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Regulatory Committee

Wednesday, 5 July 2017 6.30 p.m.
Council Chamber, Runcorn Town Hall



Chief Executive

COMMITTEE MEMBERSHIP

Councillor Kath Loftus (Chair)
Councillor Pamela Wallace (Vice-Chair)
Councillor Mike Fry
Councillor Pauline Hignett
Councillor Tony McDermott
Councillor Angela McInerney
Councillor Stef Nelson
Councillor Stan Parker
Councillor Gareth Stockton
Councillor Kevan Wainwright
Councillor Andrea Wall

*Please contact Gill Ferguson on 0151 511 8059 or e-mail gill.ferguson@halton.gov.uk for further information.
The next meeting of the Committee is on Wednesday, 4 October 2017*

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

Part I

Item No.	Page No.
1. MINUTES	1 - 2
2. DECLARATION OF INTEREST	
Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary interests, to leave the meeting during any discussion or voting on the item.	
3. TAXI LICENSING MATTER	3 - 5
4. SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985	

PART II

In this case the Board has a discretion to exclude the press and public and, in view of the nature of the business to be transacted, it is **RECOMMENDED** that under Section 100A(4) of the Local Government Act 1972, having been satisfied that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

5. TAXI LICENSING MATTER	6 - 8
6. TAXI LICENSING MATTER	9 - 12
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In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Tuesday, 28 February 2017 in the Civic Suite, Town Hall, Runcorn

Present: Councillors K. Loftus (Chair), Wallace (Vice-Chair), Fry, P. Hignett, A. McInerney, Parker, Wainwright and Wall

Apologies for Absence: Councillors McDermott, Nelson and G. Stockton

Absence declared on Council business: None

Officers present: K. Cleary, Wheeler and J. Tully

Also in attendance: One member of the public

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

REG23 APPLICATION TO VARY DESIGNATED PREMISES SUPERVISOR (DPS) AT VOLT 98 VICTORIA ROAD WIDNES

Action

The application had been withdrawn by the applicant prior to the hearing. Consequently, there was no determination to make.

REG24 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Committee considered:

- 1) Whether members of the press and public should be excluded from the meeting of the Committee during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972, because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and

- 2) Whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of business, in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraphs 1, 2, 3 and 7 of Schedule 12A of the Local Government Act 1972.

REG25 TAXI MATTER

Case no. 697

RESOLVED: That

1. the Committee found that the applicant was not a fit and proper person to hold a Single Status Drivers' Licence and consequently the application was refused; and
2. the issue of whether to prosecute the applicant be determined by the Operational Director, Legal and Democratic, having regard to all the circumstances.

Meeting ended at 7.34 p.m.

AGENDA ITEM NO.

REPORT:	Regulatory Committee
DATE:	5 th July 2017
REPORTING OFFICER:	Strategic Director Policy and Resources
PORTFOLIO:	Community & Resources
SUBJECT:	Taxi Licensing Matter
WARDS:	Borough-wide

1. PURPOSE OF REPORT

To consider proposed variations to the Council's Table of Fares.

2. RECOMMENDED

That the proposed variation to the Council's Table of Fares as set out at paragraph 4.3 of this report be advertised in the local press in accordance with section 65 Local Government Miscellaneous Provisions Act 1976 and the variation shall (subject to the provisions of that section) take effect on 5th August 2017;

3. INTRODUCTION AND BACKGROUND INFORMATION

3.1 On 11th January 2017 representatives of Mersey Gateway updated the Taxi Consultative Group on various proposals relating the effect of tolling on the taxi trade. Following representations these proposals have continued to evolve. The latest information was presented to the Taxi Consultative Group on 20th April 2017.

3.2 These proposals will have an impact on the Councils Table of Fares.

The Table of Fares

3.3 Variations to the Council's Table of Fares are the responsibility of the Regulatory Committee subject to the procedures set out in section 65 Local Government Miscellaneous Provisions Act 1976 which states:-

1. A notice must be published in a local newspaper stating the proposed fares or variation of the fares.
2. This must specify a date, not less than 14 days from the date on which the notice is first published. The date has two functions:
 - (a) It is the date by which any objections must be lodged, and
 - (b) It is the date on which the revised fares will come into effect if either
 - (i) No objections are received, or
 - (ii) Any objections received have been withdrawn before the specified date
3. It must also state where objections should be addressed and how they can be made. Obviously it is desirable for such objections to be lodged in writing as opposed to any other method (although objection by a fax or e mail should be acceptable)
4. A copy of the notice must be available at the council offices for inspection, free of charge at reasonable times.
5. Once the objection period (usually 14 days) has expired, if there have been no objections received or those received have subsequently been withdrawn, then the new fares take effect, either at the end of the objection period or when the last objection is withdrawn.
6. However, if objections are made and are not withdrawn, then the council must consider the objections.
7. In the light of those objections (although it must consider them, it does not have to vary the proposed fare as a result of them) the council then sets a second date which cannot be more than two months after the first date specified, when the new fares come into force with or without modification.

4. PROPOSED VARIATION TO THE TABLE OF FARES

- 4.1 There are no proposed variations to the level of metered fares. The variation is purely consequential to the imposition of tolling on the Mersey Gateway Bridge and the Silver Jubilee Bridge.
- 4.2 The variation will mean that passengers crossing these bridges in either direction will be charged the outward tolling charge in addition to the normal fare.
- 4.3 The proposed variation (to be inserted in the Table of Fares) is:

“Bridge Crossing – For a passenger journey involving a crossing of the River Mersey within the Borough the toll for that crossing may be charged at the rate for the time being in force for the vehicle”

6. OPTIONS

- 6.1 The normal options available to the Committee do not apply to this report. Essentially, the Committee is being asked to be

prepared for whatever tolling regime may be imposed on the bridges.

7. POLICY IMPLICATIONS

7.1 None. The proposal is an official declaration of the consequences of tolling the bridges.

8. OTHER IMPLICATIONS

8.1 None

9. IMPLICATIONS FOR THE COUNCILS PRIORITIES

9.1 Children and Young People in Halton
N/A

9.2 Employment Learning and Skills in Halton
N/A

9.3 A healthy Halton
N/A

9.4 A Safer Halton
N/A.

9.5 Halton's Urban Renewal
N/A

10. RISK ANALYSIS

10.1 N/A

11 EQUALITY AND DIVERSITY ISSUES

11.1 None envisaged.

12. LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Taxi Consultative Group File	4 th Floor Municipal Building	John Tully/ Kay Cleary

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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