

Minutes of the **Licensing Committee**
of the **Test Valley Borough Council**
held in Conference Room 1, Beech Hurst, Weyhill Road, Andover
on Tuesday 19 October 2010 at 5.30 pm

Attendance:

Councillor A Hope (Chairman)	(P)	Councillor J N Anderdon (Vice-Chairman)	(P)
Councillor D Baverstock	(A)	Councillor M Kerley	(A)
Councillor C S Borg-Neal	(P)	Councillor P Lashbrook	(P)
Councillor P R Bundy	(P)	Councillor J Lovell	(A)
Councillor E Charnley	(A)	Councillor P Mutton	(P)
Councillor A G Dowden	(P)	Councillor A L Tupper	(A)
Councillor A F Dyde	(-)	Councillor J Whiteley	(P)
Councillor I Hibberd	(A)		

Also in attendance:

Councillor N Whiteley

225

Public Participation

Resolved:

In accordance with the Council's Scheme of Public Participation, the following speakers spoke on the item indicated:

Item No	Agenda Item	Name of Speaker
7	Hackney Carriage Licensing – Future Policy	Mr R Pike, Chairman, Test Valley Taxi Association. Mr C Pannell, Hackney Carriage Driver Mr J Pike, Hackney Carriage Proprietor

226

Minutes

Resolved:

That the minutes of the meeting held on 23 September 2010 be confirmed and signed as a correct record.

227

Hackney Carriage Licensing – Future Policy

Consideration was given to a report of the Head of Administration which requested the Committee to consider the removal of the Council's existing policy restricting the number of hackney carriage licences.

The Borough Council continued to be in a minority of authorities that restricted the number of hackney carriage licenses it issued. The current policy could no longer be maintained without justification and so a decision was sought as to future policy. Officers recommended de-restriction of licence numbers subject to certain quality control measures being introduced.

Best Practice Guidance sets out that an unmet demand survey must be undertaken every 3 years and the current Policy is based on the last survey carried out in 2005.

At its meeting held on 15 July 2009, the Committee requested that a consultation exercise be undertaken to seek views on removing the Council's current policy of restricting the number of hackney carriage licenses, as no funding was available to carry out an unmet demand survey. Approximately 380 questionnaires were sent out but only 45 returned. The detailed results were set out in Annex 1 to the report.

The Licensing Manager drew Members' attention to the introduction of the Equalities Act 2010 which would amend section 16 of the Transport Act 1985 and would mean that an application for a licence must be granted if the applicant had a wheelchair accessible vehicle and the proportion of the current licensed hackney carriage fleet within the Borough that comprises wheelchair accessible vehicles is less than the level determined by the Secretary of State.

After considering the report and hearing from the Chairman of the Test Valley Taxi Association and a local hackney carriage driver and proprietor, Members felt that in the economic climate there was no overriding need to remove the restrictions on the number of hackney carriage proprietor licences issued; however by accepting a small increase in the number of licences this would satisfy any unmet demand resulting from anticipated population growth and provide capacity for applications from drivers with wheelchair accessible vehicles.

Resolved:

- 1. That up to a maximum of 5 additional licences be issued as from 1 January 2011 to satisfy any unmet demand.**
- 2. That with effect from the above date the Head of Administration be authorised to grant any such additional licence but only for vehicles which meet the conditions set out in Annex 2 to the report.**
- 3. That the requirements contained in Annex 2 to the report shall not apply to the existing 35 hackney carriage licences.**

228 **Revocation of a Dual Hackney Carriage and Private Hire Vehicle Driver's Licence**

Consideration was given to a report which informed the Committee that the Head of Administration had used his delegated powers to revoke a dual Hackney Carriage and Private Hire Driver's Licence as a result of the driver failing to submit a satisfactory medical report.

The Licensing Manager explained that the matter was brought to Committee for information only, as Members had previously requested that they be informed of any occasions when refusals, suspensions and revocations occur.

The Committee were informed that all Hackney Carriage and Private Hire Vehicle drivers must meet the Group 2 medical standards set by the Driver and Vehicle Licensing Agency (DVLA) which required applicants to submit satisfactory medical reports when they first apply for a licence, then again at age 45, 50, 55, 60 until 65. After this age medicals would be required annually. The driver in question had reached the age of 60 and was required to submit a medical report. Despite being sent two reminders, the driver failed to do so. The driver had been given the opportunity of attending for an interview with the Head of Administration but declined. Accordingly the driver's licence had been revoked.

Resolved:

That it be noted that the Head of Administration has revoked a Dual Hackney Carriage and Private Hire Vehicle Driver's Licence.

(Meeting terminated at 6.55 pm)