

PUBLIC PROTECTION COMMITTEE

Tuesday, 4th September, 2012

Present:- Councillor Mark Olszewski – in the Chair

Councillors Allport, Bailey, Hailstones, Mrs Hailstones, Kearon, Matthews, Miss Olszewski, Robinson, Miss Walklate and Mrs Williams

1. APOLOGIES FOR ABSENCE

Apologies were received from Cllr Welsh and Cllr Mrs Heesom.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF PREVIOUS MEETING

On page 2 of the minutes from the previous meeting the final sentence in the first paragraph of item 5 should have read:

'The Council's current Hackney Carriage Unmet Demand survey was due to expire on 2nd December 2012.'

And that the ordering of paragraphs 8 and 9 be rearranged to read:

'However, they also expressed the opinion that there was no justification to support option 4 thereby making more Hackney Carriage Drivers Licences available.'

'Having considered the report of 28 May 2012, the DFT guidance and the results of the consultation it was considered that a further Unmet Demand Survey could not be justified.'

The question was also raised as to whether there had actually been an offer from the Hackney Carriage Association to pay the full cost of the survey and if so whether this had been voted on by members of the Committee. Clarification would be sought regarding this.

4. LAW COMMISSION CONSULTATION ON REFORMING THE LAW OF TAXI AND PRIVATE HIRE SERVICES

A report was submitted to inform the Committee of the views of their officers concerning the Law Commissions Consultation on Reforming the Law of Taxi and Private Hire Services and to seek the view of the Committee prior to submitting a return.

Members discussed the following response:

PP (3) Maintain that only motor cars (and at a later date stretch limousines subject to appropriate conditions and regulations) be restricted to the regime.

Concerns were raised by Members regarding the possible future licensing of stretch limousines and how this would be regulated especially regarding areas such as testing at the Council's depot. Members considered that any reference to stretch limousines should be removed from the response.

It was agreed that the response we changed to read

PP (3) Maintain that only motor cars (and at a later date stretch limousines subject to testing by VOSA) be restricted to the regime.

This change would also apply to the response detailed at PP (7).

The Committee discussed PP 54 which related to the removal of the power for Licensing Authorities to limit the number of taxis.

Members raised concerns regarding whether the Council may be liable to pay compensation if the delimitation of Hackney Carriage numbers went ahead. Officers stated that there was no legal right to compensation and that as the decision had been made based upon government guidance and legislation that any compensation should be paid by the Government.

Members agreed that the recommendation be made that should compensation be granted, that it be paid out by the Government and not the Local authority.

The Committee considered the response listed as PP 67 relating to fixed penalty notices and requested that a list of offences applicable to Private Hire and Hackney Carriage drivers be provided to Members of the Committee.

In considering PP 72, the Committee considered that all appeals should still be heard by the Magistrates Court and that there was no requirement for another body.

Resolved: (a) That the above changes be incorporated into the reply proposed by Officers and the response submitted as part of the consultation process.

5. URGENT BUSINESS

There was no urgent business.

COUNCILLOR MARK OLSZEWSKI
Chair