



This information is available free of charge in electronic, audio, Braille and large print versions on request.

For assistance in understanding or reading this document or specific information about these Minutes please call Democratic Services on 01629 761133 or e-mail committee@derbyshiredales.gov.uk

LICENSING AND APPEALS COMMITTEE

Minutes of a Meeting held on Thursday 17 October 2019 in the Council Chamber, Town Hall, Matlock at 6.00pm

PRESENT

Councillor Tom Donnelly - In the Chair

Councillors Alyson Hill, Stuart Lees, Michele Morley, Joyce Pawley, Andrew Statham, Steve Wain and Mark Wakeman.

Lee Gardner (Legal Services Manager), Tim Braund (Head of Regulatory Services), Eileen Tierney (Licensing Manager), Kerry France (Principal Solicitor) and Jackie Cullen (Committee Assistant).

APOLOGIES

Apologies for absence were received from Councillors Jacqueline Allison, Paul Cruise and Graham Elliott. There were no substitute Members.

175/19 – MINUTES

It was moved by Councillor Alyson Hill, seconded by Councillor Joyce Pawley and

RESOLVED (unanimously)

That the Minutes of the meeting of the Licensing and Appeals Committee meeting held on 04 July 2019 be approved as a correct record.

The Minutes were signed by the Chairman.

176/19 – INTERESTS

Councillor Joyce Pawley declared an indirect pecuniary interest in respect of Agenda item 6 – REVIEW OF TAXI FARES, as a member of her immediate family was employed in the taxi business. Cllr Pawley was not present during discussion of and voting on this item.

177/19 - POLICING AND CRIME ACT 2009 (SECTION 27) LICENSING OF SEX ENTERTAINMENT VENUES

The Committee considered a report on the response to the public consultation on adopting the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act") as amended by section 27 of the Policing and Crime Act 2009 to enable control of the number and location of sex establishments within the district. The report recommended referral to full Council for adoption of the provisions of the legislation.

The Committee had approved a Draft Policy document to help consultees understand the purpose of adopting these provisions, and the consultation was advertised on the Council's website. During the 12-week consultation period no comments or objections were received and it was therefore proposed that the final draft Policy be approved, and that the adoption of the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, be considered at the November 2019 meeting of the full Council. If the Council made a resolution to adopt the provisions this could be advertised in December, with a view to implementation from January 2020.

The Final Draft of the Sex Entertainment Licensing Policy was attached as an Appendix to the report. It was reported that the final policy document would include the date on which the policy was adopted.

It was moved by Councillor Andrew Statham, seconded by Councillor Michele Morley and

- RESOLVED** (unanimously)
- 1) That the Draft Policy on the licensing of sex entertainment venues published as part of the public consultation is approved.
 - 2) That the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, to enable control of the number and location of sex establishments, should be adopted by the full Council.

178/19 – REVIEW OF TAXI FARES

Councillor Joyce Pawley left the meeting at 6.19pm prior to discussion of this item.

The Committee considered a report in response to requests received from the taxi trade for a review of the Council's table of fares, which were the maximum meter fares that customers could be charged when travelling in taxis licensed by the District Council. The table of fares was last reviewed in 2011. Authority was sought to work with the Taxi Trade, other stakeholders and other authorities, to produce a revised table of fares for a wider consultation, before reporting the responses back to this Committee for consideration.

A review of Hackney Carriage (Taxi) Fares was set out in section 1 of the report. Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 enabled a district council to set the fares charged within its area by hackney carriage (taxi) drivers for various distances over which paying passengers were conveyed, as well as associated charges. The legislation made provision for a procedure to be followed once the Council had produced a table of fares. A flow-chart showing the procedure was attached as Appendix 1 to the report.

Fares in Derbyshire Dales

The Council last reviewed the table of maximum fares in 2011. A copy of the current tariff and an explanation of it was attached as Appendix 2 to the report, for information. It was reported that the Licensing Manager had received requests from some of the Licensed Taxi trade to review the current fares, as it was felt that costs of running a taxi business had increased over the last 8 years, but fares charged to recoup those costs had stayed the same.

It was recommended that a series of meetings be held with the Taxi Trade to discuss a review of the fares with a view to producing a varied table of fares showing a reasonable increase that would then be published for consultation with the general public and other stakeholders for comment, as set out in the report. Thereafter, it was recommended that officers follow the procedure detailed in Appendix 2 to the report, and publish the table of fares in a local newspaper giving a period of at least 14 days for objections. It was also advised that the consultation be published on the Council's website and made available on public noticeboards at the Council's Offices. The results of the consultation would be brought back to the Licensing Committee.

Any unresolved objections to the proposed fares received during the statutory objection period would be considered at the next meeting of the Committee in January 2020.

It was moved by Councillor Steve Wain, seconded by Councillor Mark Wakeman and

- RESOLVED** (unanimously)
- 1) That meetings are held with the Taxi and Private Hire Trade to develop a revised table of taxi fares.
 - 2) That the revised table of fares is published for consultation in accordance with the required procedures.
 - 3) That the results of the consultation are reported to a future meeting of this committee for consideration.

MEETING CLOSED 6.42PM

CHAIRMAN