

To: Chairman and Members of the Taxi and General Licensing Committee

Councillors Jenns, D Clews, Farrow, Hancocks, M Humphreys, Jordan, Macdonald, McLaughlan, Moss, Osborne, K Parker, O Phillips, Rose, S Smith and A Wright

For the information of other Members of the Council

For general enquiries please contact Democratic Services on 01827 719227 or via email – democraticservices@northwarks.gov.

For enquiries about specific reports please contact the Officer named in the reports.

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TAXI AND GENERAL LICENSING COMMITTEE AGENDA

24 January 2023

The Taxi and General Licensing Committee will meet on Tuesday 24 January 2023 upon conclusion of the Alcohol & Gambling Licensing Committee which commences at 6.30pm in the Council Chamber at The Council House, South Street, Atherstone, Warwickshire.

The meeting can also be viewed on the Council's YouTube channel at [NorthWarks - YouTube](#).

AGENDA

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Disclosable Pecuniary and Non-Pecuniary Interests.**

4 **Public Participation**

Up to twenty minutes will be set aside for members of the public to put questions to elected Members. This will not allow members of the public to speak on any licensing application being considered by the Committee if they are not a party to that application under the Licensing Act 2003. If you are a party to a hearing you will have received a notice of hearing and should respond as indicated in that notice.

Members of the public wishing to address the Board on any other issue must register their intention to do so by 9:30am two working days prior to the meeting. Participants are restricted to five minutes each.

If you wish to put a question to the meeting, please register by email to democraticservices@northwarks.gov.uk or telephone 01827 719221/ 719226 /719237.

Once registered to speak, the person asking the question has the option to either:

- (a) attend the meeting in person at the Council Chamber;
- (b) attend remotely via Teams; or
- (c) request that the Chair reads out their written question.

If attending in person, precautions will be in place in the Council Chamber to protect those who are present however this will limit the number of people who can be accommodated so it may be more convenient to attend remotely.

If attending remotely an invitation will be sent to join the Teams video conferencing for this meeting. Those registered to speak should dial the telephone number and ID number (provided on their invitation) when joining the meeting to ask their question. However, whilst waiting they will be able to hear what is being said at the meeting. They will also be able to view the meeting using the YouTube link provided (if so, they made need to mute the sound on YouTube when they speak on the phone to prevent feedback).

ITEMS FOR DISCUSSION AND DECISION

- 5 **Minutes of the Taxi and Licencing Committee 24 June 2022** – copy herewith, to be approved as a correct record and signed by the Chairman.

6 **General Fund Fees and Charges 2023/2024** – Report of the Chief Executive

Summary

This report covers the fees and charges for 2022/23 and the proposed fees and charges for 2023/24.

The Contact Officer for this report is Nigel Lane (719371).

7 **General Fund Revenue Estimates 2023/24** – Report of the Corporate Director – Resources

Summary

This report covers the revised budget for 2022/23 and an estimate of expenditure for 2023/24, together with forward commitments for 2024/25, 2025/26 and 2026/27.

The Contact Officer for this report is Sue Garner (719374).

8 **Transport Act 1985 – Hiring of Hackney Carriages at Separate Fares** – Report of the Chief Executive

Summary

The report asks the Committee to consider the potential benefits of introducing a scheme allowing hiring of taxis at separate fares and agree the approach to be taken to investigate whether this is viable.

The Contact Officers for this report are Clive Tobin (719251) and Sharon Gallagher (719292).

9 **Review of Taxi Licensing Policy** - Report of the Chief Executive

Summary

The report asks the Committee to note the ongoing work in relation to the Taxi Licensing policy.

The Contact Officers for this report are Clive Tobin (719251) and Sharon Gallagher (719292).

STEVE MAXEY
Chief Executive

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE TAXI AND GENERAL LICENSING COMMITTEE

24 June 2022

Present: Councillor Jenns in the Chair

Councillors D Clews, Farrow, M Humphreys, Jordan,
McLauchlan, Moss, Osbourne, S Smith and A Wright,

Apologies for absence were received from Councillors
Hancocks, Macdonald and Parker.

1 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

2 **Local Government (Miscellaneous Provisions) Act 1976 – Fixing of Fares – Hackney Carriages**

The Chief Executive asked the Committee to consider a request from the taxi trade for an increase in fares.

Resolved:

- a **That the Committee allow an increase in Hackney Carriage fares as set out in the proposed table of fares contained in the report; and**
- b **That if objections to any agreed increase are received within the statutory period and not withdrawn, those objections be considered by a Sub-committee of this committee.**

A Jenns
Chairman

Agenda Item No 6

Taxi & General Licensing Committee

24 January 2023

Report of the Chief Executive

General Fund Fees and Charges 2023/2024

1 Summary

- 1.1 This report covers the fees and charges for 2022/23 and the proposed fees and charges for 2023/24.

Recommendation to the Committee

That the schedule of fees and charges for 2023/24, as set out in Appendix A, be accepted.

2 Introduction

- 2.1 At its meeting held in October 2022, the Executive Board agreed the budget strategy for 2022/27, which included price inflation increases of 4% where applicable.

3 Fees and Charges Proposed for 2023/2024

- 3.1 Attached for the Committee's consideration at Appendix A are details of present and proposed fees and charges for the financial year 2023/24. The amounts shown have been included in the revenue estimates for 2023/24.
- 3.2 No increases have been applied to taxi and private hire fees, as the industry has been significantly affected by the pandemic. Other prices have generally been increased by 4% in line with the budget strategy. Some of the prices have been rounded to either the nearest £0.10 or £1.00.

4 Report Implications

4.1 Finance and Value for Money Implications

- 4.1.1 The pricing structure contained in this report is expected to increase the income by £270 in the 2023/24 Original budget, comprising of price increases of £240 on general licensing and an increase in Hackney Carriage drivers and Private Hire operators CRB check administration fee income of £30.

4.2 Risk Management

4.2.1 Changes to fees and charges may impact on the level of demand. However, this has been considered in proposing the revised charges.

4.3 Legal Implications

4.3.1 Those fees which are set by law or for which the law prescribes a maximum amount are identified on Appendix A as being subject to statutory control and may not be exceeded. Where a fee is not fixed by law or limited by law to a particular amount, the Council must exercise its discretion reasonably and consider the impact of any increased charges on those who will be affected by them. The increases proposed are limited and, as stated above, take account of the budget strategy which has been formulated having regard to the prevailing financial situation.

The Contact Officer for this report is Nigel Lane (719371).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE
FEES AND CHARGES FROM 1 APRIL 2023

	2022/2023	2023/2024	VAT
	TOTAL	TOTAL	RATING
	CHARGE	CHARGE	
	£	£	
LICENCE FOR THE BOARDING OF CATS AND DOGS			
Boarding Premises			
Application fee	157.25	163.50	Outside Scope
Licence Issue Fee	61.75	64.20	"
Total Fee	219.00	227.70	"
Variation	81.00	84.20	Outside Scope
Home Boarders			
Application fee	78.64	81.80	Outside Scope
Licence Issue Fee	30.86	32.10	"
Total Fee	109.50	113.90	"
Variation	43.00	45.00	Outside Scope
LICENCE FOR THE SALE OF ANIMALS AS PETS			
Application fee	157.25	164.00	Outside Scope
Licence Issue Fee	61.75	64.00	"
Total Fee	219.00	228.00	"
Variation	81.00	84.00	Outside Scope
LICENCE FOR THE HIRING OUT OF HORSES			
Application fee	126.00	131.00	Outside Scope
	+ vet's fee	+ vet's fee	
Licence fee 1 year	63.00	66.00	"
	+ vet's fee	+ vet's fee	
Licence fee 2 year	126.00	131.00	"
	+ vet's fee	+ vet's fee	
Licence fee 3 year	192.00	200.00	"
	+ vet's fee	+ vet's fee	
Variation	81.00	84.00	"
	+ vet's fee	+ vet's fee	
	(if necessary)	(if necessary)	

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE
FEEES AND CHARGES FROM 1 APRIL 2023

	2022/2023	2023/2024	VAT
	TOTAL	TOTAL	RATING
	CHARGE	CHARGE	
	£	£	
DANGEROUS WILD ANIMAL LICENCE			
New application	212.90	221.00	Outside Scope
Renewal	183.40	191.00	"
ZOO LICENCE (4-yearly)			
Grant or renewal	498.80	519.00	Outside Scope
Transfer	115.90	121.00	"
Variation	115.90	121.00	"
Re-issue or replacement	29.10	30.00	"
DOG BREEDING LICENCE			
Application fee (plus vet's fee on first application)	157.25	164.00	Outside Scope
Licence issue fee	61.75	64.00	"
Total fee	219.00	228.00	"
Variation	81.00	84.00	Outside Scope
LICENCE FOR THE KEEPING OR TRAINING OF ANIMALS FOR EXHIBITION			
Application fee	126.50	132.00	Outside Scope
Licence fee 3 year	191.80	199.00	"
Variation	80.60	84.00	"
ACUPUNCTURE, TATTOOING, COSMETIC PIERCING, SEMI-PERMANENT SKIN COLOURING & ELECTROLYSIS LICENCE			
	175.50	183.00	Outside Scope
HYPNOTISM PERMIT			
	Free	Free	N/A

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE
FEES AND CHARGES FROM 1 APRIL 2023

	2022/2023 TOTAL CHARGE £	2023/2024 TOTAL CHARGE £	VAT RATING
STREET TRADING LICENCE			
Food sales	1,723.00	1,792.00	Outside Scope
Non food sales	853.00	887.00	"
SEX ESTABLISHMENT LICENCE			
Transfer or variation	2,877.20 637.10	2,992.00 663.00	Outside Scope "
SCRAP METAL LICENCE (3-yearly)			
Site	348.00	362.00	Outside Scope
Collector	208.80	217.00	"
HACKNEY CARRIAGE & PRIVATE HIRE VEHICLES			
Private hire operator's licence (5 yearly)	291.00	291.00	Outside Scope
Hackney Carriage licence (annual)	286.00	286.00	"
Private Hire Vehicle licence (annual)	286.00	286.00	"
Drivers licence (Includes badge) (3 yearly)	242.00	242.00	"
Vehicle licence transfer new vehicle	98.00	98.00	"
Vehicle licence transfer new owner	35.60	35.60	"
Replacement of driver's badge	23.80	23.80	"
Replacement of lost documents	23.80	23.80	"
Vehicle plate	33.40	33.40	"
Medical fee full (including Occupational Health fee)	108.00	108.00	"
Medical fee review (including Occupational Health fee)	108.00	108.00	"
Please note that the Occupational Health fee is subject to change			
MoT retest fee	42.50	42.50	"
Failure to attend an MOT appointment	30.00	30.00	"
Standard Disclosure and Barring Service check (£23.00 plus £18.40 admin. charge)	40.70	41.40	"
Enhanced Disclosure and Barring Service check (£40.00 plus £18.40 admin. charge)	57.70	58.40	"
Please note that the DBS fee is subject to change			

Agenda Item No 7

Taxi & General Licensing Committee

24 January 2023

**Report of the
Corporate Director - Resources**

**General Fund Revenue Estimates
2023/24**

1 Summary

- 1.1 This report covers the revised budget for 2022/23 and an estimate of expenditure for 2023/24, together with forward commitments for 2024/25, 2025/26 and 2026/27.

Recommendation to the Committee

- a To accept the revised budget for 2022/23; and**
- b To accept or otherwise vary the Estimates of Expenditure for 2023/24, as submitted, for them to be included in the budget to be brought before the meeting of the Executive Board on 13 February 2023.**

2 Introduction

- 2.1 In consultation with other Directors, the Corporate Director - Resources has prepared an estimate of net expenditure for 2023/24 and this, together with a revised budget for 2022/23, appears in Appendices A and B. To provide a more complete picture of the spending pattern of the service, the actual figures for 2021/22 are shown.

...

- 2.2 At its meeting in October 2022, the Executive Board agreed the budget strategy for 2023-2027, which required savings of £2.55 million over a four year period. This required budget savings of £1.9 million in 2023/24 with additional savings of £100,000 in 2024/25 and £550,000 in 2025/26. A savings target was not included for 2026/27 at that time. Some limited growth was built into the strategy in specific areas.

2.3 A subjective analysis of the Committee's requirement is shown below:

	Approved Budget 2022/23 £	Revised Budget 2022/23 £	Original Budget 2023/24 £
Employee Costs	12,040	12,040	14,790
Supplies and Services	5,080	3,800	5,240
Transport	6,150	3,800	6,260
Gross Expenditure	23,270	19,640	26,290
Income	(47,660)	(45,400)	(35,490)
Net Controllable Expenditure	(24,390)	(25,760)	(9,200)
Departmental Support	62,690	62,690	64,860
Central Support	3,620	3,620	7,320
Net Expenditure	41,920	40,550	62,980

2.4 There are no capital charges relating to budgets within this report.

3 **Comments on the 2022/23 Revised Budget**

3.1 The revised budget for 2022/23 is estimated to be £40,550 a reduction of £1,370 on the approved position.

3.2 **Hackney Carriages** **(£1,250)**

3.2.1 Spending on MOT fees and Disclosure and Barring checks has reduced, although this is offset by some reduction in income received.

4 **Comments on the 2023/24 Estimates**

4.1 The 2023/24 estimate has been prepared, taking into account the following assumptions:

- A 4% pay award from 1 April 2023; and
- An increase in income to reflect the increases included in the fees and charges report elsewhere on the agenda.

4.2 The estimated budget for 2023/24 is £62,980; an increase in costs of £21,060 on the 2022/23 approved budget and an increase in costs of £22,430 on the revised 2022/23 budget. The main variations are set out below.

4.3 **Licences and Registration** **£4,370**

4.3.1 Income will reduce in 2023/24, as some licences do not need to be renewed annually. Examples include licences for scrap metal sites and zoos.

4.4 **Hackney Carriages** **£12,190**

4.4.1 The reduction in expenditure on MOT fees and Disclosure and Barring checks is not expected to continue. In addition, income will reduce in 2023/24 due

primarily to the requirement for Drivers Licences to be renewed once every 3 years, not annually.

4.5 Departmental and Central Support Services £5,870

4.5.1 Departmental and Central Support costs have increased due to the Environment Health Division realigning costs with service provision and the restructure of the central administration unit.

5 Income

5.1 Changes in the levels of fees and charges for services under the responsibility of this Board are covered in another report on today's agenda. Income on fees and charges is expected to contribute to the achievement of income targets.

6 Risks to Services

6.1 The key risk to the budgetary position of the Council from services under the control of this Board is:

	Likelihood	Potential impact on Budget
Fee income – The levels of some licences are at risk from a downturn in the economy.	Low	Low

7 Future Year Forecasts

7.1 In order to assist with medium-term financial planning, Members are provided with budget forecasts for the three years following 2023/24. The table below provides a subjective summary for those services reporting to this Board:

	Forecast Budget 2024/25 £	Forecast Budget 2025/26 £	Forecast Budget 2026/27 £
Employee Costs	15,320	15,740	16,160
Supplies and Services	5,400	5,510	5,620
Transport	6,450	6,580	6,710
Gross Expenditure	27,170	27,830	28,490
Income	(50,840)	(46,630)	(50,780)
Net Controllable Expenditure	(23,670)	(18,800)	(22,290)
Departmental Support	67,450	69,320	71,250
Central Support	7,440	7,680	7,920
Net Expenditure	51,220	58,200	56,880

7.2 The forecasts given above have used a number of assumptions, which include pay awards of 4% in 2024/25 and 3% in 2025/26 to 2026/27, increases in contracts and general increases in supplies and services of 3% in 2024/25 and 2% in 2025/26 to 2026/27. In total, net expenditure is expected to reduce by

18.7% in 2024/25, increase by 13.6% in 2025/26 and reduce by 2.3% in 2026/27.

7.3 Hackney Carriages and Scrap Metal (site and collectors) licences are only renewed every three to five years which means that the income will fluctuate between financial years.

7.4 These forecasts are built up using current corporate and service plans. Where additional resources have already been approved, these are also included. However, these forecasts will be amended to reflect any amendments to the estimates, including decisions taken on any further corporate or service targets.

8 Report Implications

8.1 Finance and Value for Money Implications

8.1.1 As detailed in the body of the report.

8.2 Environment and Sustainability Implications

8.2.1 Continuing the budget strategy will allow the Council to manage its expected shortfall in resources without disruption of essential services.

8.3 Risk Management Implications

8.3.1 There are a number of risks associated with setting a budget, as assumptions are made on levels of inflation and demand for services. To minimise the risks, decisions on these have been taken using past experience and knowledge, informed by current forecasts and trends. However, the risk will be managed through the production of regular budgetary control reports, assessing the impact of any variances and the need for any further action.

The Contact Officer for this report is Sue Garner (719374).

**NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE (TAXI & GENERAL) SUMMARY
SUMMARY OF GENERAL FUND REVENUE ESTIMATES**

Code	Description	Actual 2021/2022 £	Approved Budget 2022/2023 £	Revised Budget 2022/2023 £	Original Budget 2023/2024 £
4001	Licences and Registration	(7,549)	(8,710)	(8,830)	(4,460)
4008	Hackney Carriages	(11,466)	(15,680)	(16,930)	(4,740)
Sub Total	Net Controllable Expenditure	(19,015)	(24,390)	(25,760)	(9,200)
Sub Total	Departmental Support	15,747	62,690	62,690	64,860
Sub Total	Central Support	25,738	3,620	3,620	7,320
Total	Net Expenditure	37,600	41,920	40,550	62,980

4001 - LICENCES AND REGISTRATION				
The issuing of licences that enable applicants to undertake a range of activities including the operation of animal boarding facilities, pet shops and street trading.				
DESCRIPTION	ACTUALS 2021/2022	APPROVED BUDGET 2022/2023	REVISED BUDGET 2022/2023	ORIGINAL BUDGET 2023/2024
Employee Expenditure	3,083	-	-	-
Supplies and Services	6	1,810	1,810	1,870
GROSS EXPENDITURE	3,089	1,810	1,810	1,870
GROSS INCOME	(10,638)	(10,520)	(10,640)	(6,330)
NET CONTROLLABLE EXPENDITURE	(7,549)	(8,710)	(8,830)	(4,460)
Departmental Support	15,130	33,800	33,800	35,320
Central Support	10,588	830	830	2,340
NET EXPENDITURE	18,169	25,920	25,800	33,200
Contributes to corporate priority : - Improving leisure and wellbeing opportunities				
KEY PERFORMANCE INDICATORS				
Number of licences	54	31	41	41
Gross cost per licence	£533.46	£1,175.48	£888.78	£964.15
Net cost per licence	£336.46	£836.13	£629.27	£809.76

4008 - HACKNEY CARRIAGES				
The licensing and enforcement of taxis, private hire vehicles, drivers and operators, within the Borough.				
DESCRIPTION	ACTUALS 2021/2022	APPROVED BUDGET 2022/2023	REVISED BUDGET 2022/2023	ORIGINAL BUDGET 2023/2024
Employee Expenditure	14,000	12,040	12,040	14,790
Premises	-	-	-	-
Supplies and Services	1,730	3,270	1,990	3,370
Transport Related Expenditure	3,800	6,150	3,800	6,260
GROSS EXPENDITURE	19,529	21,460	17,830	24,420
GROSS INCOME	(30,995)	(37,140)	(34,760)	(29,160)
NET CONTROLLABLE EXPENDITURE	(11,466)	(15,680)	(16,930)	(4,740)
Departmental Support	15,747	28,890	28,890	29,540
Central Support	15,150	2,790	2,790	4,980
NET EXPENDITURE	19,431	16,000	14,750	29,780
- Creating safer communities				
KEY PERFORMANCE INDICATORS				
Number of vehicles licences (annual)	71	70	70	84
Number of operators licences (every 5 years)	2	2	2	2

Agenda Item No 8

Taxi & General Licensing Committee

24 January 2023

Report of the Chief Executive

Transport Act 1985 – Hiring of Hackney Carriages at Separate Fares

1 Summary

- 1.1 The report asks the Committee to consider the potential benefits of introducing a scheme allowing hiring of taxis at separate fares and agree the approach to be taken to investigate whether this is viable.

Recommendation to the Committee

- a That the Committee consider whether, in principle, it would be beneficial to consider making a scheme allowing the hiring of hackney carriages at separate fares; and
- b If the Committee determine that it may be beneficial to do so, it agrees that Officers should carry out informal consultations with the trade, Warwickshire County Council and appropriate representatives of the public who may use such a scheme.

2 Consultation

- 2.1 Councillors Jenns (Chair) and Farrow (Spokesperson) have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.

3 Report

- 3.1 At its meeting on 24 June 2022 this Committee considered requests made by the local taxi trade to increase the fares which may be charged for hackney carriage journeys. A copy of that report is set out in **Appendix A**. At that meeting Members determined to increase the fares as proposed and a notice of increase was published in accordance with the statutory scheme which applies, allowing objections to be made to the proposed increase. No responses were received following publication of that statutory notice and, accordingly in line with the applicable legislation, the fare increase took effect.

- 3.2 At that earlier meeting whilst it was decided to increase the fares, Members expressed their concerns as to the potential impact of a fare increase on user of taxis, many of whom are vulnerable and are facing difficulty with the cost of living crisis. Members also observed that many parts of the Borough,

particularly rural villages, have limited public transport links, therefore leaving residents with little option but to rely on taxis or private hire vehicles.

- 3.3 Following that earlier meeting, several Members engaged with Officers, explaining in further detail how some residents are affected by the current cost of living crisis and/or the limited public transport available in parts of the Borough and seeking to identify ways in which the Council may be able to assist those concerned. This in turn lead to Officers reviewing legislation relating to taxis.
- 3.4 Members are aware that the Council is the licensing authority in relation to two types of passenger carrying vehicles:
 - 3.4.1 Hackney Carriages, which may ply for hire on ranks or be ‘flagged down’ by members of the public, the drivers of which have a duty to take a fare in such circumstances; and
 - 3.4.2 Private Hire Vehicles which may not ply for hire or be flagged down and which the public must book via an operator which also licensed by the Council, but are not obliged to take a fare.

Both types of vehicle are often referred to collectively as ‘Taxis’ however, for the purposes of this report, it is only Hackney Carriages which fall within the relevant legislation.

- 3.5 Members will also be aware that usually once a taxi is hired, it must complete the journey and may not pick up any other passengers during that journey for which a separate fare is charged. The Transport Act 1986 (the 1986 Act) and regulations made under it however, allow this Council as a licensing authority to make a scheme permitting taxis to carry several passengers at the same time on separate journeys charging a separate fare for each, similar to when passengers use a bus and pay separate fares which apply only for the distance which they travel on that bus route. When a scheme is in place under the 1986 Act, the taxi is exempt from other legislation which would otherwise only allow a vehicle licensed as a bus to do so. Further, the Council must make a scheme if the holders of more than 10% of the current taxi licence holders in its area request it to do so. A scheme may apply to all or part of the Council’s area.
- 3.6 There are a number of specific requirements for such a scheme which can be summarised as follows:
 - 3.6.1 Any scheme must:
 - (a) designate the places in the area from which taxis may be hired under the scheme (“authorised places”);
 - (b) specify requirements to be met in relation to hiring of taxis at separate fares; and
 - (c) include or exclude accordingly any provision which is prescribed in regulations relating made under the Act.

- (d) the following prescribed provisions must be included under (c):
 - (i) a provision permitting any vehicle, licensed by the Council to ply for hire where the scheme applies, to be used at the option of the licence holder for carrying passengers at separate fares under the scheme;
 - (ii) a provision which states that when a vehicle is hired under the scheme, that the conditions of the scheme continue to apply for any part of the journey which goes outside the area in which the scheme operates; and
 - (iii) a provision requiring any vehicle standing for hire under the scheme at an authorised place to display (in addition to any sign, mark or notice which must otherwise be displayed under our standard conditions) a notice indicating that the vehicle is available for hire at separate fares.

3.6.2 Subject to those requirements, any scheme may make provision regarding:

- (a) fares;
- (b) display of any document, plate, or sign indicating the authorised places for hiring under the scheme, or to show that a taxi at an authorised place is available to carry passengers at separate fares;
- (c) how arrangements are made for carrying passengers on any such hiring; and,
- (d) the conditions that must apply to the use of a taxi on any such hiring.

3.6.3 Before making a scheme the Council must obtain consent in relation to any authorised place from the highway authority, if it is on a highway, or from the owner of the land on which it is situated and the highway authority for the nearest adjoining highway. The Council must also consult:

- (a) the council of the county or the Passenger Transport Authority for the passenger transport area which includes the area of the scheme;
- (b) the chief officer of police of any police area in which an authorised place is situated; and
- (c) persons or organisations who appear to it to be, or to be representative of, operators and drivers of taxis operating in the area of the scheme.

3.7 Subject to those specific requirements, a scheme can include any provisions which are reasonable in the specific circumstances. A scheme made under the 1986 Act may benefit both the Taxi trade and local residents, addressing some of the concerns expressed by Members at the last meeting. For example, allowing journeys from authorised places in villages into towns with each passenger paying a percentage of the normal fare meaning that each of them saves money and allows the driver to make the journey without suffering a loss.

3.8 Since the Council has no detail as to how such a scheme could be of benefit, nor whether there could also be some disadvantages, it is believed the most appropriate course of action at the current time is to carry out informal consultation (rather than the statutory process referred to above) to establish

who may benefit from a scheme, the areas of the borough in which it could be effective, how the trade could operate a scheme, how fares could be set to benefit both the trade and the public, and whether other specific conditions could be incorporated into a scheme to help it achieve the objectives of improving transport at a reasonable cost and keeping the local taxi trade viable. This would allow Members to consider in detail whether a scheme would be viable.

- 3.9 It is suggested that any informal consultation includes internal Council departments, representative organisations, parish councils and other public authorities which may itself have information regarding potential demand for such a service. Rather than be prescriptive, it is suggested that the recommendation is purposely left wide and Members are requested to suggest other persons or organisations who could usefully assist in gathering relevant information.

4 Report Implications

4.1 Finance and Value for Money Implications

- 4.1.1 There are no direct finance or value for money implications in the report since any work undertaken would be funded from existing budgets.

4.2 Safer Communities Implications

- 4.2.1 A well regulated taxi service is important in providing safe transport for many vulnerable people. If it is not possible to make a reasonable living it is unlikely that suitable people will be attracted to taxi driving.

4.3 Legal and Human Rights Implications

- 4.3.1 This report gives an overview of the statutory procedure which applies to making a scheme. If Committee decides to adopt the recommendations, further legal advice will be given on any specific proposal contained in any future date.

4.4 Environment and Sustainability Implications

- 4.4.1 There are no adverse environmental implications in the report.

4.5 Health, Wellbeing and Leisure Implications

- 4.5.1 A well regulated taxi service will allow more people to access health and leisure opportunities which will increase general wellbeing.

4.6 Human Resources Implications

- 4.6.1 There are no human resource implications contained in the report.

4.7 Risk Management Implications

4.7.1 There are no risk management implications contained in the report.

4.8 Equalities Implications

4.8.1 There are no specific equalities implications in relation to this report however, if the recommendation is adopted then the informal consultation process may identify ways in which any scheme could benefit particular groups having protected characteristics.

4.9 Links to Council's Priorities

4.9.1 Supporting employment and business
Promoting sustainable and vibrant communities
Improving leisure and wellbeing opportunities

The Contact Officers for this report are Clive Tobin (719251) and Sharon Gallagher (719292).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

Agenda Item No 4**Taxi & General Licensing
Committee****24 June 2022****Report of the
Chief Executive****Local Government (Miscellaneous
Provisions) Act 1976 – Fixing of
Fares – Hackney Carriages****1 Summary**

- 1.1 The report asks the Committee to consider a request from the taxi trade for an increase in fares.

Recommendation to the Committee

- a That the Committee allow an increase in Hackney Carriage fares as set out in the proposed table of fares contained in this report;**
- b That if objections to any agreed increase are received within the statutory period and not withdrawn, those objections are considered by a Sub-committee of this committee.**

2 Consultation

- 2.1 Councillors Jenns (Chairman) and Farrow (Spokesperson) have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.

3 Report

- 3.1 Requests have been made by the local taxi trade to be allowed to increase fares (Appendix A). Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 allows the Council to fix the rates or fares within the district as well as all other charges in connection with the hire of a hackney Carriage by means of a table known as a 'table of fares'. It has been five years since the last fare increase.

3.2 The following is the current table of fares:

FARES FOR DISTANCE OR TIME	DAYTIME RATE	NIGHT TIME RATE	CHRISTMAS & NEW YEAR RATE
	6am to 12 Midnight	12 Midnight to 6am and all day Sunday and bank Holiday	From 6pm on 24th December to 6am on 27th December and from 6 pm on 31st December to 6am on 2nd January
To hire this taxi for the first quarter mile	£2.60	£3.90	Double day rate
For the first mile	£4.10	£6.15	Double day rate
For each mile after	£2.00	£3.00	Double day rate
Waiting time per 1 minute	30p	45p	Double day rate
PRICE GUIDE			
1 Mile	£4.10	£6.15	£8.20
2 miles	£6.10	£9.15	£12.20
3 Miles	£8.10	£12.15	£16.20
5 miles	£12.10	£18.15	£24.20
10 miles	£22.10	£33.15	£44.20
Soiling Charge	£30.00	£30.00	£60.00

3.3 The following is the proposed table of fares:

FARES FOR DISTANCE OR TIME	DAYTIME RATE	NIGHT TIME RATE	CHRISTMAS & NEW YEAR RATE
	6AM TO 12 midnight	12 midnight 6am and all day Sunday and Bank Holiday rate	From 6pm On 24 th December to 6am on 27 th December and from 6pm on 31 st December to 6am on 2 nd January
TO HIRE THIS TAXI FOR THE FIRST QUARTER MILE	£2.90	£4.35	DOUBLE
FOR THE FIRST MILE	£4.60	£6.90	DOUBLE
FOR EACH MILE AFTER	£2.20	£3.30	DOUBLE
WAITING TIME PER 1 MINUTE	40p	60p	DOUBLE
PRICE GUIDE			
1 MILE	£4.60	£6.90	£9.20
2 MILES	£6.80	£10.20	£13.60
3 MILES	£9.00	£13.50	£18.00
5 MILES	£13.40	£20.10	£26.80
10 MILES	£24.40	£36.60	£48.80
SOILING CHARGE	£30.00	£30.00	£60.00

3.4 Should the Committee agree to the proposed increase or any other increase, a notice must be published in a local paper and made available at the Council offices stating the proposed variation of fares. This notice must specify a date, at least fourteen days after the date the notice is published for objections to be made. That date is the date on which, if no objections are received, the revised fares will come into force. If Committee agree to increase the fares it is intended to publish notice of the increase on Thursday 30 June allowing objections to be made up to and including 14 July. A draft of this notice is attached as Appendix B.

...

3.5 If objections are made then the Council must consider those objections (although it is not obliged to vary the proposed fares when doing so). The Council must then set a further date, which is no later than two months after the first date specified for objections, when the new fares will come into force (with or without further variation). If the notice is published on 30 June and objections allowed until 14 July, the latest date that any revised fares could come into effect would therefore be 14 October. If objections are received, a further meeting of the Committee will be arranged as soon as possible to consider them.

3.6 The Committee are asked to consider the request from the taxi owners which, amongst other factors, refers to the impact of the recent increases in fuel costs.

4 Report Implications

4.1 Finance and Value for Money Implications

4.1.1 There are no finance or value for money implications in the report.

4.2 Safer Communities Implications

4.2.1 A well regulated taxi service is important in providing safe transport for many vulnerable people. If it is not possible to make a reasonable living it is unlikely that suitable people will be attracted to taxi driving.

4.3 Legal and Human Rights Implications

4.3.1 The body of the report sets out the statutory procedure which must be followed when deciding whether or not to vary the fares concerned. When deciding whether or not to do so, the Committee must consider the competing impacts of the recent increase in fuel prices on the hackney carriage trade and the effect that any increase may have on fare paying customers, together with any other material factors.

4.4 Environment, Climate Change and Health Implications

4.4.1 There are no adverse environmental implications in the report.

4.5 Health, Wellbeing and Leisure Implications

4.5.1 A well regulated taxi service will allow more people to access health and leisure opportunities which will increase general wellbeing.

4.6 Human Resources Implications

4.6.1 There are no human resource implications contained in the report.

4.7 Risk Management Implications

4.7.1 There are no risk management implications contained in the report.

4.8 Equalities Implications

4.8.1 There are no significant impacts for any group having protected characteristics.

4.9 Links to Council's Priorities

4.9.1 Supporting employment and business
Promoting sustainable and vibrant communities
Improving leisure and wellbeing opportunities

The Contact Officers for this report are Clive Tobin (719251) and Sharon Gallagher (719292).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

Agenda Item No 9

Taxi & General Licensing Committee

24 January 2023

Report of the Chief Executive

Review of Taxi Licensing Policy

1 Summary

- 1.1 The report asks the Committee to note the ongoing work in relation to the Taxi Licensing policy.

Recommendation to the Committee

- a That the Committee notes this report; and
- b The Committee agrees to the inclusion of all relevant policy provisions in a single policy.

2 Consultation

- 2.1 Councillors Jenns (Chair) and Farrow (Spokesperson) have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.

3 Report

- 3.1 Members will be aware that the Council is the licensing authority in relation to two types of passenger carrying vehicles:
- 3.1.1 Hackney Carriages, which may ply for hire on ranks or be 'flagged down' by members of the public, the drivers of which have a duty to take a fare in such circumstances; and
 - 3.1.2 Private Hire Vehicles which may not ply for hire or be flagged down and which the public must book via an operator which also licensed by the Council, but are not obliged to take a fare.
- 3.2 In relation to Hackney Carriages the law requires the Council to issue a licence for the vehicle, to ensure that it is safe and roadworthy and of a suitable design; and a licence for those who drive them, ensuring that they are a fit and proper person to do so.
- 3.3 In relation to Private Hire vehicles, three licences must be issued, those for drivers and vehicles similar to those referred to in 3.2 above, along with an operator's licence for those through whom bookings must be made.

- 3.4 The legislation relating to each is slightly different, although there are some overlapping provisions. There is also guidance and case law which regulates the process of issuing licences and how those who are licensed must conduct themselves.
- 3.5 The Council has previously made several policies relating to vehicles and drivers however, due to some recent amendments to the law, it has become necessary to update these. Extensive work has been undertaken and it has become clear that, for ease of those who operate licensed vehicles, the public and the Council, it will be simpler to include all relevant provisions in a single policy document. This will ensure that all relevant provisions can be easily identified and, when appropriate, that document can be reviewed and updated without the need to cross reference a number of other policies.
- 3.6 In summary, the policy will contain provisions relating to the criteria for licensing each type of taxi, the criteria applying to drivers and operators and the procedures applying to applications and review of licences. It is also intended that a 'penalty points' scheme is adopted so that, if a driver or operator commits a minor breach of the law or policy, it can be dealt with in a simplified manner by officers. More serious matters will still be reported to members for their consideration.
- 3.7 In summary, the following work remains to be completed:
- Review of policy in line with other authorities.
 - Cross reference with The Department of Transport (DfT) Best Practice Guidance consultation document 2022, The DfT Statutory Standards for Taxis and Private Hire Vehicles 2020.
 - Review of policy to include relevant legislation introduced in 2022, Taxis and Private Hire Vehicles (Safeguarding and Road safety) Act 2022 and Taxis and Private Hire Vehicles (Disabled Persons) Act 2022.
- 3.8 Once this work is completed the draft policy will be reported to members for their consideration and approval and any necessary consultation will be carried out.

4 Report Implications

4.1 Finance and Value for Money Implications

- 4.1.1 There are no direct finance or value for money implications in the report since any work undertaken would be funded from existing budgets.

4.2 Safer Communities Implications

- 4.2.1 A well regulated taxi service is important in providing safe transport for many vulnerable people. If it is not possible to make a reasonable living it is unlikely that suitable people will be attracted to taxi driving.

4.3 Legal and Human Rights Implications

4.3.1 This report gives an overview of the statutory procedure which applies to making a scheme. If Committee decides to adopt the recommendations, further legal advice will be given on any specific proposal contained in any future date.

4.4 Environment and Sustainability Implications

4.4.1 There are no adverse environmental implications in the report.

4.5 Health, Wellbeing and Leisure Implications

4.5.1 A well regulated taxi service will allow more people to access health and leisure opportunities which will increase general wellbeing.

4.6 Human Resources Implications

4.6.1 There are no human resource implications contained in the report.

4.7 Risk Management Implications

4.7.1 There are no risk management implications contained in the report.

4.8 Equalities Implications

4.8.1 There are no specific equalities implications in relation to this report however, if the recommendation is adopted then the informal consultation process may identify ways in which any scheme could benefit particular groups having protected characteristics.

4.9 Links to Council's Priorities

4.9.1 Supporting employment and business
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The Contact Officers for this report are Clive Tobin (719251) and Sharon Gallagher (719292).

Background Papers

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Background Paper No	Author	Nature of Background Paper	Date