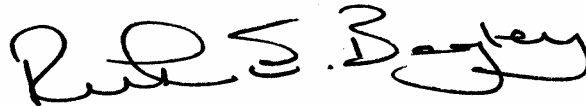


Date of issue: 25th June 2010

MEETING	LICENSING COMMITTEE (Councillors Davis (Chair), Rasib, S Chaudhry, Chohan, P Choudhry, S K Dhaliwal, Dodds, Long, MacIsaac, Shine and Sohal)
DATE AND TIME:	THURSDAY, 3RD JUNE, 2010 AT 6.30 PM
VENUE:	COUNCIL CHAMBER, TOWN HALL, BATH ROAD, SLOUGH
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	SHABANA KAUSER 01753 875013

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



RUTH BAGLEY
Chief Executive

NOTE TO MEMBERS

This meeting is an approved duty for the payment of travel expenses.

AGENDA

PART 1

AGENDA
ITEM

REPORT TITLE

PAGE

WARD

Apologies for absence.

AGENDA
ITEM

REPORT TITLE

PAGE

WARD

CONSTITUTIONAL MATTERS

1. Declaration of Interest

(Members are reminded of their duty to declare personal and personal prejudicial interests in matters coming before this meeting as set out in the Local Code of Conduct).

2. Minutes of the Last Meeting held on 30 March 2010 1 - 2

3. Appointment of Licensing Sub Committee and Designated Chairs 3 - 6

LICENSING ISSUES

4. Proposed Increase in Hackney Carriage Fares 7 - 14 All;

5. Date of Next Meeting - Thursday 22 July, 2010

Press and Public

You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before the Committee considers any items in the Part II agenda. Special facilities may be made available for disabled or non-English speaking persons. Please contact the Democratic Services Officer shown above for further details.

Licensing Committee – Meeting held on Tuesday, 30th March, 2010.

Present:- Councillors Davis (Chair), Dodds, Jenkins, Long and Maclsaac

Apologies for Absence:- Councillor Rasib and Qureshi

PART I

21. Declaration of Interest

None.

22. Minutes

The Minutes of the meeting of the Licensing Committee held on 24th February, 2010 were taken as read and signed as a correct record. Members noted that the recommendation with regard to review of delegated powers would be reported to the June Council meeting.

23. Sexual Entertainment Venues

The Licensing Manager introduced the report that had been circulated as part of the agenda detailing the proposed legislative changes affecting the licensing of lap dancing and pole dancing clubs and similar venues. The Licensing Manager drew the Committee's attention to an error in the report in that the report should refer to Section 27 of the Policing and Crime Act 2009 and not Section 26. The report set out the details of the legislative proposals contained within Section 26 which introduced a new category of 'Sex Establishment' under Schedule 3 to the 1982 Act called a 'Sexual Entertainment Venue'.

The report summarised the amendments to Schedule 3 to the 1982 Act and members were advised that the new legislative provisions took effect from 6th April 2010. Members were advised that the Council had originally adopted the previous provisions of the Local Government (Miscellaneous) (Provisions) Act 1982 (LGMPA 1982) on the 19th March, 1984 and the Council would now need to adopt the new provisions which had been inserted into Schedule 3. The Council's Policy in relation to 'Sex Establishments' would require revision in order to incorporate Sexual Entertainment Venues and there may need to be a new separate policy.

The Licensing Manager detailed the proposed implementation which would include a transitional period which would last for 12 months and start on the date the amendments to Schedule 3 to the 1982 Act came into force in the relevant local authority area. The Council was currently waiting for relevant guidance to be produced by LACORS and further reports would be submitted to the Committee in relation to the adoption of the provisions under the 1982 Act, fees, standard terms and conditions, application forms and procedures

Licensing Committee - 30.03.10

and amendments to the Policy. It was hoped that this report could be submitted to the July or September meeting of the Committee.

In noting these proposals Members sought clarification of the status of stripograms in pubs and similar premises and the Licensing Manager advised that he would think that this type of activity was likely to fall within the exemptions under the new proposals, however, the Council was waiting for further guidance on the detail of the new legislative provisions.

Resolved – That the report be noted.

(Note: The Meeting opened at 6.30 pm and closed at 6.50 pm)

Chair

SLOUGH BOROUGH COUNCIL

REPORT TO: Licensing Committee

DATE: 3rd June, 2010

CONTACT OFFICER: Shabana Kauser (Senior Democratic Services Officer)
(For all Enquiries) (01753) 875013

WARD(S): All

PART I
FOR DECISION

ESTABLISHMENT OF A LICENSING SUB-COMMITTEE AND APPOINTMENT OF DESIGNATED CHAIRS.

1. **Purpose of Report**

This report seeks approval for the establishment of a Licensing Sub-Committee and the appointment of designated Chairs to the Sub-Committee.

2. **Recommendations**

(a) That a Licensing Sub-Committee be established with terms of reference as set out the appendix.

(b) That the Committee appoint three Members (two Labour and one BILLD) to act as designated Chairs of the Sub-Committee for the 2010/11 municipal year.

3. **Key Priorities**

There are no key priority implications.

4. **Other Implications**

(a) **Financial**

There are no financial implications associated with this report at this stage.

(b) **Human Rights Act and other Legal Implications**

There are no Human Rights Act or other legal implications.

(c) **Workforce**

None.

5. **Supporting Information**

5.1 At its meeting on 31st May, 2006 the Licensing Committee established a Licensing Sub-Committee and agreed its terms of reference as set out in appendix.

5.2 The Committee agreed to the appointment of designated Chairs of the Sub-Committee and that these Members would chair the meetings of the Sub-Committee on a rota basis.

- 5.3 It was also agreed that the Sub-Committee would consist of three Members to be drawn on a rota basis from the Members of this Committee on a politically proportionate basis. It should be noted that, as the Labour Group has an overall majority on the Council, the Sub-Committee will comprise two Labour Members and one Member of the BILLD Group.
- 5.4 Members are requested to establish a Licensing Sub-Committee, with the terms of reference as attached in the appendix, and to appoint three designated Chairs to the Sub-Committee for the municipal year 2010/11 (two Labour and one BILLD).
6. **Background Papers**

Agenda and minutes of Licensing Committee – 31st May, 2006

LICENSING SUB-COMMITTEE

Constitution

3 Members of the Licensing Committee (Quorum 2 Members)

Terms of Reference

- 1 To consider and determine applications for licences for private hire vehicles, operators and drivers and for hackney carriage drivers where:
 - (i) The individuals involved have been convicted of traffic or other offences.
 - (ii) Where CRB checks on an individual give cause for concern with regard to their suitability as a fit and proper person to hold such a licence.
 - (iii) In any other special circumstance where the officers consider it appropriate to refer the matter to the Sub-Committee.
- 2 To hear and determine any appeal against a decision of the Director of Law and Corporate Governance taken under delegated powers to refuse an application for approval of premises or to revoke any approval previously granted under the Marriage Act 1994.
- 3 To determine such other licensing appeals or other licensing matters referred by officers including but not restricted to:
 - Sex establishments
 - Street trading.

Licensing Act 2003

- 4 To consider applications for a personal licence where a representation has been made.
- 5 To consider applications for a personal licence in cases where the applicant has unspent criminal convictions.
- 6 To consider applications for premises licences/club premises certificates where a representation has been made.
- 7 To consider applications for provisional statement where a representation has been made.
- 8 To consider applications for variations to premises licences or club premises certificates where a representation has been made.
- 9 To consider applications for the transfer of a premise licence where a representation by the Police has been made.
- 10 To consider reviews to premises licence/club premises certificates where these have been requested by the relevant authority in accordance with the relevant regulations.

- 11 To determine a Police representation in respect of a temporary event notice.
- 12 To consider applications for Interim Authorities where a representation by the Police has been made.

Gambling Act 2005

- 13 Application for a Non Fast Transitional Conversion for a Premises Licence where representations have been made.
- 14 Application for new Premises Licence where representations have been made.
- 15 Application for a Provisional Statement where representations have been made.
- 16 Application to vary a Premises Licence where representations have been made.
- 17 Application for Transfer of a Premises Licence where representations have been made
- 18 Cancellation of Club Gaming / Club Machine permits
- 19 Applications for other permits where representation have been made
- 20 Decision to give a counter notice to a temporary or Occasional Use Notice
- 21 Application a for a Review of a Premises Licence

SLOUGH BOROUGH COUNCIL

REPORT TO: Licensing Committee **DATE:** 3rd June 2010

CONTACT OFFICER: Michael Sims, Licensing Manager
(01753 477387)

WARD(S): All

PART I

FOR DECISION

PROPOSED INCREASE IN HACKNEY CARRIAGE FARES

1. **Purpose of Report**

To consider a request from the Slough Taxi Drivers Union, to increase the approved hackney carriage fares.

2. **Recommendation** That the Committee:

- Approve the requested fare increase.
- Approve part of the requested increase.
- Approve a different increase to that proposed.
- Do not approve the requested increase and leave the fares as they are currently.

3. **Community Strategy Priorities**

- **Being Safe, Feeling safe**
- **Prosperity for All**

4. **Other Implications**

(a) **Financial**

Should the fare increase be approved, the Council has an obligation to publish details in the local paper. Any person may write in with a representation against the fare increase and, should this happen, all representations will be presented to the Licensing Committee who shall decide whether or not to modify the proposed table of fares. In any event, the table of fares (whether modified or not) shall come into force within two months from the date that the fare increase was to take effect as stated in the advertisement.

On 25th January, 2007 the Licensing Committee approved that:

“The costs of advertising the fare charges in the local newspapers are to be met by the hackney vehicle proprietors from the next submission of proposed fare increases”.

The Slough Taxi Drivers Union has confirmed that the cost of the advertisement for this increase will be divided by the 107 proprietors and payable at the next renewal of their licence.

(b) Risk Management

Recommendation	Risk/Threat/Opportunity	Mitigation(s)
From section 2	The provisions for the Council to approve Hackney carriage fares are contained with the Local Government (Miscellaneous provisions) Act 1976.	None

(c) Human Rights Act and Other Legal Implications

Section 1 and Schedule 1 Parts I & II of The Human Rights Act 1998 apply:

Article 1 – Every person is entitled to the peaceful enjoyment of his or her possessions including the possession of licence and shall not be deprived of the possession except in the public interest

Article 6 – That in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

Local Government (Miscellaneous Provisions) Act 1976:

Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 states;

- 1) A District Council may fix the rates or fares within the district as well for time as distance, and all other charges in connection with the hire of a vehicle or with the arrangements for the hire of a vehicle; to be paid in respect of the hire of a hackney carriage by means of a table (hereafter in this section referred to as a 'table of fares') made or varied in accordance with the provisions of this section
- 2) When a District Council make or vary a table of fares they shall publish in at least one local newspaper circulating in the district a notice setting out the table of fares or the variation thereof and specifying the period, which shall not be less than fourteen days from the date of first publication of the notice, within which and the manner in which objections to the table of fares or variation can be made

(d) Equalities Impact Assessment

It is important that the Council through its licensing functions protects the public by ensuring that the fares charged by licensed Hackney Carriages are fair and justified and not excessive.

5 Supporting Information

5.1 On 3rd February 2010 the Slough Taxi Drivers Union requested a fare increase from that previously approved in 2008.

5.2 The changes requested are as follows;

- Section 1 – Initial timing reduced from 120 seconds to 101 seconds and all Tariffs remain the same.
- Section 2 – Additional timing increased from 80 seconds to 120 seconds. Tariffs 1 to 5 increased by 20p, 60p, 20p, 30p and 40p respectively.
- Section 3 – Tariffs 1 and 2 reduced by £1.40, Tariff 3 reduced by £1.90 and Tariff 4 reduced by £2.80.
- Section 4 – A new section with new yardage of 460 yards and timing of 60 seconds.
- Section 5 – Tariffs 1, 2, and 4 remain unchanged and Tariff 3 reduced by 60p.
- Section 6 – A new section similar to that in section 4 in 2008 Fare Tariff. Timing reduced from 80 seconds to 60 seconds. All Tariffs remain the same.
- Section 7 – A new section with new tariffs.
- Section 8 – A new section with new yardage of 133 yards and timing of 60 seconds.
- Section 9 – All Tariffs increased by 20p.
- Section 10 – All Tariffs increased by 20p.
- Old Tariff 2 of the 2008 Fare Tariff has been removed and has been detailed at the bottom of the new proposed fare Tariff as follows: **Daily, between 10pm and midnight, driver to add 40p extra to Tariff 1.**

6 Conclusion

Taking all the information into account the Committee are asked to determine whether the requested fare increase should be approved and, if so, that the hackney carriage trade pay for the advertisement of said fares.

The recommendation of this report is that if the Licensing Committee deems the fares to be fair and proportionate, that the requested increase is approved. However, the Committee should read this report and consider any representations made by any persons before making their decision.

7 Appendices Attached

'A' – Current fare chart

'B' – Updated fare chart with requested increase

'C' – Letter from Slough Taxi Drivers Union

8 Background Papers

Local Government (Miscellaneous Provisions) Act 1976
Town Police Clauses Act 1846

This page is intentionally left blank

APPENDIX 'A'

Slough Hackney Carriage Tariff 2008

Period Applicable	Daily 6 am to 10 pm	Daily 10 pm to Midnight	Daily Midnight To 6.00 am	Xmas Eve & New Year's Eve 6.00 pm to Midnight & all day any other Bank Holiday	All day Christmas day, Boxing day & New Year's day
Tariff Rate	1	2	3	4	5
Initial distance 254 yards or initial time of 120 seconds or a combination of both	£3.00	£3.40	£4.80	£4.50	£6.00
Each additional 302 yards or each additional 80 seconds or a combination of both	£0.20	£0.20	£0.20	£0.30	£0.40
Until the fare reaches	£6.40	£6.80	£8.20	£9.60	£12.80
Each additional 200 yards or each additional 80 seconds or a combination of both	£0.20	£0.20	£0.20	£0.30	£0.40
Additional passengers over initial 2 persons	£0.20	£0.20	£0.20	£0.20	£0.20
Each large item of luggage	£0.20	£0.20	£0.20	£0.20	£0.20

All charges shown inclusive of VAT where applicable.

Maximum Table of Fares

- Vehicles that are purposely made to carry more than 4 passengers will charge time and a half when doing so
- 60p is to be added to the fare for each animal carried excluding assistance dogs
- Soiling charge = £50

APPENDIX 'B'.

Slough Hackney Carriage Tariff 2010

Period Applicable	Daily 6 am to 10 pm	Daily Midnight To 6.00 am	Xmas Eve & New Year's Eve 6.00 pm to Midnight & all day any other Bank Holiday	All day Christmas day, Boxing day & New Year's day
Tariff Rate	1	2	3	4
1. Initial distance 254 yards or initial time of 101 seconds or a combination of both	£3.00	£4.80	£4.50	£6.00
2. Each additional 302 yards or each additional 120 seconds or a combination of both	£0.40	£0.40	£0.60	£0.80
3. Until the fare reaches	£5.00	£6.80	£7.50	£10.00
4. Each additional 460 yards or each additional 60 seconds or a combination of both	£0.20	£0.20	£0.30	£0.40
5. Until the fare reaches	£6.40	£8.20	£9.00	£12.80
6. Each additional 200 yards or each additional 60 seconds or a combination of both	£0.20	£0.20	£0.30	£0.40
7. Until the fare reaches	£10.00	£11.80	£15.00	£20.00
8. Each additional 133 yards or each additional 60 seconds or a combination of both	£0.20	£0.20	£0.30	£0.40
9. Additional passengers over initial 2 persons	£0.40	£0.40	£0.40	£0.40
10. Each large item of luggage	£0.40	£0.40	£0.40	£0.40

All charges shown inclusive of VAT where applicable.

Maximum Table of Fares

- Vehicles that are purposely made to carry more than 4 passengers will charge time and a half when doing so
- 60p is to be added to the fare for each animal carried excluding assistance dogs
- Soiling charge = £50
- **Daily, between 10pm and midnight, driver to add 40p extras to Tariff 1.**

APPENDIX 'C'.

Slough Taxi Drivers Union
Station Forecourt, Brunel Way, Slough, SL1 1XW
01753 531725/01753 530001

Slough Borough Council
Licensing Office
Landmark Place
High Street, Slough
SL1 1JL

3rd February 2010

Dear Mr Mick Sims,

I am writing on behalf of the Slough Taxi Drivers Union regarding taxi fares. We have recently had a meeting and discussed the matter of increasing fares to as much of a reasonable level as possible for both customer and the drivers.

In the past three years, there hasn't been a rise in fares even through the recession and the financial struggle we faced however due to the substantial cost of maintenance of the vehicles at the moment, including steep fuel prices, increased insurance costs, taxing and council fees etc, the taxi drivers feel the fares need to be increased in due course.

I have enclosed proposed figures for this increase. There is a Tariffs Data Reference sheet and a Tariff chart for you to consider and if you could possibly ensure this matter is acknowledged and addressed to the rest of the committee as soon as possible. Many thanks.

I look forward to hearing from you.

Yours sincerely,



Mr Mohammad Ameen
Secretary, Taxi Drivers Union

This page is intentionally left blank