

Taxi Licensing Committee

Wednesday 8 January 2020

PRESENT:

Councillor Mavin, in the Chair.

Councillor Derrick, Vice Chair.

Councillors Mrs Aspinall, Mrs Bridgeman, Mrs Pengelly, Rennie and Riley.

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

The meeting started at 10.00 am and finished at 10.35 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.

51. **Appointment of Vice-Chair**

Agreed that Councillor Derrick is appointed as Vice-Chair of this Committee for the remainder of the municipal year 2019/20.

52. **Declarations of Interest**

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

53. **Minutes**

Agreed that the minutes of the meeting held on 26 September 2019 are a correct record.

Councillor Rennie referred to minute 48 and raised the issue of setting a time period for an applicant to re-apply for either a Private Hire or Hackney Carriage driver's licence.

The Senior Lawyer advised that applicants were not advised when they could re-apply for a licence, as this was up to the individual.

Councillor Rennie suggested that as part of the training programme, it should be made explicitly clear that the Committee cannot give a guarantee of when a licence would be granted.

The Legal Officer undertook to review this part of the training programme.

54. **Chair's Urgent Business**

There were no items of Chair's urgent business.

55. **Appeal Cases**

The Committee was advised that currently there was one appeal case outstanding. This had been due at the Crown Court on 29 November 2019 but as the court could not secure two magistrates to sit with the judge (which was a statutory requirement) this had been relisted in the Crown Court for 28 February 2020.

56. **Hackney Carriage and Private Hire Fees**

Rachael Hind (Licensing Service Manager) presented the report on the Hackney Carriage and Private Hire Licence Fees which highlighted the following key areas –

- (a) the Hackney Carriage and Private Hire trade accounts had been reviewed and an increase in the fees was required in order to ensure that any deficit was addressed;
- (b) the proposed increased would ensure that the Council covered the full costs of providing the service, in so far as consistent with the particular provisions which allowed licence fees to be charged;
- (c) this was the second year of a five year process and the fee levels had been set to ensure that the Hackney Carriage Driver and Vehicle accounts were out of deficit by the end of the financial year 2023/24 (subject to further increases in subsequent years); all of the Private Hire Driver, Vehicle and Operator accounts remained in a surplus position (subject to further increases in subsequent years);
- (d) it was proposed that the general administration costs from 1 April 2020 would be on the basis of 30% for Hackney Carriages and 70% for Private Hire based on the average of all taxi licensing administrative functions;
- (e) the costs associated with enforcement would continue to be based on 50/50 split, on both trades, due to the additional time spent on the Hackney Carriage trade with regards to general enforcement matters, ranks, unmet demand surveys, fare tariffs and wheelchair exemptions;
- (f) the impact of the fees would be reviewed annually and any necessary alterations would be approved, as set out in the Council's scheme of delegation;
- (g) Hackney Carriage Account: the predicted income and expenditure for the year had been reviewed and to ensure the reserve accounts were in a surplus by 2023/24 -

- the Hackney Carriage Vehicle fee would need to increase by 8%;
 - the Hackney Carriage Driver fee would need to increase by 15% (one year and three year licence);
- (h) Private Hire Account: the predicted income and expenditure for the year had been reviewed; the reserve accounts were currently in surplus, however to ensure the reserves and accounts remained balance it was proposed to -
- increase the Private Hire Vehicle Licence fee by 8%;
 - increase the Private Hire Driver's Licence fee by 12% (one year and three year licence);
- (i) it was proposed that the increase in fees would commence on 1 April 2020; in order to achieve this, the fees would need to be advertised in accordance with the statutory requirement, to allow 14 days for objections to be received.

The key areas of questioning from Members related to -

- (j) the process for objections received (as part of the consultation exercise) regarding the proposed increase in fees;
- (k) whether -
- in light of the recent High Court judgement the Council's account procedures were in accordance with the new ruling;
 - the proposed increases this year would be required;
 - the fees were reviewed annually;
 - there was benchmarking information available for fees charged across other Local Authorities;
 - new drivers would be deterred from joining the trade due to the proposed increase in fees;

- there had been a reduction in the number of taxi drivers due to previous fee increases;
- (l) the weighting the Committee would have to give to any objections received as part of the consultation exercise.

The Committee agreed the proposed new fee structure, as set out in the Fees Table (Appendix I) to be advertised in accordance with the statutory requirements; a period of 14 days will be given for objections.

(Vote: five in favour and two abstentions (Councillors Mrs Bridgeman and Mrs Pengelly))

57. **Exempt Information**

Agreed that under Section 100(4) of the Local Government Act 1972, to exclude the press and the public from the meeting for the following items of business, on the grounds that it involves the likely disclosure of exempt information, as defined in paragraph 1 of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

58. **Confidential Minutes**

The Committee agreed that the minutes of the meeting held on 26 September 2019 are a correct record.