

BOROUGH OF BARROW-IN-FURNESS

LICENSING COMMITTEE

Meeting, 21st June, 2012
at 2.00 p.m.

A G E N D A

PART ONE

1. To note any items which the Chairman considers to be of an urgent nature.
2. To receive notice from Members who may wish to move any delegated matter non-delegated and which will be decided by a majority of Members present and voting at the meeting.

3. **Admission of Public and Press**

To consider whether the public and press should be excluded from the meeting during consideration of any of the items on the agenda.

4. Disclosure of Interests.

A Member with a personal interest in a matter to be considered at this meeting must either before the matter is discussed or when the interest becomes apparent disclose

1. ***The existence of that interest to the meeting.***
2. ***The nature of the interest.***
3. ***Decide whether they have a prejudicial interest.***

A note on declaring interests at meetings, which incorporates certain other aspects of the Code of Conduct and a pro-forma for completion where interests are disclosed will be available at the meeting.

5. Apologies for Absence/Attendance of Substitute Members.
6. To confirm the Minutes of the meeting held on 17th May, 2012 (copy attached).

FOR DECISION

Chief Executive's Reports

- (D) 7. Appointments on Outside Panels, Working Groups etc.

Environmental Health Manager's Reports

- (D) 8. Hackney Carriage Tariff Review.
- (D) 9. Change of Conditions to Boatman's Licence.

Membership of Committee

Callister (Chairman)
Irwin (Vice Chairman)
Biggins
Graham
W. McClure
Maddox
Opie
Pemberton
Roberts
Seward
C. Thomson
Wall

For queries regarding this agenda, please contact:

Keely Fisher
Democratic Services Officer
Tel: 01229 876313
Email: ksfisher@barrowbc.gov.uk

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BOROUGH OF BARROW-IN-FURNESS

LICENSING COMMITTEE

Meeting: 17th May, 2012
at 2.00 p.m.

PRESENT:- Councillors Callister (Chairman), Irwin (Vice-Chairman), Biggins, Graham, Maddox, Opie, Pemberton, Richardson, Seward, C. Thomson and Wall.

1 – The Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985 and Access to Information (Variation) Order 2006 – Urgent Item

RESOLVED:- That by reason of the special circumstances outlined below the Chairman is of the opinion that the following item of business not specified on the agenda should be considered at the meeting as a matter of urgency in accordance with Section 100(B)(4)(b) of the Local Government Act 1972.

<u>Item</u>	<u>Reason</u>
Application for Hackney Carriage/Private Hire Vehicle Drivers Licence (Minute No. 7)	The applicant had been offered employment with immediate effect should his application be successful.

2 – The Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985 and Access to Information (Variation) Order 2006

Discussion arising hereon it was

RESOLVED:- That under Section 100A(4) of the Local Government Act, 1972 the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 2 and 7 (Minute Nos. 5-7) of Part One of Schedule 12A of the said Act.

3 – Apologies for Absence/Attendance of Substitute Members

An apology for absence was received from Councillor Roberts.

Councillor Richardson had replaced Councillor W. McClure for this meeting only.

4 – Minutes

The Minutes of the meeting held on 22nd March, 2012 were taken as read and confirmed.

5 – Private Hire Vehicle Driver

The Environmental Health Manager reported on information concerning a Private Hire Vehicle Driver Mr L. K. She submitted information which had been drawn to her attention concerning the driver and set out details of the Committee's policy regarding such matters.

Mr L. K. had been invited to attend the meeting to address the Committee but had failed to do so. A Police Representative was also present.

RESOLVED:- That Mr L. K's licence be revoked.

6 – Application for Private Hire Vehicle Drivers Licence

The Environmental Health Manager reported on an application she had received for a Private Hire Vehicle Drivers Licence from Mr G. B. She submitted information which had been drawn to her attention concerning the applicant and set out details of the Committee's policy regarding such matters.

Mr G. B. had been invited to attend the meeting to address the Committee but had failed to do so. A Police Representative was also present.

RESOLVED:- To agree to grant Mr G. B. a Private Hire Vehicle Drivers Licence on the understanding that he received a written warning as to his future conduct.

7 – Application for Hackney Carriage/Private Hire Vehicle Drivers Licence

The Environmental Health Manager reported on an application she had received for a Hackney Carriage/Private Hire Vehicle Drivers Licence from Mr D. M. She submitted information which had been drawn to her attention concerning the applicant and set out details of the Committee's policy regarding such matters.

Mr D. M. attended the meeting and addressed the Committee. A Police Representative was also present.

RESOLVED:- That the application for a Hackney Carriage/Private Hire Vehicle Drivers Licence from Mr D. M. be declined.

The meeting closed at 3.23 p.m.

LICENSING COMMITTEE		Part One (D) Agenda Item 7
Date of Meeting:	21st June, 2012	
Reporting Officer:	Chief Executive	
<p>Title: Appointments on Outside Panels, Working Groups etc.</p> <p>Summary and Conclusions:</p> <p>The Council on 15th May, 2012 gave delegated authority to Committees to make appointments to Outside Bodies, Forums (excluding Housing Management Forum) Panels, Working Groups etc. in accordance with the number and allocation of seats to political groups agreed at the Meeting.</p> <p>In the case of the Licensing Committee this involved appointments to the Licensing Policy Consultation Working Group and the Taxi/Private Hire Liaison Group.</p> <p>Recommendation:</p> <p>To agree the appointments to the Licensing Policy Consultation Working Group and the Taxi/Private Hire Liaison Group.</p>		

Report

At the Annual Council meeting on 15th May, 2012 the allocation of seats in respect of Forums, Panels, Working Groups etc. were agreed. Delegated authority was given to the appropriate Committees to make the necessary appointments.

In the case of the Licensing Committee this involved the appointment of Members to:-

Licensing Policy Consultation Working Group

(Membership for 2011/2012 was Councillors Callister, Irwin, Opie and Pemberton).

Taxi/Private Hire Liaison Group

(Membership for 2011/2012 was Councillors Callister, Maddox and Roberts).

In accordance with proportionality rules, the notional seat allocations for 2012/2013 are as follows:-

- Licensing Policy Consultation Working Group – Four Seats (3 Labour: 1 Conservative)
- Taxi/Private Hire Liaison Group – Three Seats (2 Labour: 1 Conservative).

Background Papers

Nil

LICENSING COMMITTEE	<u>Part One</u> (D) Agenda Item 8
Date of Meeting: 21st June, 2012	
Reporting Officer: Environmental Health Manager	
<p>Title: Hackney Carriage Tariff Review</p> <p>Summary and Conclusions:</p> <p>This report requests Members to consider two proposals from representatives of the Hackney Carriage trade to review the Hackney Carriage Tariffs. Details of both proposals are included in the body of the report.</p> <p>Recommendation: That:</p> <ol style="list-style-type: none"> 1. Members consider the requests to review the Hackney Carriage Tariffs; and 2. If Members approve a change, that the proposed tariff be advertised in accordance with the statutory consultation procedure and that I be given delegated authority to approve and implement the necessary changes to the Hackney Carriage Tariff documentation, subject to no objections being received as a consequence of the consultation. 	

Report

Two proposals have been submitted on behalf of the Hackney Carriage trade by Mr. R. Laurie and Mr. R. Mullen, both Hackney Carriage drivers and trade representatives, for a review of Hackney Carriage tariffs.

The current Hackney Carriage tariffs have been in place since April 2008 and they are set out below along with the two new proposed tariffs:-

Current Tariffs

Normal Fare (7am until midnight)

If the distance does not exceed 896 metres (5/9 mile) for the whole distance £2.00
 If the distance exceeds 896 metres (5/9 mile) for each subsequent 178 metres (1/9 of a mile) or uncompleted part £0.20
 Waiting time – for each 30 seconds £0.10

For hirings begun between midnight and 7.00 a.m.

If the distance does not exceed 896 metres (5/9 mile) for the whole distance £3.00
 If the distance exceeds 896 metres (5/9 mile) for each subsequent 178 metres (1/9 of a mile) or uncompleted part £0.30
 Waiting time – for each 30 seconds £0.15

For hirings on all bank holidays, Christmas Eve and New Years Eve

If the distance does not exceed 896 metres (5/9 mile) for the whole distance	£4.00
If the distance exceeds 896 metres (5/9 mile) for each subsequent 178 metres (1/9 of a mile) or uncompleted part	£0.40
Waiting time for each 30 seconds	£0.20

Soiling charge - £10 outside/maximum £100 inside
Payment of estimate may be required as deposit at start of journey
Extra charge of £0.20 per person over two.

Proposed Tariffs 1

Normal Fare (7am until midnight)

If the distance does not exceed 1609 metres (1 mile) for the whole distance	£3.00
If the distance exceeds 1609 metres (1 mile) for each subsequent 161 metres (1/10 of a mile) or uncompleted part	£0.20
Waiting time – for each 30 seconds	£0.10

For hirings begun between midnight and 7.00 a.m.

If the distance does not exceed 1609 metres (1 mile) for the whole distance	£4.50
If the distance exceeds 1609 metres (1 mile) for each subsequent 161 metres (1/10 of a mile) or uncompleted part	£0.30
Waiting time – for each 30 seconds	£0.20

For hirings on all bank holidays, Christmas Eve and New Years Eve

If the distance does not exceed 1609 metres (1 mile) for the whole distance	£6.00
If the distance exceeds 1609 metres (1 mile) for each subsequent 161 metres (1/10 of a mile) or uncompleted part	£0.40
Waiting time for each 30 seconds	£0.30

Extra Charges or Conditions

Soiling charge - £10 outside/maximum £100 inside
Payment of estimate may be required as a deposit at the start of journey
Extra charge of £0.20 per person over two people.

Proposed Tariffs 2

Normal Fare (7am until midnight)

If the distance does not exceed 805 metres (5/10 mile) for the whole distance	£2.40
If the distance exceeds 805 metres (5/10 mile) for each subsequent 161 metres (1/10 of a mile) or uncompleted part	£0.20
Waiting time – for each 30 seconds	£0.10

For hirings begun between midnight and 7.00 a.m.

If the distance does not exceed 805 metres (5/10 mile) for the whole distance	£3.60
If the distance exceeds 805 metres (5/10 mile) for each subsequent 161 metres (1/10 of a mile) or uncompleted part	£0.30
Waiting time – for each 30 seconds	£0.15

For hirings on all bank holidays, Christmas Eve and New Years Eve

If the distance does not exceed 805 metres (5/10 mile) for the whole distance £4.80

If the distance exceeds 805 metres (5/10 mile) for each subsequent 161 metres (1/10 of a mile) or uncompleted part

£0.40

Waiting time for each 30 seconds

£0.20

Soiling charge - £10 outside/maximum £100 inside

Payment of estimate may be required as deposit at start of journey

Extra charge of £0.20 per person over two people.

For comparison I have set out below details of the current and proposed tariffs using a table format including the tariff from South Lakeland District Council. I have also identified the change in price of the proposals as a percentage.

Journey	Current Rate	Proposal 1	Proposal 2	% change proposal 1	% change proposal 2	SLDC rate
1 mile normal	£2.80	£3.00	£3.40	+7.14%	+21.4%	£3.50
1 mile midnight to 7am	£4.20	£4.50	£5.10	+7.14%	+21.4%	£5.25
2 miles normal	£4.60	£5.00	£5.40	+8.7%	+17.4%	£6.00
2 miles midnight to 7am	£6.90	£7.50	£8.10	+8.7%	+17.4%	£9.00
4 miles normal	£8.20	£9.00	£9.40	+9.8%	+14.6%	£11.00
4 miles midnight to 7 am	£12.30	£13.50	£14.10	+9.8%	+14.6%	£16.50

Mr Laurie and Mr Mullen and/or representatives of the Hackney Carriage trade have been invited to the meeting today to speak on this matter.

Background Papers

Nil

LICENSING COMMITTEE	Part One (D) Agenda Item 9
Date of Meeting: 21st June, 2012	
Reporting Officer: Environmental Health Manager	
<p>Title: Change of Conditions to Boatman's Licence</p> <p>Summary and Conclusions:</p> <p>This report deals with a request to add a condition to the Boatman's Licence concerning passenger safety on jetties within the Borough.</p> <p>Recommendation:</p> <p>That Members approve the addition of the proposed condition as set out below.</p>	

Report

I have received a request from Mr. Andy Buck, Safety Advisor to Barrow Borough Council, to add a condition to the current boatman's licence which will place responsibility on boatmen for passenger safety on any jetties within the Borough. Mr Buck has made the request following a review of health and safety in connection with jetties.

For information, details of the current conditions which have been in place since 2004 are set out below.

1. The allowed maximum passenger capacity must be clearly indicated in letters and numbers not less than one inch in height and three quarters of an inch in breadth on a sign permanently fixed in a conspicuous position and should read "Licensed to Carry 12 Persons".
2. The passenger limit must not be exceeded.
3. There must be in force a current certificate of insurance not only for the boat and its equipment but the passengers carried up to the maximum specified on the licence.
4. Safety equipment seen at the initial time of inspection such as life jackets, life raft, distress signals, life buoys, fire extinguishers, first-aid kit, compass, etc., must be carried at all times when fee paying passengers are being carried.
5. Should the boat and its equipment become defective then it must not be used for the carriage of passengers.

6. When carrying passengers under the terms of the boat licence then the boat must be under the control and supervision of a current licensed boatman.
7. The boat when carrying fee paying passengers must remain within 3 miles off the coast and not more than 15 miles from the point of departure. (Ferry boats are confined to operate between Roa Island Jetty and Piel Island Jetty).
8. This licence may be suspended or revoked by the Council whenever they shall deem such suspension or revocation to be necessary or desirable in the interests of the public.
9. This licence is not transferable.

The condition proposed by Mr Buck is as follows:

“Ferry operators are responsible for the safety of passengers whilst they use the jetty in order to board or disembark from a ferry. In particular they must ensure that passengers boarding and disembarking do not pass each other on any jetties”.

Background Papers

Nil.