

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE LICENSING COMMITTEE**

**MONDAY, 14TH MARCH 2022, AT 6.02 P.M.**

PRESENT: Councillors R. J. Deeming (Chairman), P. J. Whittaker (Vice-Chairman), S. P. Douglas, A. B. L. English, J. E. King (substituting for Councillor S. A. Robinson), H. D. N. Rone-Clarke, M. A. Sherrey, C. J. Spencer and M. Thompson

Observers:

Officers: Mr. R. Keyte, Mr. D. Etheridge and Mrs. P. Ross

13/21 **TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillors A. D. Kriss, P. M. McDonald and S. A. Robinson, with Councillor J. E. King in attendance as the substitute Member for Councillor S. A. Robinson.

14/21 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

15/21 **MINUTES**

The minutes of the Licensing Committee held on 15<sup>th</sup> November 2021 were submitted.

**RESOLVED** that the minutes of the Licensing Committee held on 15<sup>th</sup> November 2021, be approved as a correct record.

16/21 **DRAFT HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY - CONSIDERATION OF CONSULTATION RESPONSES**

The Committee considered a report which detailed the consultation responses received to the draft Hackney Carriage and Private Hire Licensing policy, that went out for the 12 week consultation period, with the relevant stakeholders; as detailed in paragraph 3.8, page 6 of the main agenda report, during June to September 2021.

The Principal Licensing Officer, Worcestershire Regulatory Services (WRS), introduced the report and in doing reminded the Committee that a review of all of the Council's hackney carriage and private hire policies had been undertaken in response to the publication by the Department

for Transport guidance under section 177 of the Policing and Crime Act 2017, entitled “Statutory Taxi & Private Hire Standards.”

On 15<sup>th</sup> March 2021, Licensing Committee Members were presented with a copy of the draft Hackney Carriage and Private Hire Licensing Policy for consideration. Whilst a large number of the recommendations set out in the Statutory Taxi & Private Hire Standards were already being met within the Council’s existing policies, the draft Hackney Carriage and Private Hire Licensing Policy was drafted so as to incorporate any of the recommendations that were not already being followed.

As highlighted in the preamble above, an initial consultation was undertaken during June and September 2021. The consultation was then re-opened for a 7 week period during December 2021 to January 2022 to provide a further opportunity for stakeholders to respond. Consultation was also undertaken via an online survey. Paper versions of the consultation survey were also made available for those that wished to respond that way.

Information on the consultation, along with details on how to respond were sent out to stakeholders, as detailed in paragraph 3.17, page 7 of the main agenda report.

The consultation was also made available on the Council’s website and was promoted by the Council’s Communications Team, including via the Council’s social media channels.

The questions included in the consultation were detailed at Appendix 2 to the report.

A summary of the consultation responses received were detailed at Appendix 3 to the report.

Officers had reviewed the consultation responses and did not consider that there were any compelling local reasons why those elements of the draft Hackney Carriage and Private Hire Licensing Policy, that were based on the recommendations in the Statutory Taxi & Private Hire Standards, should not be implemented.

A number of other comments and observations had also been received, and these were summarised in a table on pages 9 to 11 of the main agenda report.

The Principal Licensing Officer responded to questions from the Committee and in doing so, explained that the draft Hackney Carriage and Private Hire Licensing Policy, was based on a template that had been created with a view to each of the six district Councils in Worcestershire adopting new policy statements that were substantially similar to one another, particularly in relation to the licensing of hackney carriage and private hire drivers and private hire operators.

Members expressed their sincere thanks to the Principal Licensing Officer for his comprehensive report.

Members questioned cross border working and the Principal Licensing Officer reassured Members that, the Department for Transport expected the recommendations detailed in the Statutory Taxi & Private Hire Standards, to be implemented every authority unless there was a compelling local reason not to. The Department for Transport would continue to monitor to see how authorities were progressing with the in the Statutory Taxi & Private Hire Standards. There was a consensus that common core minimum standards were required to regulate better the taxi and private hire vehicle sector.

Various associations, including the Local Government Association (LGA) Licensing, regulations and trading standards would continue to lobby to ensure that the Statutory Taxi & Private Hire Standards were followed.

**RESOLVED** that the draft Hackney Carriage and Private Hire Licensing Policy, as detailed at Appendix 1 to the report, be approved to take effect from 1<sup>st</sup> September 2022.

17/21

### **REVIEW OF HACKNEY CARRIAGE TABLE OF FARES**

Members received a report on the Hackney Carriage Table of Fares and a supplementary agenda pack detailing updated information on fuel prices.

The Principal Licensing Officer, Worcestershire Regulatory Services (WRS), presented the report and in doing so informed the Committee that, officers had recently received a request on behalf of a number of hackney carriage licence holders for the current table of fares to be varied to increase the maximum fares that could be charged.

Hackney Carriage ("Taxi") fares were made up of an initial hiring charge and a "mileage" rate, both of which were expressed in terms of distance and / or time per unit cost. This was because when a hired taxi was stationary or moving slowly in traffic the meter continued charging, but by time, instead of distance.

The table of fares applied only to hackney carriage vehicles. Private hire operators were free to agree their hiring charges in advance with their customers, normally at the time of booking the journey.

Appendix 1 to the report detailed the current table of fares. The current table of fares was approved by the Licensing Committee at its meeting held on 24<sup>th</sup> June 2013 and had taken effect on 1<sup>st</sup> August 2013.

The structure of the current table of fares was somewhat complex. The table of fares was structured so as to set out one single tariff of charges and then allowed the driver to charge extra depending on a number of factors including the time and date when the journey commenced, how

many passengers were being carried, how the vehicle was booked and the visibility conditions.

Officers recently received correspondence, sent on behalf of a number of hackney carriage licence holders, requesting that the Council gave consideration to varying the table of fares. The initial request was for a £1 increase to the charge for the first mile and for subsequent miles to increase from the current level of around £1.77 per mile to £2 per mile.

Officers acknowledged this request and had asked representatives of the hackney carriage trade whether they would like to try and also use this opportunity to simplify the table of fares for drivers and passengers, as well as with a view to providing those in the hackney carriage trade with a fair and reasonable increase to the amount they could charge for journeys.

The hackney carriage trade representatives were receptive to this idea and following liaison with officers regarding a more simplified structure for the table of fares, a proposal was put forward that the table of fares be varied to that as detailed at Appendix 2 to the report.

When drawing comparisons between hackney carriage fares in different areas, the normal method used was to compare the cost of a 2-mile journey on Tariff 1. A table showing a comparison of the hackney carriage fares charged for a 2-mile journey on Tariff 1 in other local districts was detailed at Appendix 3 to the report.

If the table of fares proposed by the trade were to be implemented, this would see the cost of a two mile journey on Tariff 1 increase from the current level of £5.80 to £7.00, an increase of £1.20 or 20.7%.

Members' attention was drawn to the Supplementary agenda pack which provided updated information on current fuel prices.

The Principal Licensing Officer, WRS further informed the Committee that other authorities would be looking at fares, due to the increase in the cost of living and recent fuel cost increases.

Further debate followed, with the Principal Licensing Officer, WRS responding to a number of questions from Members with regard to reviewing fares annually and the possibility of reviewing any increased fares later during 2022, should fuel prices reduce or circumstances merit it.

In response to further questions from Members, the Principal Licensing Officer, WRS, stated that private hire fares had significantly increased and that hackney carriage fares had fallen behind. Private hire drivers / operators could react quickly to increase their fares, should the need arise. However, hackney carriage fares under Section 65 (1) of the Local Government (Miscellaneous Provisions) ACT 1976 stated that a district council may fix the rates or fares within the district and that any

variation should be published in at least one local newspaper and that any objections received had to be considered by the district council.

Members commented that they had welcomed the report, but were somewhat surprised that it had been 9 years since the hackney carriage table of fares was last reviewed; and were in agreement that going forward an annual review of the hackney carriage table of fares, be included on the Licensing Committee Work Programme for 2022/2023.

An amendment to the recommendation that “an interim review of Hackney Carriage Table of Fares if circumstances merit it”, be included, was proposed and seconded.

On being put to the vote, the Committee voted in favour of the amended recommendation.

**RESOLVED** that the requested variations to the table of fares, be agreed and

- a) that the proposed table of taxi fares as set out in Appendix 2 to the report, be advertised as a public notice and objections from the public invited in accordance with the requirements of section 65, Local Government (Miscellaneous Provisions) Act, 1976;
- b) that if no objections were received from the public within 14 days of publication of the notice that the proposed tariff to come into effect on 16 May 2022.
- c) that if objections were received in the stated time, that the matter to be considered further at the next meeting of the Licensing Committee, and a decision made as to whether the variations to the table of fares should be made; and
- d) that an interim review of the Hackney Carriage Table of Fares, if circumstances merit it, be carried out.

18/21

### **LICENSING COMMITTEE WORK PROGRAMME MARCH 2022**

The Committee considered the Work Programme for 2021/22.

Members discussed the Work Programme and in doing so it was agreed that: -

#### **11<sup>th</sup> July 2022**

- Objections received to the Hackney Carriage Table of Fares.
- Revisit the Councils current vehicle licensing policies with regard to standards and age criteria for electric vehicles.

- Look at incentives for drivers to purchase less polluting vehicles.
- Wheelchair Accessible Vehicles (WAV's) report on the number of WAV's licensed in the district, ways to incentivise drivers to purchase WAV's and an estimate of the capacity (number) of WAV's the district needs.

**19<sup>th</sup> September 2022**

- Interim review of Hackney Carriage Table of Fares if circumstances merit it.

**2022/2023**

**27<sup>th</sup> March 2023**

- Annual review of Hackney Carriage Table of Fares

**RESOLVED** that the Licensing Committee Work Programme for 2021/2022 be updated to include the items discussed and agreed during the course of the meeting, as detailed in the preamble above.

The meeting closed at 7.08 p.m.

Chairman