

MINUTES OF THE GENERAL PURPOSES LICENSING COMMITTEE

Monday 14 September 2015

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COUNCILLORS PRESENT: Councillors Clarkson (Chair), Cook (Vice-Chair), Lloyd-Shogbesan, Lygo, Royce and Wolff.

OFFICERS PRESENT: Julian Alison (Licensing Team Leader), Catherine Phythian (Committee Services Officer) and Daniel Smith (Law and Governance)

8. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Gant and Cllr Kennedy.

9. DECLARATIONS OF INTEREST

There were no declarations of interest.

10. HACKNEY CARRIAGE & PRIVATE HIRE VEHICLES: PROPOSALS TO AMEND THE CRITERIA APPLICABLE TO HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES LICENSED BY THE AUTHORITY.

The Head of Community Services submitted a report (previously circulated, now appended) which detailed proposals for the implementation of a variety of criteria applicable to Hackney Carriage and Private Hire Vehicles in the City in order to promote reductions in pollutants and to reduce the number of vehicles licensed by other Authorities from working within the City.

Mr Ahmed, Chairman of the City of Oxford Licensed Taxicab Association (COLTA) addressed the Committee, highlighting 3 points of concern:

- that the removal of the colour restriction on multi-people carriers would be confusing for members of the public;
- that the removal of the taxi door livery would endanger members of the public who would not be able to identify licensed cabs;
- that there should be a price adjustment for 3 year licences (minute 12 refers)

The Licensing Manager presented the report and responded to the points raised by the Chairman of COLTA. He explained that the onus was on the driver of the multi-people carriers not to commit the offence of plying for hire and to inform the public of their mistake. He said that the requirement for door livery did represent an additional cost to the license holder, caused some damage to the vehicle and

that evidence suggested that the stickers were not given much credence by the public.

The Licensing Manager explained that the proposals in the report were aimed at aligning our practices and charges more closely with those of neighbouring districts in order to minimise the widespread practice of vehicles actively choosing to get licensed in another district and then working almost exclusively in Oxford. This meant quite simply that the Council was faced with reduced fees and less control over the vehicles operating in the City. The Licensing Manager assured the Committee that the Licensing Team were also seeking to work closely with neighbouring districts to standardise charges and practices across the county, however, this was not a quick or easy task.

The Committee welcomed the proposals to deliver improved environmental standards of vehicles working in the city. The Committee also considered whether there was any scope for the Licensing Team to offer enforcement and other services to the neighbouring authorities for a fee. The Licensing Manager said that this was under discussion.

The Committee concluded that the proposals contained within the report represented a reasonable compromise which offered a practical solution to dealing with the problems of out of district vehicles working within the city.

The Committee resolved to:

1. Recommend Council to resolve to:
 - a) approve the proposed amendments to Hackney Carriage and Private Hire Vehicle "Conditions of Fitness" as detailed within the report at Appendix 5;
 - b) revise the Vehicle Age Limits criteria due to come into force on 1 January 2016 as detailed in the report in paragraph 44;
 - c) approve the proposal to offer a discounted licence fee to be applicable to vehicles that fall with Vehicle Excise Bands A, B and C (deemed to be low emission vehicles).

11. HCPH VEHICLES - LICENSING AUTHORITY FUNDING OF ANNUAL TAXI-METER RECALIBRATION AND SEALING FOLLOWING VARIATIONS OF TARIFFS

The Head of Community Services submitted a report (previously circulated, now appended) which detailed proposals concerning the Council practice of the Taxi Licensing function paying for the costs incurred for the Recalibration and Sealing of Taxi-meters fitted to Hackney Carriage and Private Hire Vehicles following Variations of Tariffs.

The Licensing Manager presented the report and explained the background to the current arrangement. He explained that it was a commercial decision by the taxi trade to increase their tariffs which required the recalibration and resealing of taxi meters. He said that this was not common practice for other local authorities to finance the activity.

The Committee considered the two options presented in the report and concluded that in view of the financial pressures facing the Council it was not a good use of its limited resources to continue the current practice of paying for the costs incurred for the recalibration and sealing of taxi-meters.

The Committee resolved to adopt option b):

- b) Remove funding in its entirety, and request that the Licensing Manager write to all Hackney Carriage Vehicle licence holders and Private Hire Operators informing them that the previously funded service for recalibration and meter-sealing has now ceased owing to it not being financially viable in light of the financial demands placed on the service.

12. DEREGULATION ACT 2015

The Head of Community Services submitted a report (previously circulated, now appended) which detailed the Deregulation Act 2015 and its impact on the Taxi Licensing function.

The Licensing Manager presented the report and briefed the Committee on the main points of the legislation.

The Licensing Manager responded to the concerns which had been raised by the Chairman of COLTA (City of Oxford Licensed Taxicab Association) about the price of a 3 year license. He reminded the Committee that the Council was now legally required to offer a 3 year license and explained that only the Council element of the license fee (£115) would be multiplied for the 3 years and that the DVLA and administrative charges would be a flat fee (£58). He also explained that the drivers on a 3 year licence would be required to attend an annual declaration appointment but that the costs of those meetings would be absorbed by the Council as part of the license fee.

The Committee resolved to:

1. **note** the contents of the report; and
2. **endorse** the movement to a presumption in favour of a 3 year driver licence as required by the Deregulation Act 2015 and the steps being taken in that context to ensure that the council has adequate up to date information to inform the licensing process.

13. UPDATE ON TAXI LICENSING ACTIVITY: APRIL - AUGUST 2015

The Head of Community Services submitted a report (previously circulated, now appended) which detailed the progress made by the Taxi Licensing Function during the current Council year (April – August 2015).

The Licensing Manager presented the report and summarised the main points. He informed the Committee that the levels of activity were broadly similar to last

year. The Legal Advisor briefed the Committee on the outcome of an appeal hearing which had been heard at the Magistrate's Court earlier in the day. He said that he would circulate a formal report on the hearing setting out the findings and suggesting some procedural changes to consider for future cases.

The Committee resolved to NOTE the report.

14. MINUTES

The Committee resolved to approve the minutes of the meeting held on 19 May 2015 as a true and accurate record subject to the following amendment: include apologies for absence from Cllr Mark Lygo.

15. DATES OF FUTURE MEETINGS

The Committee noted the dates of the future meetings:

26 January 2016

19 May 2016

The Chair agreed to write to all Committee members to propose a revised start time for future meetings.

The meeting started at 6.15 pm and ended at 7.15 pm