

**LICENSING AND SAFETY COMMITTEE  
13 JANUARY 2011  
7.30 - 8.15 PM**



**Present:**

Councillors Brunel-Walker (Chairman), Mrs Angell, Baily, Mrs Barnard, Brossard, Leake, Osborne, Phillips, Thompson and Ms Wilson

**Apologies for Absence were received from:**

Councillors Mrs Ryder, Beadsley, Burrows and Virgo

**20. Declarations of Interest**

There were no declarations of interest.

**21. Minutes**

**RESOLVED** that subject to the amendment of Minute 16: Licensing Policy in Regard to Sex Establishments to read:

The results of the consultation be considered at the Committee's next meeting on 13 January 2011.

The minutes of the meeting of the Licensing and Safety Committee held on 14 October 2010 be approved as a correct record and signed by the Chairman.

**22. Urgent Items of Business**

There were no urgent items of business.

**23. Public Speaking**

The Committee noted that Mr John Yexley, Chairman of the Bracknell Licensed Taxi Forum, had registered to speak to Item 7 of the agenda.

**24. Review of Guidance Notes and Conditions for Hackney Carriages and Private Hire Vehicle Owners, Operators and Drivers**

The Committee considered a report seeking approval of the annual review of the Council's Guidance Notes and Conditions for Hackney Carriage and Private Hire Vehicle Owners, Operators and Drivers.

The Guidance Notes were updated annually to reflect changes in the law and Council policy and were scheduled for publication by 1 April 2011. The revised guidance contained the following three material changes:

- i. To clarify that a driver is required by law to wear the licence badge issued by the Council,

- ii. To add a section to the penalty points form for failure to provide insurance, MOT or vehicle inspection documentation, and
- iii. The addition of the new Age Limitation for Vehicles policy at Annex G

It was clarified that the original paper counterparts of photocard driving licences were requested when a driver either applied for or renewed a licence. The Licensing Team also submitted a DQ3 request to the DVLA to ascertain whether or not an applicant had any convictions.

**RESOLVED** that the amended Guidance Notes and Conditions document at Appendix A of the report be approved to take effect from 1 April 2011.

## 25. **Signing on Vehicles**

The Committee considered a report updating members on the progress and results of a consultation exercise which explored the possibility of introducing conditions to require additional signage on private hire vehicles in order for them to be more readily differentiated from licensed Hackney Carriages.

The Chairman invited Mr Yexley, Chairman of the Bracknell Licensed Taxi Forum to speak to the meeting. Mr Yexley expressed the view that the majority of private hire drivers adhered to the rules regulating the pick up of passengers and that it was only a very small minority who flouted these rules. The Forum was also supportive of the introduction of signs stating 'No Booking No Ride' on private hire vehicles.

Arising from members' questions and comments the following points were noted:

- In excess of 240 letters had been sent out seeking the views of interested parties. Five replies had been received in response
- The TPI Unmet Demand Survey, carried out in 2009, had identified a possible problem with private hire vehicles picking up fares without having been prebooked. However, the survey had been conducted by a third party and officers were unable to ascertain and verify the extent of any problems in this area through the level of complaints or market testing
- Allegations made by the BLTF that an private hire vehicles were plying for hire at Bracknell Bus Station had been investigated through mystery shopper exercises using officers from other local authorities and the police but on all occasions the 'shopper' had been advised to go to the official taxi rank by the private hire drivers. A driver had however received points for illegally parking and leaving unattended a private hire vehicle on the rank

Notwithstanding the officer's recommendations that the matter be looked into in more detail and a further report brought back to their next meeting the Committee **RESOLVED** that no further action be taken on this matter for a six month period starting from the date of the meeting.

## 26. **Chauffeur Badges**

The Committee noted an information paper appraising them of work taking place to investigate the possible introduction of a Chauffeur Badge to the driver licences currently available.

27. **Equality Act 2010**

The Committee noted an information paper setting out the implications for drivers and operators of licensed vehicles of the implementation of legislation contained within the Equalities Act 2010.

28. **Police Reform and Social Responsibility Bill**

The Committee received an information paper detailing reforms and a number of proposed amendments to the Licensing Act contained within the Police Reform and Social Responsibility Bill which had been presented to Parliament on 30 November 2010.

The Committee was informed that the payment of funds raised through proposals to place a levy on premises open between midnight and 6am was aimed at establishments that traded late into the night necessitating a police presence. The Licensing Authority would act as a broker collecting money on behalf of the police. It would be a discretionary levy which generally only applied to large metropolitan areas.

The Committee noted the report.

**CHAIRMAN**

This page is intentionally left blank