

**MINUTES of the meeting of Regulatory Committee held at
The Council Chamber, Town Hall, Hereford on Tuesday,
25th October, 2005 at 2.00 p.m.**

Present: Councillor R.I. Matthews (Chairman)
Councillor *Brig. P. Jones CBE (Vice Chairman)

Councillors: Mrs. S.P.A. Daniels, G.W. Davis, D.J. Fleet, J.G.S. Guthrie,
J.W. Hope MBE, T.W. Hunt, J.W. Newman, R. Preece, D.C. Taylor and
P.G. Turpin

In attendance: Councillors (none)

29. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Brig P Jones CBE.

30. NAMED SUBSTITUTES (IF ANY)

There were no substitutions made.

31. DECLARATIONS OF INTEREST

There were no declarations of interest made.

32. MINUTES

RESOLVED: That the Minutes of the meeting held on 23rd August, 2005 be approved as a correct record and signed by the Chairman.

33. PROPOSED HACKNEY CARRIAGE TARIFF INCREASES 2005/2006

The Licensing Manager presented the report of the Head of Environmental Health and Trading Standards about proposed increases in taxi fares. She said that the Local Government (Miscellaneous Provisions) Act 1976 made provision for Local Licensing Authorities to set the rates/fares within the County together with distance and all other charges. She also said that the existing fares were last reviewed and increased in November 2004. Proposals for an increase in charges for taxi fares were published in the Hereford Times on 20 October 2005 with a two-week consultation period ending on 3 November 2005. The proposed increases were based on consideration of the annual inflation indices and submissions received from the Herefordshire Hackney Carriage and Private Hire Association. It was proposed the fare increase should take effect from 7 November 2005.

The Committee considered the proposed fare structure and took into consideration the financial pressures on the taxi trade and the anti-social hours involved. It was agreed that the new structure should be approved but that investigation should be made into lower rates for off-peak times in future.

RESOLVED

that the proposed fare increase should take effect from 7 November 2005 subject to the results of the consultation process being satisfactory.

34. PROCEDURAL ARRANGEMENTS

The Committee noted the procedural arrangements for hearing appeals to ensure that the laws of natural justice were followed to give a fair hearing for applicants and to the Licensing Officers.

35. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER LICENCE - REVIEW A SUSPENSION NOTICE AND DETERMINE WHETHER THE LICENCE HOLDER IS A FIT AND PROPER PERSON TO HOLD A DUAL DRIVERS LICENCE. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Licensing Manager explained the reasons why she had suspended the holder of a Hackney Carriage/Private Hire drivers licenses in accordance with the Council's licensing conditions, arising from an incident where he had been charged by the Police for two offences. The applicant gave details of the incident and explained why he felt that the suspension should be lifted. He provided a letter from his solicitor and his employer gave testimony to his good character.

Having considered all the facts put forward by the Licensing Manager, the applicant and his representative, the Committee decided that the suspension should continue to be in force pending the court hearing.

36. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER LICENCE - REVIEW A SUSPENSION NOTICE AND DETERMINE WHETHER THE LICENCE HOLDER IS A FIT AND PROPER PERSON TO HOLD A DUAL DRIVERS LICENCE. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

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Having considered all the facts put forward by the Licensing Manager and by the applicant, the Committee decided that the suspension should continue to be in force pending the court hearing.

37. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER LICENCE - TO DETERMINE WHETHER AN APPLICANT IS A FIT AND PROPER PERSON TO BE GRANTED A DUAL DRIVERS LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Licensing Manager explained the reasons why she has refused an application for a Hackney Carriage/Private Hire drivers licenses in accordance with the Council's terms and conditions and the advice on the interpretation of spent convictions. The applicant gave details of the grounds for his application and explained the circumstances of his previous convictions.

Having considered all the facts put forward by the Licensing Manager and the applicant, the Committee decided that the application should be refused because it was considered that the applicant was not deemed to be a fit and proper person under the meaning of the Local Government (Miscellaneous Provisions) Act 1976.

38. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER LICENCE - TO DETERMINE WHETHER AN APPLICANT IS A FIT AND PROPER PERSON TO HOLD A DUAL DRIVERS LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Licensing Manager explained that the holder of a Hackney Carriage/Private Hire driver's license had been convicted of assault and that she had therefore referred the matter to the Committee in accordance with the Council's terms and conditions and the advice on the interpretation of spent convictions. The applicant gave details of the circumstances which had given rise to the incident and explained why he felt that he should continue to be licensed.

Having considered all the facts put forward by the Licensing Manager and the applicant, the Committee was satisfied that the licence holder was deemed to be a fit and proper person under the meaning of the Local Government (Miscellaneous Provisions) Act 1976 and that he could continue to hold his license.

39. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER LICENCE - TO DETERMINE WHETHER AN APPLICANT IS A FIT AND PROPER PERSON TO BE GRANTED A DUAL DRIVERS LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

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Having considered all the facts put forward by the Licensing Manager and the applicant, the Committee was satisfied that the licence holder was deemed to be a fit and proper person under the meaning of the Local Government (Miscellaneous Provisions) Act 1976 and that he could continue to hold his license.

40. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER LICENCE - TO DETERMINE WHETHER AN APPLICANT IS A FIT AND PROPER PERSON TO BE GRANTED A DUAL DRIVERS LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

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Having considered all the facts put forward by the Licensing Manager, the Committee decided that the application should be refused because it was considered that the applicant was not deemed to be a fit and proper person under the meaning of the Local Government (Miscellaneous Provisions) Act 1976.

The meeting ended at 3.20 a.m.

CHAIRMAN