
Extraordinary, Informal Joint Licensing and Regulatory Committee



Forest Heath
District Council

**Notes of Extraordinary, Informal Discussions held on Tuesday 4
December 2018 at 5.30pm in the Council Chamber, District Offices,
College Heath Road, Mildenhall**

PRESENT: St Edmundsbury Borough Council (SEBC)

Councillors Sarah Broughton, John Burns, Mike Chester, Susan Glossop,
Wayne Hailstone, Margaret Marks and Clive Springett.

Forest Heath District Council (FHDC)

Councillor Brian Harvey
(Chairman of the informal discussions)

Councillors Chris Barker, John Bloodworth, Simon Cole, Victor Lukaniuk,
Carol Lynch, Christine Mason, Nigel Roman and Reg Silvester.

IN ATTENDANCE: Councillor Patricia Warby

Prior to the formal meeting, at 5.30pm informal joint discussions took place on the following item:

(1) Hackney Carriage Fare Review 2019 Stage 2 – Alignment for Single Council.

All Members of St Edmundsbury Borough Council's Licensing and Regulatory Committee had been invited to attend the District Offices, Mildenhall to enable joint informal discussions on the above report to take place between the two authorities.

The Business Partner (Litigation/Licensing) welcomed all those present to the District Offices, Mildenhall and advised on the format of the proceedings for the informal joint discussions and subsequent separate meetings of each authority, prior to handing over to the Vice-Chairman of Forest Heath District Council's Licensing and Regulatory Committee, who would be chairing the informal joint discussions.

Members noted that each Council permitted public participation at their Licensing and Regulatory meetings. Therefore, for the purpose of facilitating these Constitutional requirements, it was proposed that public speaking should be permitted prior to the start of the informal discussions to enable any questions/statements to be considered by both Licensing and Regulatory Committees on the above item.

On this occasion there were three questions / statements put forward by members of the public.

Public Participation

Mr Rob Dorling, a St Edmundsbury Hackney Driver / Owner addressed the Committee on Item 4 on the agenda; Hackney Carriage Fare Review 2019 Stage 2 – Alignment for Single Council.

He informed the members he was speaking on behalf of 39 Hackney Drivers in Bury St Edmunds. After the phase 1 changes to the meters we were astonished to find it had resulted in a "huge health and safety issue". Before the changes the eight staged fares ran up smoothly throughout the journey and passengers were happy to pay. After the changes were made we had to add the extra fares for more than four passengers on at the end, and this looks like the drivers were illegally bumping up the fares. This has resulted in abuse and non-payment of fares. We have documented 150 plus incidents of violent abusive behaviour. Consequently takings have dropped by approximately 20% after 11pm. We have in the last few weeks been demonstrating the problems with the meter system and calculations to the Licensing Authority and seem to have found a few methods of keeping the drivers work environment safer again. We also did not ask for increased fares from 11pm instead of midnight and the public has not taken this lightly either. We are a key part of the late night public order control in the town and deserve some support to get the public home safely. By working together this can be achieved but the opposite is also a problem. If drivers all decide to go home early and leave the rank full of drunk cold people after 11pm because they do not feel safe to work this would obviously result in a lot more policing pressure and we do not want this to happen. As the Licensing Team Leader will tell you we want to co-operate on this huge merger change over the next couple of years and we have come a long way in our understanding of each other's positions brought to a head by government politics and not either local authority or drivers faults. This is why we have put these proposals forward.

Mr Mark Goodchild, a St Edmundsbury Hackney Driver / Owner addressed the Committee on Item 4 on the agenda; Hackney Carriage Fare Review 2019 Stage 2 – Alignment for Single Council. He informed members that before the last change of fares in June 2018, now only get 3.3% extra in our takings. I don't want to increase fares during the day and the night rate will go down by 3½%.

Mr Steve Hume, a St Edmundsbury Hackney Driver / Owner addressed the Committee on Item 4 on the agenda; Hackney Carriage Fare Review 2019 Stage 2 – Alignment for Single Council. He informed members that he worked in Bury St Edmunds and that he disagreed with the figures set out in the report. He explained that there were 75 hackney vehicles and 400 drivers. He questioned members as to whether they would take a 3½% cut in takings. I'm working day and night to make that money up and it's a danger to the public.

The Chairman thanked the public speakers for their attendance and contribution to the meeting.

The report was then considered as set on each authorities agenda.

1. **Hackney Carriage Fare Review 2019 Stage 2 – Alignment for Single**

The Assistant Director (Planning and Regulatory) presented the above report and supporting PowerPoint Presentation, which informed members on preparations in relation to the hackney carriage fares for the creation of a single and West Suffolk Council and addressed issues raised during the Stage 2 consultation process, including increasing transparency around a particular additional charge drivers could add to the fare.

It was reported that Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 empowered local authorities, at its discretion to set the fares charged by Hackney Carriages licensed within their district or borough. The powers under the Act extended to fixing or varying the rates of fares within its area at the discretion of the authority. It also included related charges involved in Hackney Carriage vehicle hire by means of a table of fares. This included set tariffs, which applied at different times and dates and additional charges including extra passengers, luggage or animals. The Act also set out a statutory procedure for authorities to vary fares charged by hackney Carriage drivers. It should be noted that, when setting Hackney Carriage Fares, there was no requirement under the Act to take into account external factors, and there was no limit on the amount of increase or variation.

As part of preparing to become one Council in April 2019, a staged process had been undertaken to review fares. Stage 1 of the review included agreement on the principle to align fares across West Suffolk. Relevant policy development had also been undertaken in parallel to review how taxi licensing policies were to be harmonised. The trade had been involved in both processes at appropriate stages.

The report included information on the background; alignment of fares; consultation overview; outcomes of stage 2 consultation; public consultation; approach and four options; recommended option and other factors. Also attached to the report were a number of appendices, namely:

- Appendix 1: Current fares cards and Stage 2 consultation fare card;
- Appendix 2: Fare and card options;
- Appendix 3: Consultation form;
- Appendix 4: Fare comparisons;
- Appendix 5: Trade consultation raw data;
- Appendix 6: Signed petition from drivers (covering letter only); and
- Appendix 7: Equality Impact Assessment.

Care had been taken to ensure the recommended tariffs represented a fair price for customers across West Suffolk, whilst ensuring they provided a sustainable wage for Hackney Carriage drivers. The proposed fares included a 3.3% fare rise which reflected the average rise in consumer price index and fuel costs since fares were agreed in April 2018.

A key issue raised during the consultation was transparency and the current issue of the "extras" button being pressed on the meter at the end of the journey for carrying five or more passengers, which was too complex and had led to mistrust and inappropriate behaviour by passengers towards drivers, which members had heard first hand from drivers this evening under "public participation".

The option to make no change was not recommended, as it would contradict the wider approach of harmonising fees and charges for customers across the new single council area.

The Committee was asked to consider the following four options:

Option 1: Was the proposed Stage 2 tariffs consulted upon along with alternative ways to charge for additional passengers (alternatives (i), (ii) and (iii)).

Option 2: Was a suggestion from one member of the trade.

Option 3: Was the St Edmundsbury 2015 fare tariffs supported by some St Edmundsbury drivers.

Option 4: Was a driver-modified version of the St Edmundsbury 2015 tariffs.

The recommended option put forward by officers was Option 1(i), as it provided a more transparent way of covering any additional costs of carrying five or more passengers in a wheelchair accessible vehicle (or mini-van).

The Committees' considered the report in detail and asked a number of questions to which comprehensive responses were provided. Discussions were held on the difference between fuel prices in Haverhill compared to Bury St Edmunds; the low number of consultation responses received from Hackney Drivers; and the running mile.

In particular detailed discussions were held on the following areas:

Additional charges: £1 extra per journey starting at Rowley Mile racecourse on race days

Members discussed the additional charge for Rowley Mile racecourse on race days and questioned why the July racecourse was not included.

In response members were informed that this was a proposal put forward by one taxi driver from Newmarket. Officers explained that the proposal was included as an option for the members to consider. Officers informed members that there was a free shuttle bus from the Rowley Mile racecourse to Newmarket, and Hackney drivers felt they were providing an extra service.

Regarding the July racecourse, members were informed that there was a private taxi rank on their land. Also there was an accreditation scheme whereby Hackney Drivers from East Cambridgeshire and Forest Heath were invited to join the scheme to enable them to pick up and drop off from the July racecourse.

Officers agreed when the next review was carried out, Hackney Drivers would be consulted on this issue.

Following the conclusion of discussion on this particular point, the general consensus reached by the two Committees was to remove the £1 extra per journey starting at Rowley Mile racecourse.

Statutory public consultation

In response to a question raised regarding the last public consultation, members were informed that the consultation was advertised on Facebook in the spring every day for two weeks, and in the East Anglian Daily Times.

It was suggested that the public consultation should also be advertised in taxis to reach a wider audience, which officers agreed to look into.

Tariff hours

Members discussed the night time hours and questioned when the fare hours change from midnight to 11pm. In response members were informed that the change in hours was consulted on in January 2018 and July 2018.

Members had concerns around the hours as St Edmundsbury customers did not like them as they were used to the night tariffs starting at midnight; drivers wanted them reverted back to what they were prior to June 2018; and there was also the issue of protecting vulnerable people in the late evening.

Officers explained that there should not be loss of income from the change in hours. In Forest Heath the night time rate had always been 11pm and in St Edmundsbury, midnight. The change made to the night time rate in 2018 was to bring parity across the two authorities. There was always the option for further reviews in the future.

Following the conclusion of discussion on this particular point, the general consensus reached by the two Committees was to change the night time from 11pm to Midnight on all tariffs.

On the conclusion of the informal joint discussions at 6.50pm all members remained in the Council Chamber.

The Chairman then formally opened the Forest Heath District Council Licensing and Regulatory Committee in the presence of St Edmundsbury members, in the Council Chamber at 6.51pm

Licensing and Regulatory Committee



Forest Heath
District Council

Minutes of a meeting of the **Licensing and Regulatory Committee** held on **Tuesday 4 December 2018** at **6.51 pm** in the **Council Chamber, District Offices**, College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

Vice Chairman in the chair: Brian Harvey

Chris Barker
John Bloodworth
Simon Cole
Victor Lukaniuk

Carol Lynch
Christine Mason
Nigel Roman
Reg Silvester

103. **Apologies for Absence**

Apologies for absence were received from Councillor Michael Anderson.

104. **Substitutes**

There were no substitutes declared.

105. **Public Participation**

This item was considered in the informal joint session with St Edmundsbury Borough Council, whereby the Committee heard from three Hackney Carriage drivers.

106. **Hackney Carriage Fare Review 2019 Stage 2 - Alignment for Single Council**

Further to the informal joint discussions held prior to the meeting with St Edmundsbury Borough Council's Licensing and Regulatory Committee, the Committee formally considered Report No: LIC/FH/18/005.

Councillor Simon Cole moved the recommendations, this was duly seconded by Councillor John Bloodworth and with the vote being 8 for and 1 abstention, it was

RESOLVED: That

1) Fares should be aligned, and take effect before the 1 April 2019.

- 2) Option 1 and 1(i), as set out in Report No: LIC/FH/18/005, as an approach for charging for journeys with over 4 passengers, be approved , subject to the following two amendments:**
- i) The removal of the £1 extra per journey starting at Rowley Mile racecourse on race days; and**
 - ii) The hours be changed from 11pm to midnight on all tariffs set out in Option 1 and 1(i).**
- 3) The effective date of the implementation of the aligned fares be on 7 January 2019, subject to the statutory procedure relating to public consultation, be approved.**

The Meeting concluded at 6.52 pm

Signed by:

Chairman
