

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the LICENSING & REGULATION COMMITTEE held on 2 JUNE 2011

PRESENT: Councillor P N Shepherd - Chairman
" D G Meacock - Vice Chairman

Councillors: P M Jones
D J Lacey
S A Patel
S P Berry
M J Cunnane
G K Harris
P J Hudson
M Prince
N Stewert
H A Trevette
M Vivis

APOLOGIES FOR ABSENCE were received from Councillor Mrs J A Burton.

1 APPOINTMENT OF CHAIRMAN

RESOLVED –

That the appointment of Councillor N Shepherd as Chairman of the Committee for the remainder of the Council year, as agreed at Annual Council on 24 May 2011, be noted.

2 APPOINTMENT OF VICE-CHAIRMAN

RESOLVED –

That the appointment of Councillor D Meacock as Vice Chairman of the Committee for the remainder of the Council year, as agreed at Annual Council on 24 May 2011, be noted.

3 MINUTES

The Minutes of the meeting held on 20 January 2011 were agreed by the Committee and signed by the Chairman as a correct record.

4 DECLARATIONS OF INTEREST

There were no declarations of interest.

5 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 HACKNEY CARRIAGE FARE INCREASE

The responsibility for the setting of the maximum fares that the drivers of licensed Hackney Carriages could charge the public had been delegated by the Cabinet to the Head of Health and Housing in consultation with the Licensing and Regulation Committee.

The Fares were reviewed annually, and the Licensing and Regulation Committee were asked to consider a request from the Chiltern District Driver's Association (CDDA) to increase the Table of Fares, as detailed in the report.

Any recommendation to increase fares would require the proposals to be advertised in the local press, in accordance with the legislative requirements.

Members were reminded that the table of fares had last been considered by the Committee on 29 July 2010, and it was agreed that they should remain at their existing levels. The fares were last increased on 1 November 2008 – bringing the cost of a two mile journey to £5.20.

The report detailed tables showing: petrol and diesel prices over time; the comparative costs of a 2 mile journey in neighbouring authorities; and, the existing tariff charged and the proposals made by the CDDA and other alternatives (including increases in line with the Retail Price Index and the Baxter formula). The Private Hire Association League Tables of Fares was attached as an appendix to the report which highlighted that Chiltern was ranked 171 out of 380 Councils nationally based on a two-mile journey.

Detailed information from the Office of National Statistics (ONS) was also included in the report, illustrating movement of the Consumer Prices Index (CPI) and Retail Price Index (RPI) since March 2009. The Retail Price Index indicated a 4.0% change in retail prices since the Committee last considered the fares in July 2010, and a 7.5% change since November 2008. The Baxter formula which took into account labour, fuel and vehicle costs, suggested a 6% increase in costs over the previous 12 months.

It was advised that since publication of the report Wycombe District Council had increased the maximum 2 mile fare that could be charged during the day and at night. A sheet detailing the increase was circulated at the meeting. The Committee noted that without any additional increase, Chiltern would remain more expensive than each of the other Buckinghamshire authorities. In response to a question it was confirmed that the Council had not received any negative feedback from residents in relation to the level of fares currently charged within the district.

It was also noted that in April 2011 the price of diesel and unleaded petrol had overtaken the 2008 peak by 8.7 pence and 16 pence respectively.

Members were also advised of the need to also take into account the effect on those persons less able to afford the fares and who may not be able to access

other forms of transport. The Council no longer subsidised travel by older or disabled passengers through the Taxicard scheme. The full impact of any increase would therefore be applied those hiring a Hackney carriage.

When the fares were last considered by Members a request had been made for further details to be provided in relation to the typical earnings and vehicle operating costs for persons working in the taxi trade. Members were advised that this has proved quite challenging since exact circumstances were different for each person. However, a number of example job adverts were included within the report to provide as a guide. Enquiries had been made to the National Taxi Association and Private Hire Association and these revealed that earnings for taxi drivers ranged widely. The approximate pre-tax earnings of several taxi drivers had been calculated using their estimated chargeable mileage and this was attached as an appendix to the report.

In relation to insurance costs it was noted that a standard premium for a new taxi driver started at around £2,000 whilst the premium for a more experienced driver could cost between £1,000 and £1,200. It was felt that insurance premiums fluctuated over time and that whilst it was possible to find evidence that premiums for taxi drivers may have increased in the short term this did not necessarily reveal the long term trend.

The report also detailed in a table the various costs that could be considered for a typical driver in one year. These represented a total approximate cost of £1852 per year (which included insurance, road tax, MOT, compliance test, CRB check, medical certificate and licence renewal).

It was confirmed that taxi drivers licensed by a neighbouring authority were free to take business within another Council's administrative area. Concerns were expressed that increasing the fares further may cause Chiltern residents to consider using taxi drivers outside of the district where the maximum fares that may be charged were lower than those within the district. There was also concern that a reduction in fares would not necessarily result in an equal reduction in the level of charges that taxi operators levied on their drivers.

There was concern that increasing the fares would disproportionately affect elderly residents who used taxis. It was also suggested that rather than increase fares the Committee should also consider a possible decrease particularly in relation to the maximum fare that may be charged at night.

It was also felt that freezing the Table of Fares may require a larger increase in future. Small incremental increases were preferable to periodic large increases. A reduction in the fares charged during the day was also suggested since this was often when vulnerable residents required the use of taxis. It was suggested that the fares charged during the day could be reduced to £5.00 for a 2 miles journey - in line with the maximum fares that may be charged in Wycombe and South Bucks. The Committee also considered the impact that a reduction in fares may have on taxi drivers themselves. It was felt that this was undesirable since a reduction in fares

may reduce the income for drivers who were already among some of the lowest earners in the district.

Two separate votes were then taken on whether to increase or decrease the maximum level of fares that may be charged, and following which the Committee then agreed to recommend to the Head of Health and Housing that there be no change to the Table of Fares.

The CDDA had also requested in their representation to the Council that a new MPV tariff be introduced to add 50% of the metered fare for any journey where 5-8 passengers were being carried.

It was advised that night time, bank holiday and Sunday tariffs were already weighted where there was a greater likelihood of 5-8 people wishing to travel together. The extra charge was also open to potential misuse as a result of manual changes being made to the taxi meter. It was also advised that there were groups within the community which used larger capacity taxis to minimise costs and the proposed tariff would directly affect those residents.

There were concerns that the proposed 50% tariff was too high and that this tariff may encourage larger vehicles to be used despite only 1 or 2 passengers being carried in the majority of journeys.

There were also concerns regarding the number of vehicles capable of carrying disabled persons. It was advised that the Council's Licensing Policy required that all new Hackney Carriage Vehicle Licences issued must be for vehicles capable of carrying a disabled person whilst seated in a wheelchair.

In response to the suggestion that requirements for disabled access could be extended to include existing hackney carriage licensing holders it was advised that this may result in some drivers switching to a private hire licence. It was also noted that the number of vehicles capable of providing side access for persons with disability had increased.

The Committee noted that there was already a provision for an additional passenger charge in the existing table of fares and at present this was £0.15 per person. Consideration was then given to the suggestion of increasing the per passenger charge rather than the introduction of a new MPV tariff. Members also considered the option of increasing other extra charges such as the soiling charge which at present was £50.

Following a vote the Committee agreed to recommend to the Head of Health and Housing that a new MPV tariff is not introduced at this time, and that a further report detailing the various options for increasing extra charges be brought before the Committee for consideration at a future meeting.

RESOLVED –

1. That the Licensing and Regulation Committee recommend to the Head of Health and Housing that there be no change to the Table of Fares.
2. That the Licensing and Regulation Committee recommend to the Head of Health and Housing that a new MPV tariff is not introduced.
3. That a further report detailing the various options for increasing extra charges for Hackney Carriages be brought before the Licensing and Regulation Committee at a future meeting.

6 EXCLUSION OF THE PUBLIC**RESOLVED –**

That under section 100 (A) (4) of the Local Government Act 1972 (as amended) the public be excluded from the meeting for the following item(s) of business on the grounds that they involved the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

Note: The relevant paragraph number from Part 1 of Schedule 12A is indicated at the end of the Minute heading.

7 SERVICE LEVEL AGREEMENTS - HACKNEY CARRIAGE AND PRIVATE HIRE TESTING STATIONS

The Committee agreed on 3 December 2009 to proceed with a tender process to identify garages that could be designated for the purpose of Hackney Carriage and private hire compliance testing. As well as undertaking vehicle inspections and compliance testing the garages would also be required to accept documentation needed for the compliance process and scan and send documentation including the electronic compliance record to the Council. The transfer of vehicle inspection, data capture and electronic production of records to designated garages would assist the Council in reducing costs associated with licensing.

The Council had now completed a tender process to agree the garages that should hold the Service Level Agreement with the Council. The Committee after consideration of the results of the tender exercise

RESOLVED –

That authority be delegated to the Head of Health and Housing to enter into a Service Level Agreement with the four garages identified in the report for the purpose of Hackney Carriage and private hire compliance testing; and, make changes to the Compliance Testing Service Level agreements and any other associated requirements.

Note: Immediately following the meeting Members received training for the Licensing Sub Committee and Taxi and Private Hire Sub Committee.

The meeting ended at 7.41 pm