

**MINUTES of the meeting of Regulatory Committee held at
The Council Chamber, Brockington, 35 Hafod Road,
Hereford on Tuesday, 23rd October, 2007 at 2.00 p.m.**

Present: Councillor P Jones CBE (Chairman)
Councillor JW Hope MBE (Vice Chairman)

Councillors: CM Bartrum, DJ Benjamin, ME Cooper, PGH Cutter,
SPA Daniels, JHR Goodwin, R Mills, A Seldon and DC Taylor

In attendance: Councillors

50. APOLOGIES FOR ABSENCE

There were no apologies for absence.

51. NAMED SUBSTITUTES (IF ANY)

There were no named substitutes at the meeting.

52. DECLARATIONS OF INTEREST

There were no declarations of interest made.

53. MINUTES

RESOLVED: That the Minutes of the meeting held on 28th August, 2007 be approved as a correct record and signed by the Chairman

54. HACKNEY CARRIAGE FARES 2007/2008 - THE TOWN POLICE CLAUSES ACT 1847 AND LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Licensing Officer 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 October, 2006. Proposals for an increase in charges for taxi fares were published in the Hereford Times on 11th October 2007 with a two-week consultation period taking in the trade, interested parties and the public, which would end on 26th October, 2007. The proposed increases were based on consideration of the annual inflation indices and submissions from the Herefordshire Hackney Carriage and Private Hire Association. It was proposed the new fares would take affect from 5th November, 2007.

The Committee considered the proposals fare structure and noted the financial pressures on the taxi trade and the anti-social hours involved. It was agreed that the new fare structure should be approved at the end of the consultation period, subject to there being no relevant adverse representations received. The Licensing Manager said that if there were, she would refer the matter back to the Committee.

RESOLVED THAT

- (i) the proposed fare increase be agreed in principal subject to there being no relevant objections by the end of the consultation process, and that the Head of Environmental Health and Trading Standards be delegated to implement them with effect from 5th November, 2007.
- (ii) If any relevant objections are received, the matter be brought back to the Committee.

55. 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.

56. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER LICENCE – TO REVIEW A SUSPENSION NOTICE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

In the absence of appellant, the Committee decided to defer consideration of the matter until its next meeting on 20th November, 2007.

The Principal Lawyer referred to an appeal lodged with the Magistrates Court by an applicant, arising from a decision made by the Committee at its meeting on 31st July, 2007 to refuse to reinstate his drivers licence. He said that the Magistrates had upheld the appeal and had decided to award costs against the Council. The Head of Environmental Health and Trading Standards was preparing a policy document about such issues for consideration by the Committee. Extensive consultation was taking place with interested parties and would include the Area Legal Manager of the Magistrates with a view to attempting to agree a more consistent approach regarding appeals which would be in harmony with that of the Council.

The meeting ended at 2.40 p.m.
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CHAIRMAN