

Taxi Licensing Committee

Thursday 10 January 2019

PRESENT:

Councillor Mavin, in the Chair.

Councillor Singh, Vice Chair.

Councillors Mrs Bridgeman, Corvid, Jordan, Morris (substitute for Councillor Rennie) and Mrs Pengelly.

Apologies for absence: Councillor Rennie.

Also in attendance: Rachael Hind (Licensing Service Manager), Helen Foote (Finance Business Partner), Steve Forshaw (Senior Enforcement Officer), Helen Rickman (Democratic Advisor) and Ann Gillbanks (Senior Lawyer).

The meeting started at 10.00 am and finished at 11.56 am.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

85. **Declarations of Interest**

There were no declarations of interest made by Members in accordance with the code of conduct.

86. **Minutes (to follow)**

Members were advised that the minutes of the 13 December 2018 Taxi Licensing Committee would be attached to a future agenda for approval.

87. **Chair's Urgent Business**

Under this item Members were advised that there was a request from Licensing Officers to move the 21 February 2019 Taxi Licensing Committee to 28 February 2019.

Members agreed to the change of date of the February Taxi Licensing Committee from 21 February to 28 February 2019.

88. **Hackney Carriage and Private Hire Licence Fees**

Rachael Hind (Licensing Service Manager) and Helen Foote (Finance Business Partner) presented the Hackney Carriage and Private Hire Licence Fees report.

The key points highlighted to Members included the following:

- (a) in 2015 the Taxi Licensing Committee was advised that the increased

time spent on Hackney Carriages resulted in a 50:50 enforcement split for staff salaries between the Hackney Carriage and Private Hire accounts; on reviewing the fees this year it was discovered that the split had not been proportioned correctly and was instead done on a 70:30 split; this had resulted in the Hackney Carriage budget being in greater deficit than previously envisaged therefore adjustments were required;

- (b) the fee levels in the report had been set to ensure the Hackney Carriage accounts come into an acceptable level of balance by 2024 and that the Private Hire accounts remain in balance;
- (c) within the fee structure presented it was proposed that the Hackney Carriage licence fees were increased for drivers and vehicles and the amount of increase had been calculated by reviewing the costs involved with each licence; drivers could pay for a one year or a three year licence;
- (d) with the fee structure presented it was proposed that the private hire licence fees for drivers were increased to ensure they reflect actual costs involved; the costs had been calculated for the one year and three year licence;
- (e) the Knowledge of Plymouth Test was due to be increased to £72 following a reduction in the number of tests being undertaken;
- (f) the new driver application fee is to be increased to £85 to reflect the increase in the number of new driver applications that had to be referred to the Taxi Licensing Committee for decision on whether they were “fit and proper”.

In response to questions raised from Members it was reported that -

- (g) an error had occurred regarding the administration of the split in enforcement fees between the Hackney Carriage and Private Hire accounts; this error was discovered and remedial action taken;
- (h) the council requested costs for all appeals that went to court as a result of a decision made at Taxi Licensing Committee; costs were not always awarded by the court, this depended upon their discretion and the person’s ability to pay. The number of appeals that went to court and figures relating to the costs awarded would be supplied to the Taxi Licensing Committee in an annual report;
- (i) the licensing department had made efforts to transfer some of the required driver/ vehicle forms onto online applications in an effort to reduce administrative costs; there was currently an issue with databases working together effectively which was preventing all forms moving onto an online system. Management were aware of the current issues and were working to find a resolution. All registered drivers were sent letters advising them of the transfer of some forms to the online system;

- (j) officers would provide details, in an annual report, of the numbers of appeals against Taxi Licensing Committee decisions that went to court and the costs associated with them; it was highlighted to Members that the Council's costs were kept to a minimum by using in-house legal officers in the majority of cases. It was emphasised that everyone had the right of appeal and legal officers were required to defend the Council's position;
- (k) dependent upon the committee's decision, the advert for the Taxi Licensing fees would be published in a local newspaper; any objections received would result in the fees report being re-submitted to the Taxi Licensing Committee for consideration;
- (l) in an attempt to keep the fee increases as low as possible they were spread over a five year plan;
- (m) an external trainer was used to conduct the safeguarding training; costs were required to increase due to the reduced number of attendees on the course;
- (n) officers would investigate the feasibility of spreading the payment of drivers' fees over several months or via monthly direct debit;
- (o) the Council's external auditors would check the taxi fees budget.

Members raised the following concerns:

- (p) that a full breakdown of costs was not provided alongside the overall budget; some Members considered that it was difficult to make a decision based on the information provided;
- (q) that the extent of the fee increases may result in a large percentage of taxi drivers withdrawing from the trade;
- (r) the extent of the fee increases seemed hard hitting, despite being spread over a five year period; it would have been helpful to include a further two columns in the report detailing fee increases if the budget was to be balanced over a one year period and a three year period;
- (s) data profiling regarding appeals from Taxi Licensing decisions had not been included in the report therefore it was difficult for Members to understand how many appeals on average were received, and therefore the costs associated with them;
- (t) if approved, fees would be approved from 1 February 2019.

Under this item the Chair invited Mr Hamilton, Mr Bignall and Mr Hawkins from the Taxi Licensing Trade to address the Committee. The following comments were noted by Members:

- (u) they were unaware of the problem surrounding the 2015 split in Hackney Carriage and Private Hire accounts and consider the trade should have been alerted to the issue;
- (v) they considered an appropriate level of consultation was not taking place between the Council and the Trade regarding cost recovery and they would be objecting to the fee increases;
- (w) drivers were leaving the taxi trade because it was already considered difficult to make a living therefore the fee increases may result in a mass walkout.

The Committee, having considered the information contained within the report, considered responses from officers and feedback from the trade, agreed for the new fee structure, as set out in the Fees Table (Appendix I), to be advertised in accordance with statutory requirements. A period of 14 days will be given for objections.

89. **Appeal Cases**

Members did not discuss this item; an update on appeal cases would be provided at the next Taxi licensing Committee.