

# LICENSING COMMITTEE



**FRIDAY, 18 JANUARY 2019 - 1.00 PM**

**PRESENT:** Councillor M Humphrey (Chairman), Councillor K Owen (Vice-Chairman), Councillor S Clark, Councillor Mrs K Mayor, Councillor A Miscandlon, Councillor D Oliver, Councillor M Tanfield and Councillor S Tierney

**APOLOGIES:** Councillor Mrs V Bucknor, Councillor M Buckton and Councillor D Connor

Officers in attendance: Linda Albon (Member Services & Governance Officer), Michelle Bishop (Licensing Manager), Dan Horn (Head of Housing & Neighbourhood Services) and Richard Cassidy (Corporate Director)

## **LIC1/18      ADDITIONAL TAXI TARIFF**

Members considered a report presented by Michelle Bishop in response to a request from the taxi trade to add an additional tariff to licenced Hackney Carriage vehicles operating in the Fenland District Council area which are carrying more than four passengers.

Michelle advised of the 110 persons consulted, 25 operate a vehicle carrying more than four passengers.

Members asked questions, made comments and received responses as follows:

- Councillor Humphrey asked for clarification as to whether this was an additional tariff or modification of an existing one. Michelle Bishop confirmed it was a request for an additional rate across all three tariffs for vehicles carrying over four passengers.
- Councillor Humphrey asked how many vehicles potentially would use this additional tariff. Michelle Bishop confirmed there are currently 25 registered hackney carriage vehicles that carry more than four passengers.
- Councillor Tanfield asked if the fares were 'like for like' with other areas such as East Cambs or Huntingdon. Michelle Bishop confirmed this was the case.
- Councillor Oliver said he assumed the majority of the 25 vehicles were brought after the previous tariff was set and therefore drivers knew the costs. Michelle Bishop stated that as the previous tariff was set in 2012 this was assumed correct.
- Councillor Tierney stated he was inclined to be led by the trade on these decisions. However, he felt that some of the comments made in the consultation were invalid; the charge is a maximum fee and does not have to be charged. He appreciated what Councillor Oliver had said about drivers knowing the costs, however maybe drivers just want the option to be able to charge a little more to help cover costs such as fuel and running costs, which have escalated since 2012. He asked if the Committee had powers to consider alternatives. Michelle Bishop advised that this was the case; the fee put forward can be amended. Whatever decision is made, there would need to be another consultation to be brought back to the Committee for approval. Councillor Tierney said he had also noted comments made about Christmas Eve and New Year's Eve not being bank holidays, nevertheless incurring additional expense because of rowdy behaviour and drunkenness, and thought this to be a fair and valid comment; if there is the power to do so, we should allow drivers to treat these dates as bank holidays for those reasons.
- Councillor Owen noted that 14 out of 110 responses were received and that the Interim

Licensing Manager's letter of 18 September stated that "where no response is provided from Hackney Carriage Proprietors, no vote will be counted". Michelle Bishop clarified this did not mean a "no" vote, but that she could not add non-responses into the consultation to bring forward to the Committee. Councillor Owen added that this tariff is an optional extra; drivers do not have to charge it. If Fenland District Council gives them the facility to enable them to do so, then some will charge and some will not but that will be their choice.

- Councillor Miscandlon stated he is not in principle against charging extra for over four passengers, but is concerned about the large gap between 20p and 80p and suggested a fixed rate would be more acceptable rather than an option to vary.
- Councillor Oliver asked for further explanation, would the charge be 20p or up to 80p per person, or 80p the maximum amount? Michelle Bishop clarified that for every person getting into a vehicle, 20p can be added onto the meter per person up to a maximum of 80p, being four extra people, therefore if another two people got into the vehicle, then 40p would be added, three would mean 60p. Councillor Miscandlon added that was not clear in the report; that could be why some drivers did not respond and it needs to be addressed. Michelle Bishop advised this is the current tariff set and approved in 2012 as set out in Appendix B of the report, but the proposal is for an additional tariff set out as Appendix C in the report.
- Councillor Humphrey stated therefore the proposed charge as set out in Appendix F is for £4.95 with no additional 20p charges. If this is to go to consultation, would there be the possibility to consult on a proposed charge of £4.50 instead and asked for clarification on the options? Michelle Bishop confirmed the options were to agree the proposal, amend it, or not accept it at all. The first two options would result in a further consultation and any comments be brought back to the Committee for a decision.
- Councillor Owen said that he was tempted to go with the majority of five against and vote for no change, but Councillor Tierney felt that both sides had not made a strong enough case and therefore led him to wonder what the market effects would be. Could it cause drivers to tend towards bigger vehicles because they can set a higher tariff if they want to, and is that desirable? Councillor Humphrey stated that there would still have to be more than four people in the vehicle. Councillor Tierney agreed, but if a driver does not have a vehicle that big, then they would never be able to charge the higher tariff.
- Councillor Mrs Mayor said that, reading the report, drivers were saying they do not want this additional tariff because it is hard enough for them to get business anyway. Councillor Tierney said that nobody is forcing the drivers to charge the higher rate.
- Councillor Tanfield stated that London taxis tend to charge more per person and agreed with Councillor Tierney's earlier comment regarding Christmas Eve and New Year's Eve charges. She felt that any change that goes to consultation should also include a proposal to charge extra on these occasions. Councillor Tierney added that this may need checking in terms of equalities legislation as other religious holidays may need to be included.
- Councillor Miscandlon felt that the consultation did not produce many results, whereas further consultation with definitive reasoning behind it will probably get more response and encourage some of the drivers with older taxis to buy a larger vehicle to bring them within the tariff. They would at least know their earning potential with a larger vehicle than what they currently have. He felt more consultation was required with the operators, what is their requirement? We do not want to reduce their earning potential but rather encourage them to stay in business.
- Councillor Humphrey felt it would not be unreasonable for the Committee to go back to the trade and seek clarification, the current consultation produced virtually an even split, and it is very hard to make a decision based on that. His preference is for the charge per additional passenger.
- Councillor Oliver proposed an amendment to the current tariff of £3.30 first mile, with a further 25p for every passenger over four. Councillor Tierney asked if, added to that, we can consult on drivers treating Christmas Eve and New Year's Eve as bank holidays as long as they clearly show they are doing so in the vehicle. Councillor Humphrey proposed 30p rather than 25p, which was accepted by Councillor Oliver. He said that we do not want to disadvantage taxi drivers; it is a hard enough business to be in, but it is also important to

listen to what they are saying. Councillor Humphrey said that on this proposal a taxi carrying eight people will be charging £4.50.

The proposal was therefore made by Councillor Oliver and seconded by Councillor Tanfield, with all in favour, that consultation be sought on the existing cost per mile to include an amended additional charge of 30p per additional passenger over four, and also to consult on treating Christmas Eve and New Year's Eve as bank holidays if clearly shown in the vehicle.

1.33 pm

Chairman