the trade.

Councillor Glaholm pointed out that some deputies were present so even if the Sub-Committee Membership were given to the Trade there would have been some changes. The Trade needed to lobby all Councillors.

5. Delimitation of numbers of licensed Hackney Carriages (Minute for Confirmation)

The Sub-Committee considered (a) a report of the Director of Environment and Property concerning the delimitation of the numbers of Hackney Carriages licensed to ply for trade within the Borough, (b) points raised by Members of the

Public under Public Question Time, (c) the views of representatives of the trade against delimitation received in writing and circulated with the agenda, (d) additional arguments against delimitation made orally at the meeting, (e) a petition against the delimitation of Hackney Carriage Licences tabled by representatives of the trade at the meeting, (f) the views of officers on points raised by representatives of the Hackney Carriage Drivers, (g) the comments of the Lead Member for Transport, and (h) answers to question to representatives of the Hackney Carriage drivers and officers in respect of issues relating to possible delimitation.

Resolved – (1) That, subject to the confirmation of Council the quantity control restrictions on the number of Hackney Carriages be removed from 1st February, 2006.

(2) That, further to (1) above, officers submit a report setting out the legal position of issuing licences only to those persons who currently do not possess a Hackney Carriage Licence should the Council wish to phase in the delimitation of Hackney Carriage Licences.

(3) That officers submit a further report to this Sub-Committee regarding quality and types of vehicles eligible for licensing after 1st February, 2006.

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Agenda Item 5

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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