

LICENSING PANEL

TUESDAY, 4 APRIL 2017

PRESENT: Councillors Jesse Grey (Chairman), David Burbage (Vice-Chairman), Malcolm Alexander, Phillip Bicknell, David Hilton, Charles Hollingsworth, Maureen Hunt, Julian Sharpe and Adam Smith

Officers: Shilpa Manek and Greg Nelson

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bhatti, Bowden and Sharp. Councillor Burbage would be slightly late.

DECLARATIONS OF INTEREST

No declarations of interest received.

MINUTES

The minutes of the last meeting were **Unanimously Agreed**.

CONSULTATION RESULTS AND FINAL RECOMMENDATIONS – AMENDMENTS TO HACKNEY CARRIAGE AND PRIVATE HIRE POLICY AND CONDITIONS – PENALTY POINTS

Greg Nelson, Trading Standards and Licensing Lead informed Members that the trade had been consulted and after meeting with taxi representatives, they understood the fair and reasonable approach. All penalty points would be based on evidence.

Drivers could appeal and after twelve months, penalty points would be spent. If drivers had more than twelve penalty points in twelve months, the driver would be taken to a Licensing Panel.

Other issues raised included illegal touting at night time and illegal parking in taxi ranks by other vehicles, however, these would not be discussed at the Panel.

Mr Rahman, Five Star Cars in Windsor, raised issues regarding parking issues in the borough, taxi's from outside the borough picking up fares and taking trade and taxi's not being able to stop to drop passengers. These issues would be dealt with by Greg Nelson outside of the meeting.

Mr Yasin, representative of the taxi drivers highlighted that the number of taxi drivers had increased and they were now struggling with parking attendants and now also enforcement officers. Taxis should be able to wait in bus lanes after bus hours without getting penalty points. It was not fair for drivers to get a parking ticket and penalty points.

Greg Nelson would check with bus company's and penalty points would not be issued after the bus running times had completed.

Points raised by Members included:

- Most drivers obeyed the rules and would move their vehicles if asked to do so. A very small number was being difficult.
- Only a very small number of drivers caught erratically driving, stopping or parking.
- What was the need for adding new rules when already existing rules not adhered to, such as dirty or damaged cars were still trading.
- There was no etiquette with the order of ranking. Taxi's could be in a compound and join the rank in an order.
- The PCSO's and community warden numbers had been increased so further monitoring would continue.
- New compliance was only issued this month that as well as the m.o.t, other checks would also be carried out. The bar had been raised at nine m.o.t centres.
- The coach park in Windsor was suggested as using for the taxi compound as this was not used in the evenings and car park 3 could be used in Ascot.
- Outside vehicles were a major problem in the borough especially on event days.
- It would be advantageous for Panel Members to go out with the drivers to see the issues first hand. Greg Nelson would arrange.
- The rules between boroughs was discussed and formalising these was discussed.

Members **Unanimously Agreed** the Officer's recommendation for a one year trial period.

CONSULTATION RESULTS AND FINAL RECOMMENDATIONS - DEALING WITH NON-USE OF TAXIMETERS BY HACKNEY CARRIAGE DRIVERS

Greg Nelson, Trading Standards and Licensing Lead informed Members that if a taxi driver was off the meter within the borough and charged more than what the meter would have charged, this was a criminal offense with a level 2/3 sanction which was a maximum of £2500 fine. If a driver, off the meter went outside the borough with a fare, then nothing could be done. The reason for the penalty points was because taking a criminal offence to court was costly and time consuming and often difficult to pursue because witnesses do not wish to have to give evidence in court, which means that no action can be taken.

The consultation had received 150 responses and the borough had been in touch with the trade and had learnt the drivers were proud to use their meters.

Mr Yasin, representative of the taxi drivers, explained that most drivers did use their meters. The issue that they had was passengers leaving the vehicle without paying and there being no penalisation for them. It was unjustified. Mr Yasin suggested using a different tariff during event days.

Members raised the further points:

- Awareness of fares was required for passengers.
- Awareness about meters for residents.
- If meters are left off, an agreement must be made between the passenger and the driver.

- 14 complaints made since April 2016. Six of them were within the borough where a higher fare was charged. There were no prosecutions as passengers did not want to take further.

ACTION: Greg Nelson to send the Vice Chairman the January 2017 meeting reports and the legal advice on issuing penalty points.

Councillor Bicknell brought forward the Officers recommendation. This was seconded by Councillor Hunt. This was agreed by all Members present except Councillor Burbage who abstained from voting.

DATES OF FUTURE MEETINGS

Members noted the dates of future meeting's.

The meeting, which began at 6.00 pm, finished at 7.30 pm

CHAIRMAN.....

DATE.....