

AGENDA

LICENSING COMMITTEE

TUESDAY, 17 MAY 2022

10.00 AM

**COUNCIL CHAMBER, FENLAND HALL,
COUNTY ROAD, MARCH, PE15 8NQ**

Committee Officer: Linda Albon
Tel: 01354 622229
e-mail: memberservices@fenland.gov.uk

Whilst this meeting will be held in public, we encourage members of the public to view the meeting via our YouTube channel.

YouTube Link: <https://youtu.be/gL80pxZF57A>

- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 3 - 4)

To confirm and sign the minutes of the previous meeting held 20 April 2022.

- 3 Members to declare any personal and prejudicial interests under the Local Code of Conduct in respect of any item to be discussed at the meeting.
- 4 Setting of Taxi Fees for Vehicles & Operators for 2022/23 (Pages 5 - 14)

To set the fees for the Private Hire and Hackney Carriage Licence regimes specifically for Vehicles & Private Hire Operators.

Monday, 9 May 2022

Members: Councillor M Humphrey (Chairman), Councillor R Skoulding (Vice-Chairman), Councillor D Connor, Councillor Miss S Hoy, Councillor A Lynn, Councillor A Maul, Councillor

Mrs K Mayor, Councillor C Marks, Councillor N Meekins, Councillor W Rackley, Councillor D Topgood and Councillor S Wilkes

LICENSING COMMITTEE



WEDNESDAY, 20 APRIL 2022 - 10.00 AM

PRESENT: Councillor M Humphrey (Chairman), Councillor R Skoulding (Vice-Chairman), Councillor Miss S Hoy, Councillor A Maul, Councillor Mrs K Mayor and Councillor N Meekins

APOLOGIES: Councillor D Connor and Councillor S Wilkes

OFFICERS IN ATTENDANCE: Michelle Bishop (Licensing Manager), Andy Fox (Senior Licensing & Compliance Officer), Colin Miles (Legal Representative) and Linda Albon (Member Services & Governance Officer)

LIC7/21 **PREVIOUS MINUTES**

The minutes of the meeting held 26 November 2021 were approved and signed.

LIC8/21 **PROPOSED INCREASE TO CURRENT HACKNEY CARRIAGE VEHICLE TABLE OF FARES**

Members considered the Proposed Increase to Current Hackney Carriage Vehicle Table of Fares report presented by Andy Fox.

Andy Fox tabled two documents, the current league table of local authorities' hackney carriage fares over a two-mile journey and an email dated 14th April from Councillor Patrick that highlights some differences in the published report. Andy Fox explained that Private Hire and Taxi Monthly calculate things slightly differently hence the anomalies alluded to in the email.

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

- Councillor Hoy stated although she had read the league table information circulated today, she would not be reading the email as she thought it inappropriate for a councillor with a pecuniary interest to be circulating something to the committee. Meanwhile, based on the report, she feels that an increase is needed. However, costs are increasing, and people are struggling financially, but if we make it unviable for people to become a taxi driver, we will not have any taxis. She feels option A is best. Although it seems a large increase, we must remember that this is the maximum a taxi driver can charge. If a driver wants to be competitive and can do it cheaper, they will be within their rights to do that.
- Councillor Maul said it is clear an increase is needed for taxi drivers especially given increased costs for fuel and FDC charges. However, he had worked out a two-mile journey on tariffs A and B and calculated them to be the same amount of money. Nevertheless, looking at both options, and given that the highest rises relate to late night journeys and bank holidays, it may give drivers some incentive to work in the evenings as for whatever reason it is impossible to get a taxi in the evening in Wisbech. He said he also likes the idea of after 6pm on public holidays and, like Councillor Hoy, is happy to agree with Option A.
- Councillor Skoulding said looking at the charts and seeing the charges of neighbouring authorities, in his opinion Option A would be best.
- Councillor Humphrey said we should remember that this matter is before us at the request of the trade, who have asked us to consider this. Clearly an increase is due. Looking at the chart, there are many authorities who have not reviewed their charges for some time which is a


surprise to him, and he asked if this is the case that fees are not reviewed until a request is made. Michelle Bishop responded that is normally how it works but speaking to colleagues, we are now seeing an increase in requests from the trade to other neighbouring authorities.

- Councillor Humphrey asked Andy Fox to confirm this is the maximum charge. Andy Fox confirmed it is correct that it is the maximum charge; drivers cannot charge more than what appears on the meter, but they can charge less than what shows on the meter.
- Councillor Humphrey said some drivers do not want to see increases and looking at the responses, more favoured Option B. However, he feels Option A at this point is where we should be. Taking it from comments so far, it appears we recommend Option A to be approved at Council.
- Councillor Hoy asked if, bearing in mind we do not look at this annually, we could say we would review this in a year's time, or at least monitor it so if there was a problem, we could look at it again rather than set this in stone for the next five years. Councillor Humphrey responded that it is open to the trade to make a request at any time.
- Andy Fox said most of the local authorities around the country respond to requests from the trade. Some have it as policy that there must be a certain percentage of drivers making that request but some do have an annual increase. If you look at the national league table, some have not had an increase since 2008 and although costs have risen considerably since then, perhaps they operate on a request from the trade.
- Michelle Bishop said that if the Committee wants officers to add it in to look at this on a yearly or two-yearly basis, we can look at the cost of fuel and take that into account.
- Councillor Skoulding said he agreed this would be a good idea. Eventually taxis may be electric and cheaper to run, so it would be good to look at this on a two-yearly basis.

Proposed by Councillor Hoy, seconded by Councillor Maul and AGREED to approve Option A for a taxi fare increase for referral to Council for ratification and implementation.

10.19 am

Chairman

Agenda Item No:	4	
Committee:	Licensing	
Date:	17 May 2022	
Report Title:	Setting of Taxi Fees for Vehicles & Operators for 2022/23	

1 Purpose / Summary

- 1.1 To set the fees for the Private Hire and Hackney Carriage Licence regimes specifically for Vehicles & Private Hire Operators

2 Key Issues

- 2.1 The Local Government (Miscellaneous Provisions) Act 1976 sets out in sections 70 that any changes to fees for Private Hire Operator Licences and Vehicle Licences need to be advertised.
- 2.2 The fees have been advertised on 2 March 2022 in the Fenland Citizen. A copy of this advert can be seen at **APPENDIX A**.
- 2.3 The advert has also been displayed on our website and a copy has been sent to all the Taxi licence holders and Private Hire Operators.
- 2.4 Objections to the proposed fee increase were received from the Licensed trade during the consultation period.

3 Recommendations

- 3.1 To consider the consultation responses in relation to the proposed increase in hackney carriage and private hire licence fees from those set out in Appendix A to those in Appendix B and to decide whether or not they should be implemented.

Wards Affected	All
Forward Plan Reference	
Portfolio Holder(s)	Councillor Andrew Lynn, Portfolio holder with responsibilities for licensing alynn@fenland.gov.uk
Report Originator(s)	Michelle Bishop, Licensing Manager, 01354 622542, mbishop@fenland.gov.uk

Contact Officer(s)	Amy Brown, Head of Legal, 01354 654321, abrown@fenland.gov.uk Dan Horn, Acting Assistant Director, 01354 654321, dhorn@fenland.gov.uk
Background Papers	Local Government Miscellaneous Provisions Act 1976 Part Two

2 BACKGROUND AND INTENDED OUTCOMES

- 3.1 The Licensing Fees were previously increased in 2018
- 3.2 The proposed Licensing Fees were set by Cabinet/Council on 24 February 2022. A copy of the current fees along with proposed fees showing the percentage increase can be found at **APPENDIX B**.
- 3.3 The proposed fees have been calculated by using several factors that include officers time for processing applications, cost of materials for producing plates/badges, website maintenance, policy development, software/systems for applying for applications, training, and legal advice.
- 3.4 The fees set by neighbouring authorities as a comparison can be found at **APPENDIX C**
- 3.5 In accordance with section 70 of the Local Government (Miscellaneous Provisions) Act 1976 if the PH Operator and/or Vehicle licence fee is set to be increased then an advert must be placed in the local newspaper for a period of 28 days from the date of the advert.
- 3.6 A copy of the advert was placed in the Fenland Citizen newspaper on 2 March 2022 and licence holders were given the opportunity to put forward any responses by 30 March 2022
- 3.7 In conjunction with the newspaper notice a copy of the advert was also sent to all the Licence holders via email.
- 3.8 If no responses were received, then the proposed fees would have come into force on 1 April 2022.
- 3.9 As objections were received during the consultation period then the Council has a period of two (2) months to determine the outcome and the final adopted fees must come into force by 1 June 2022.
- 3.10 During the consultation period we received 6 objections from the licensed trade, a copy of these can be seen at **APPENDIX D**.

3 REASONS FOR RECOMMENDATIONS

- 3.1 To ensure openness and transparency in the Council's decision making, and to ensure those persons affected are given the opportunity to provide a response.

4 CONSULTATION

- 4..1 Consultation has taken place in accordance with the regulations and a copy of the Newspaper advert can be seen at **APPENDIX A**

5 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 Members have the option to either approve the proposed fees or keep the current fees, a copy of these can be seen at **APPENDIX B**.

6 IMPLICATIONS

6.1 Legal Implications

- 6.1.1 The legal implications are as set out in this report.

6.2 Financial Implications

- 6.2.1 The funding for the preparation and consultation of the fees and charges will come from existing budgets held by Fenland District Council.

The Taxi and Private Hire Licensing must be self-funding, not be a drain on the taxpayer and not make a profit, these fees should help achieve this.

There are no further financial implications arising from the recommendations of this report.

6.3 Equality Implications

N/A

6.4 Economic Implications

- 6.4.1 This report has set out two options for Member's consideration, however whilst making the decision we must acknowledge the increased costs that the taxi trade has faced in the last twelve months.

In particular on the back of the COVID-19 Pandemic which devastated the demand for taxis, particularly during periods of lockdown. There has also been a significant rise in the cost of living and in particular the increased fuel costs.

7 SCHEDULES

APPENDIX A – Newspaper Advert

APPENDIX B – Current Fees and Proposed Fees

APPENDIX C – Neighbouring local authority comparisons

APPENDIX D – Objections received

PUBLIC NOTICES

Fenland District Council

SECTION 70 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)

ACT 1976

PROPOSED CHANGES TO FEES FOR VEHICLE AND OPERATORS' LICENCES

Notice is hereby given under Section 70 of the Local (Miscellaneous Provisions) Act 1976 that Fenland District Council proposes to increase the fees and charges for Hackney Carriage Vehicle Licences, Private Hire Vehicle Licences and Private Hire Operator Licences as detailed below

Licence Type	One Year Licence		Five Year Licence	
	Grant	Renewal	Grant	Renewal
Hackney Carriage Vehicle	£159.00	£159.00	n/a	n/a
Private Hire Vehicle	£141.00	£141.00	n/a	n/a
Private Hire Vehicle (Special Event)	£141.00	£141.00	n/a	n/a
Private Hire Operator with up to 3 vehicles	£92.00	£92.00	£271.00	£271.00
Private Hire Operator With up to 10 vehicles	£165.00	£165.00	£432.00	£432.00
Private Hire Operator With up to 20 vehicles	£234.00	£234.00	£588.00	£588.00
Private Hire Operator With up to 20+ vehicles	£318.00	£318.00	£760.00	£760.00

Any person wishing to make representations or objections to the above proposals must do so in writing within 28 days from the publication of this Notice. Representations should be sent to the Licensing Manager, Fenland District Council, Fenland Hall, County Road, March, PE15 8NQ or you can email licensing@fenland.gov.uk by the 30 March 2022

The fees will come into operation on the 01 April 2022 unless any objections to the variation are duly made before this date. If objection is duly made and not withdrawn the fees will come into operation no later than the 01 June 2022.

A copy of this Notice will be displayed on the Fenland District Council website and deposited at Fenland Hall reception during the objection period stated in this Notice and will at all reasonable hours be open to public inspection without payment.

Michelle Bishop
Licensing Manager
28 February 2022



Fenland District Council

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
AND
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015
NOTICE UNDER ARTICLE 15

Notice is hereby given that applications have been made to the Council for:
PROPOSAL AFFECTING A CONSERVATION AREA
PROPOSAL AFFECTING THE SETTING OF A LISTED BUILDING

F/YR22/0147/RM

Reserved Matters application relating to detailed matters of appearance, landscaping, layout and scale pursuant to outline permission F/YR20/0856/O to erect of 1 dwelling (outline application with matters committed in respect of access) at Land South Of 13 London Road, Chatteris

F/YR22/0178/A*

Display of 5 x signs: 1 x non-illuminated fascia back board, 1 x internally illuminated fascia sign, 1 x non-illuminated double sided projecting sign and 1 x internally illuminated window sign, and window vinyl at 6 Queen Street, Whittlesey

PROPOSAL AFFECTING THE SETTING OF A LISTED BUILDING

F/YR22/0142/F

Erect 1 dwelling (2-storey 4-bed) with integral garage at Plot 2, Land East Of Tindall Mill, Kirkgate, Tydd St Giles

**MAJOR DEVELOPMENT
DEVELOPMENT AFFECTING A PUBLIC RIGHT OF WAY**

F/YR22/0149/VOC

Variation of condition 1 (list of approved plans), relating to planning approval F/YR18/0738/RM (Reserved Matters application relating to the detailed matters of access, appearance, landscaping, layout and scale pursuant to outline permission F/YR15/0077/O for the erection of 10 x 2-storey 5-bed dwellings with garages) - alterations to highway works at Land East Of Askham House, 13 Benwick Road, Doddington

DEVELOPMENT AFFECTING A PUBLIC RIGHT OF WAY

F/YR22/0145/F**

Erect a single-storey rear extension, a porch and infill extension to front of existing dwelling involving the demolition of existing conservatory at 170 Cavalry Park, March

You can view these applications, plans and other documents submitted and make comments about them on the Council's website at www.fenland.gov.uk, via the Council's 'PublicAccess' service.

Alternatively the applications are available to view online at any of our Customer Services Centres or Community Hubs by appointment only. To make an appointment, please contact our Customer Services team on 01354 654321 or see the Appointment Booking Form on our website at www.fenland.gov.uk/contactus.

*Should the council refuse this application then the applicant will have the right to appeal. If the appeal is dealt with through the Planning Inspectorate's Expedited Commercial Appeals Service, comments made on this application will automatically be forwarded to the Inspectorate for consideration. In these circumstances there will be no opportunity to make additional comments. For more information on the appeals process please visit www.planning-inspectorate.gov.uk.

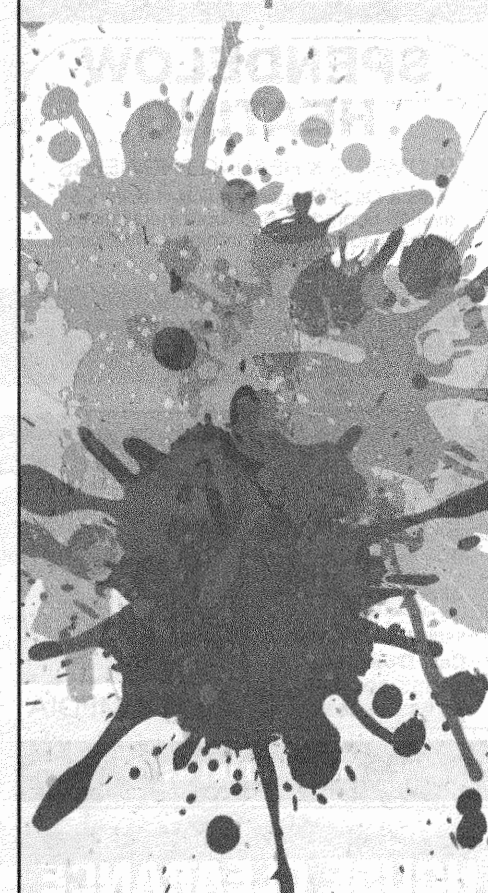
**Should the council refuse this application then the applicant will have the right to appeal. If the appeal is dealt with through the Planning Inspectorate's Expedited Householder Appeals Service, comments made on this application will automatically be forwarded to the Inspectorate for consideration. In these circumstances there will be no opportunity to make additional comments. For more information on the appeals process please visit www.planning-inspectorate.gov.uk.

Comments should be submitted in writing or online by 16 March 2022 to Development Services, Fenland District Council, Fenland Hall, County Road, March, PE15 8NQ. Please be aware that any comments you do make will form part of the public record.

Please refer to our planning privacy statement about how we use your personal data:



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Citizen**
The voice of the Fenlands Since 1975
ILIFFE MEDIA

FENLAND DISTRICT COUNCIL
Notice of Council Tax for 2022 / 2023

The COUNCIL at its meeting held on 24 February 2022

APPENDIX B

Communities, Environment, Leisure & Planning

Description of Charge		2021/22 Charge £	2022/23 Charge £	% Increase
24. Hackney Carriage/Private Hire Licences				
Drivers Licence				
a.	Hackney Carriage Licence (new) Cost recovery officer time	114.00 (n)	123.00 (n)	7.9%
b.	Hackney Carriage 3 year Licence (new)	234.00 (n)	253.00 (n)	8.1%
c.	Hackney Carriage Licence (renewal)	89.00 (n)	97.00 (n)	9.0%
d.	Hackney Carriage 3 year Licence (renewal)	209.00 (n)	227.00 (n)	8.6%
e.	Private Hire Licence (new) Cost recovery officer time	114.00 (n)	123.00 (n)	7.9%
f.	Private Hire 3 year Licence (new)	234.00 (n)	253.00 (n)	8.1%
g.	Private Hire Licence (renewal)	89.00 (n)	97.00 (n)	9.0%
h.	Private Hire 3 year Licence (renewal)	209.00 (n)	227.00 (n)	8.6%
i.	Safeguarding/Disability Awareness Training	80.00 (n)	80.00 (n)	0.0%
j.	Driver knowledge tests	60.00 (n)	61.00 (n)	1.7%
k.	DBS Fee	55.00 (n)	50.00 (n)	-9.1%
Vehicle Licence				
a.	Hackney Carriage Licence (new & renewals) Cost recovery officer time	150.00 (n)	159.00 (n)	6.0%
b.	Private Hire Licence (new & renewals)	132.00 (n)	141.00 (n)	6.8%
c.	Private Hire Licence Special Event	132.00 (n)	141.00 (n)	6.8%
d.	transfer of plate to another vehicle Cost recovery	46.00 (n)	47.00 (n)	2.2%
e.	initial test fee	62.00 (n)	63.00 (n)	1.6%
f.	Re-test fee	40.00 (n)	40.60 (n)	1.5%
g.	6 Month Vehicle Compliance Fee (older vehicles)	62.00 (n)	63.00 (n)	1.6%
Private Hire Operators				
a.	Initial issue / renewal (up to 3 cars)	84.00 (n)	92.00 (n)	9.5%
b.	5 year Initial issue / renewal (up to 3 cars)	252.00 (n)	271.00 (n)	7.5%

c.	Initial issue / annual renewal (up to 10 cars)		156.00 (n)	165.00 (n)	5.8%
d.	5 year Initial issue / annual renewal (up to 10 cars)		411.00 (n)	432.00 (n)	5.1%
e.	Initial issue / annual renewal (up to 20 cars)		224.00 (n)	234.00 (n)	4.5%
f.	5 year Initial issue / annual renewal (up to 20 cars)		565.00 (n)	588.00 (n)	4.1%
g.	Initial issue / annual renewal (20 + cars)		306.00 (n)	318.00 (n)	3.9%
h.	5 year Initial issue / annual renewal (20 + cars)		734.00 (n)	760.00 (n)	3.5%
Others					
a.	new / broken / lost vehicle plate	Cost recovery	46.00 (n)	47.00 (n)	2.2%
b.	damaged/lost driver's I.D. card	Cost recovery	34.00 (n)	35.00 (n)	2.9%
c.	Cancellation of test		38.00 (n)	39.00 (n)	2.6%
d.	Notification of changes (i.e. address etc.)	Cost recovery officer time	11.00 (n)	11.20 (n)	1.8%

APPENDIX C – Local Authority Comparisons

<u>Fees Comparison with Neighbouring Local Authorities 2022/2023</u>						
Local Authority	Hackney Carriage Vehicle New/Renewal	Private Hire Vehicle New/Renewal	Hackney Carriage Driver New/Renewal 3 Year	Private Hire Driver New/Renewal 3 Year	Operator's Licence – 1 year New/Renewal	Operator's Licence – 5 year New/Renewal
Fenland – Current Fees	150/150	132/132	253/227	253/227	Up to 3 vehicles =84 4- 10 = 156 11-20 =224 20+ = 306	Up to 3 vehicles = 252 4-10 = 411 11-20 = 565 20+ = 734
Fenland - Proposed Fees	159/159	141/141	253/227	253/227	Up to 3 vehicles =92 4- 10 = 165 11-20 =234 20+ = 306	Up to 3 vehicles =271 4- 10 = 432 11-20 =588 20+ = 760
East Cambs	250/250	250/250	567/525	567/525	1 vehicle - 126 2-5 =156 6-10=186 11+216	1 Vehicle – 627 2-5 =737 6-10 =847 11+ =957
Peterborough City	210/210	174/174	410/280	410/280	1-5 =210 6-10 =410 11-30 =615 31-50 =820 51+ = 1020	1-5 =900 6-10 =1935 11-30 =2950 31-50 =4200 51+ = 5000
Huntingdonshire	276/195	276/195	175/120	175/120	125 (where permitted)	495/400
South Cambs	156/108	156/108	237/129	237/129	182	836
Cambridge City	280.5/245	280.5/230	250/230	250/230	292/218	894.50
Kings Lynn & West Norfolk	124/109 Saloon 133/115 Wheelchair	118/104	125/118	125/118	1 Vehicle =97/87 2-10 =123/113 11-20 = 138/131 20+ = 159/152	1 Vehicle180/175 2-10 =265/260 11-20 = 405/400 20+ = 777/772

APPENDIX D – OBJECTIONS RECEIVED

1. I would like to raise an objection to the increase for licence fees at this time.
Due to the recent high increase in fuel prices right now I feel that any increase in licensing fees at this time will place another financial hardship on many Taxi/Private Hire businesses in the area.
There are many who are still trying to recover from losses during the pandemic.
Maybe you could reconsider your proposed increases for 1st April 2022 and perhaps delay these until next year.

2. With the minuscule amount that you are proposing putting up the flag fees for Hackney carriage fares. The increases in the cost of fuel, the increase in insurances and the increase in general living costs, where do you suggest we get the additional money for the extra costs for vehicle licences? What extras will we get for us?
Help with private cars parking on the rank? Thats a laugh!
Help with vehicles from out of town? Nope! Back up with fair jumping or soiling of a taxi? Your having a laugh! Police say fair jumping (bilking) is a civil matter. Do they treat shoplifting as a civil matter?

There is very little backup or help given from Licencing, we do all the reporting, why aren't there people out there to help us? It just seems as long as they get their money and are seen to make sure the vehicles are "safe" they've done their duty. It just seems that you are trying to price taxis/private hire off the road. Work is nowhere near back to even half normal there are many people we haven't seen out and about for 2 years and probably still won't for many more months as people are not fools, they still very aware that there is still a danger outside their front door.

3. I am writing to object to the planned proposed changes to fees for vehicle and operators' licenses.
I feel the proposal is unfair, and there has been no justification / reason for the increase.
Lots of owners, operators and drivers are still trying to recover from losses due to the pandemic and are now faced with the significant rises in fuel costs. This is greatly impacting their financial situation, and many are struggling.
As all new renewal applications are now being processed online electronically this must reduce a lot of the administration involved thus reducing costs?

I hope that you will reconsider your proposal.

4. If the price going up then the council need to do something about the public parking in the taxi bays around wisbech
5. Regarding the email setting out the proposed increases in PH & Hackney licence fees, I write to make the following points.

While we are all aware of the need to occasionally increase fees and charges, I think in this instance the Council's timing is slightly off to say the least. After the effects on

all businesses and self employed people of the Covid lockdowns and the ensuing drop in business turnover for so many, coupled with the ever increasing costs of vehicle ownership, I wonder whether the council could perhaps not leave this increase in abeyance for another year?

As an example fuel has recently risen by some 20% and shows no immediate signs of slowing down. On Feb 1st I paid £1.499 per litre for diesel and this morning, only some 6 weeks later, have had to pay £1.759. Added to that is the current rate of inflation at 5.9% and the current CPI which stands at 4.9%. These costs cannot be passed on to the customer in full as they too are struggling with the effects of the last 2 years as well as dealing with the upcoming rises in domestic energy costs, which in some instances are rising by upwards of 60%.

Add to that the need to continually maintain our vehicles so that they comply to ever more stringent regulations; in my own case the need to purchase a new vehicle following a non-fault accident which resulted in a conviction for the third party; the increased costs of RFL, ULEZ charges, Road Tolls.....the list is endless.

Therefore, I would ask that these increases are at the very least postponed so that we may all try to steer our way through the current financial squeeze without having to consider giving it all up as a bad job, so to speak!

6. I understand everything has to go up but surely, we should be on about putting the fares up first before putting up the increase cost to a taxi driver. Therefore, I do strongly object to this increase until the fares have gone up.

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