

LICENSING REGULATORY COMMITTEE

Meeting: Thursday, 8th September, 2022
at 2.00 pm. (Banqueting Hall)

Present: Councillors Callister (Chairman), McEwan (Vice-Chair), Assouad, Barlow, Biggins, Gawne, McLeavy, Maddox, Seward and Wall.

Officers Present: Katherine Benson (Senior Licensing Officer), Ivor Churcher (Commercial Team Leader - Public Protection Services) and Sandra Kemsley (Democratic Services Officer).

Legal Representative: Paul O'Donnell (Local Authority Retained Solicitor).

8 Apologies for Absence

Apologies for absence had been received from Councillor Hall.

9 Minutes

The Minutes of the meeting held on 19th May, 2022 were taken as read and confirmed.

10 Public Participation

Representatives from the Taxi trade attended the meeting but did not address the Committee.

No deputations or petitions had been received in respect of the meeting.

11 Hackney Carriage Fare Review

The Senior Licensing Officer reported that Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 provided that a District Council may fix the rates or fares within the district as well for time and 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 hackney carriages by means of a table (a table of fares) made or varied in accordance with the provisions of this section. This section applied only to Hackney Carriage vehicles.

Hackney Carriage fares were last reviewed in 2021 with a new tariff coming into effect on 1st February, 2022. The report required Members to consider the responses from the latest consultation with the trade and to consider the proposal put forward at the latest Taxi trade meeting.

The methodology, which was approved by Licensing Committee on 21st July, 2016, calculated the real costs of running a Hackney Carriage, and compares that to the national average. This was then used to determine any percentage increase.

The methodology used was set out in the report. The report also set out the current Table of Fares and comparisons with neighbouring authorities.

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Following a taxi liaison meeting on 30th June, 2022, where the trade requested an urgent review of fares, mainly owing to rising fuel costs, the Council began a consultation via Survey Monkey.

On 22nd July 2022, an email was sent to all hackney carriage drivers and vehicle proprietors licensed with the Council, with a link to Survey Monkey, to request their views on the fares. Letters were sent to those not on email.

The consultation ran for 14 days and ended on 5th August 2022.

A total of 57 responses were received. A summary of the questions and responses had been attached to the Officer's report.

Of the respondents, 84% were in favour of an increase, 11% were not in favour and 5% said they did not know.

Utilising the weightings put forward by the respondents, on 11th August 2022 a proposal had been emailed to those who had completed the survey and further discussed at a taxi liaison meeting on 18th August 2022.

Minutes from the taxi liaison meeting had been attached to the Officer's report. Some changes were proposed to the table of fares and finalised for consideration by this Committee.

The final, proposed table had been attached to the Officer's report. The main changes were:-

- The normal fare will represent a rise of 18.4% on the 1 mile fare and 12% on the 2 mile fare;
- The average 2 mile normal fare will be £6.50 (not including waiting time);
- The timings for hirings begun between midnight and 7am, was proposed to start from 11pm; and
- Re-instatement of the £0.20 over two people.

Whilst the Council only licenses a small number (currently 4) of larger vehicles (e.g. minibuses) which carry 5 or more passengers, feedback from the trade was that the current tariff was not sufficient to cover the cost of running this type of vehicle. It was therefore proposed that a separate tariff, which was only permitted to be installed within hackney vehicles which were licensed for 5 or more passengers, was considered.

The fares are a maximum charge and there is nothing to prevent a driver charging less or installing alternative tariffs on a hackney carriage meter. Any alternative tariffs would need to be approved by the Licensing Department to check that they do not exceed the standard hackney tariff.

If the Council decides to vary the rates or fares, it must place a notice in a local newspaper. This must set out the table of fares and specify a period of at least 14 days in which objections to the table of fares or variation can be made. In addition, a copy must be made available for inspection at the Council's offices for the same period.

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In accordance with Regulation 14(2) of the Licensing Act 2003 (Hearings Regulations) 2005 (as amended) it was moved by Councillor Callister and duly seconded to move into Part Two to enable a decision to be made as it was felt that holding discussions in public would, or would be likely to, inhibit substantially, the free and frank exchange of views for the purposes of deliberation. Private thinking space was essential to enable all facts, policies and legislation to be properly considered and appropriate legal advice obtained.

All parties with the exception of Councillors Callister, McEwan, Assouad, Barlow, Biggins, Gawne, McLeavy, Maddox, Seward and Wall, Paul O'Donnell (Legal Representative) and Sandra Kemsley (Democratic Services Officer) withdrew and were readmitted to the meeting following the Committee's deliberations.

It was moved by Councillor McEwan and seconded by Councillor McLeavy, and

RESOLVED:- It was unanimously agreed:-

1. To approve the proposed tariffs attached as Appendix 1 and Appendix 2 to these Minutes; and
2. To also instruct Officers to publish a Notice of Variation in accordance with the provision of Section 65 of the Local Government (Miscellaneous Provisions) Act 1976.

12 Licensing Delegated Decisions (May to July 2022)

The Head of Public Protection's report provided a summary of the delegated decisions made between 1st May and 31st July, 2022 including those already reviewed by the Director of People & Place, the Head of Legal & Governance and the Chair of the Licensing Regulatory Committee.

It was moved by Councillor McEwan and seconded by Councillor Assouad, and

RESOLVED:-

1. To note the summary of delegated decisions made, as detailed within the report; and
2. To agree to receive future Delegation Decisions reports electronically, when there are no other items for that particular Committee.

The meeting closed at 2.15 pm.

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APPENDIX 1

TAXI FARE REVIEW 2022	Current 2021	Calcs	Proposed 2022
<u>Normal Fare (7am until 11pm)</u>			
If the distance does not exceed 805 metres (5/10 mile) for the whole distance	£2.80	£3.46	£3.50
If the distance exceeds 805 metres (5/10 mile) for each subsequent 161 metres (1/10 of a mile) or uncompleted part	£0.20	£0.25	£0.20
Waiting time – for each 30 seconds	£0.10	£0.12	£0.10
<u>For hirings begun between 11pm and 7am.</u>			
If the distance does not exceed 805 metres (5/10 mile) for the whole distance	£4.20	£5.19	£5.20
If the distance exceeds 805 metres (5/10 mile) for each subsequent 161 metres (1/10 of a mile) or uncompleted part	£0.30	£0.37	£0.40
Waiting time – for each 30 seconds	£0.20	£0.19	£0.20
<u>For hirings on all bank holidays, Christmas Eve and New Years Eve</u>			
If the distance does not exceed 805 metres (5/10 mile) for the whole distance	£5.60	£6.92	£6.90
If the distance exceeds 805 metres (5/10 mile) for each subsequent 161 metres (1/10 of a mile) or uncompleted part	£0.40	£0.49	£0.50
Waiting time for each 30 seconds	£0.40	£0.25	£0.20
Additional Charges			
Soiling charge: £10 outside / maximum £100 inside			
Payment of estimated fare may be required prior to the journey.			
Extra charge of £0.20 per person over two people.			

APPENDIX 2

TAXI FARE REVIEW 2022		Proposed
Passenger Vehicles 5 - 8 Seats	Calcs	2022
<u>Normal Fare (7am until 11pm)</u>		
If the distance does not exceed 805 metres (5/10 mile) for the whole distance	£5.19	£5.20
If the distance exceeds 805 metres (5/10 mile) for each subsequent 161 metres (1/10 of a mile) or uncompleted part	£0.37	£0.40
Waiting time – for each 30 seconds	£0.19	£0.20
<u>For hirings begun between 11pm and 7am.</u>		
If the distance does not exceed 805 metres (5/10 mile) for the whole distance	£6.92	£6.90
If the distance exceeds 805 metres (5/10 mile) for each subsequent 161 metres (1/10 of a mile) or uncompleted part	£0.49	£0.50
Waiting time – for each 30 seconds	£0.25	£0.20
<u>For hirings on all bank holidays, Christmas Eve and New Years Eve</u>		
If the distance does not exceed 805 metres (5/10 mile) for the whole distance	£8.65	£8.60
If the distance exceeds 805 metres (5/10 mile) for each subsequent 161 metres (1/10 of a mile) or uncompleted part	£0.62	£0.60
Waiting time for each 30 seconds	£0.31	£0.30
Additional Charges		
Soiling charge: £10 outside / maximum £100 inside		
Payment of estimated fare may be required prior to the journey.		