

Licensing and Regulatory Committee



Title	Agenda											
Date	Monday 15 April 2024											
Time	6.00pm											
Venue	Conference Chamber West Suffolk House Western Way Bury St Edmunds, IP33 3YU											
Full Members	<p style="text-align: center;">Chair Roger Dicker Vice Chair Pat Hanlon</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Conservative Group (6)</td> <td style="width: 30%;">Carol Bull Patrick Chung Rachel Hood</td> <td style="width: 30%;">Beccy Hopfensperger Ian Houlder Charlie Lynch</td> </tr> <tr> <td>Independents (4)</td> <td>Michael Anderson Roger Dicker</td> <td>Aaron Luccarini Don Waldron</td> </tr> <tr> <td>Progressive Alliance Grouping (5)</td> <td>Pat Hanlon Rowena Lindberg Richard O'Driscoll</td> <td>Marilyn Sayer Liz Smith</td> </tr> </table>			Conservative Group (6)	Carol Bull Patrick Chung Rachel Hood	Beccy Hopfensperger Ian Houlder Charlie Lynch	Independents (4)	Michael Anderson Roger Dicker	Aaron Luccarini Don Waldron	Progressive Alliance Grouping (5)	Pat Hanlon Rowena Lindberg Richard O'Driscoll	Marilyn Sayer Liz Smith
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Substitutes	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Conservative Group (3)</td> <td style="width: 30%;">Mike Chester Joanna Rayner</td> <td style="width: 30%;">Richard Rout</td> </tr> <tr> <td>Independents (2)</td> <td>Mick Bradshaw</td> <td>Gerald Kelly</td> </tr> <tr> <td>Progressive Alliance Grouping (2)</td> <td>Janne Jarvis</td> <td>David Smith</td> </tr> </table>			Conservative Group (3)	Mike Chester Joanna Rayner	Richard Rout	Independents (2)	Mick Bradshaw	Gerald Kelly	Progressive Alliance Grouping (2)	Janne Jarvis	David Smith
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Interests – declaration and restriction on participation	Members are reminded of their responsibility to declare any disclosable pecuniary interest, other registerable or non-registerable interest which they have in any item of business on the agenda, no later than when that item is reached and, when appropriate, to leave the meeting prior to discussion and voting on the item.											
Quorum	Five Members											
Committee administrator	Helen Hardinge Democratic Services Officer Telephone 01638 719363 Email democratic.services@westsuffolk.gov.uk											

Public information



Venue	Conference Chamber, West Suffolk House, Western Way, Bury St Edmunds IP33 3YU
Contact information	Telephone: 01638 719363 Email: democratic.services@westsuffolk.gov.uk Website: www.westsuffolk.gov.uk
Access to agenda and reports before the meeting	The agenda and reports will be available to view at least five clear days before the meeting on our website.
Attendance at meetings	<p>This meeting is being held in person in order to comply with the Local Government Act 1972. We may be required to restrict the number of members of the public able to attend in accordance with the room capacity. If you consider it is necessary for you to attend, please inform Democratic Services in advance of the meeting.</p> <p>As a local authority, we have a corporate and social responsibility for the safety of our staff, our councillors and visiting members of the public. We, therefore, request that you exercise personal responsibility and do not attend the meeting if you feel at all unwell.</p> <p>West Suffolk Council continues to promote good hygiene practices with hand sanitiser and wipes being available in the meeting room. Attendees are also able to wear face coverings, should they wish to.</p>
Public participation	<p>Members of the public who live or work in the district are invited to put one question or statement of not more than three minutes duration relating to items to be discussed in Part 1 of the agenda only. If a question is asked and answered within three minutes, the person who asked the question may ask a supplementary question that arises from the reply.</p> <p>The Constitution allows that a person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start. We urge anyone who wishes to register to speak to notify Democratic Services by 9am on the day of the meeting so that advice can be given on the arrangements in place.</p> <p>There is an overall time limit of 15 minutes for public speaking, which may be extended at the Chair's discretion.</p>
Accessibility	If you have any difficulties in accessing the meeting, the agenda and accompanying reports, including for reasons of a disability or a protected characteristic, please contact Democratic Services at the earliest opportunity using the contact details provided above in order that we may assist you.
Recording of meetings	<p>The Council may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded).</p> <p>Any member of the public who attends a meeting and objects to being filmed should advise the Committee Administrator who will instruct that they are not included in the filming.</p>
Personal information	<p>Any personal information processed by West Suffolk Council arising from a request to speak at a public meeting under the Localism Act 2011, will be protected in accordance with the Data Protection Act 2018. For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website: https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm or call Customer Services: 01284 763233 and ask to speak to the Information Governance Officer.</p>

Agenda

Procedural matters

Part 1 – public

1. Apologies for absence

2. Substitutes

Any Member who is substituting for another Member should so indicate, together with the name of the relevant absent Member.

3. Minutes

1 - 4

To confirm the minutes of the meeting held on 29 January 2024 (copy attached)

4. Declarations of interest

Members are reminded of their responsibility to declare any disclosable pecuniary interest, other registerable or non-registerable interest which they have in any item of business on the agenda, **no later than when that item is reached** and, when appropriate, to leave the meeting prior to discussion and voting on the item.

5. Public participation

Members of the public who live or work in the District are welcome to speak and may ask one question or make a statement of not more than three minutes duration relating to items to be discussed in Part 1 of the agenda only. If a question is asked and answered within three minutes, the person who asked the question may ask a supplementary question that arises from the reply.

A person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start.

There is an overall limit of 15 minutes for public speaking, which may be extended at the Chair's discretion.

6. Review into West Suffolk Council's Hackney Carriage Fares Consultation for 2024

5 - 12

Report No: **LIC/WS/24/002**

7. West Suffolk Council Street Trading Policy Consultation (verbal)

Officers will provide a verbal report on this item

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Licensing and Regulatory Committee

Minutes of a meeting of the **Licensing and Regulatory Committee** held on **Monday 29 January 2024 at 6.00 pm** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present **Councillors**

Chair Roger Dicker

Vice Chair Pat Hanlon

Michael Anderson

Carol Bull

Patrick Chung

Ian Houlder

Charlie Lynch

Marilyn Sayer

Liz Smith

Don Waldron

17. **Apologies for absence**

Apologies for absence were received from Councillors Rachel Hood, Beccy Hopfensperger, Aaron Luccarini and Richard O'Driscoll.

Councillor Rowena Lindberg was also unable to attend the meeting.

18. **Substitutes**

No substitutions were declared.

19. **Minutes**

The minutes of the meeting held on 10 July 2023 were confirmed as a correct record and signed by the Chair.

20. **Declarations of interest**

There were no declarations of interest made.

21. **Public participation**

The following members of the public spoke under this item in relation to Agenda Item 6: Report No LIC/WS/24/001 Review into West Suffolk Council's Hackney Carriage Fares for 2024:

Jason Crooks (Licensed Driver)

Mr Crooks advised the Committee that he understood there to be approximately 240 Hackney Carriage licenced drivers in the West Suffolk District and therefore asked Members to be mindful of these 240 livelihoods when considering the report in question.

He had objected to the report's original proposal to remove tariffs 4, 5 and 6 and therefore welcomed the alternative fare card that was tabled at the start of the meeting by Officers and which proposed to retain these three tariffs.

Mark Goodchild (Licensed Driver - Goodchilds Cars)

Similarly to Jason Crooks, Mr Goodchild welcomed the alternative proposal to retain tariffs 4, 5 and 6 as tabled.

However, he argued against some of the other tariffs proposed particularly tariff 2 which he considered should have a lower starting rate but then a higher rate against each subsequent 160 yards.

He advised the Committee that insurance renewals had dramatically increased for drivers and that as national minimum wage was due to increase in April that the fares should increase for drivers proportionately to this.

Cliff Mullane (Licensed Driver)

Likewise to the previous two speakers, Mr Mullane firmly welcomed the alternative proposal to retain tariffs 4, 5 and 6 as tabled and stated that without the inclusion of the specific tariffs for 5 or more passenger vehicles there would be no incentive for drivers to operate the larger vehicles.

Mr Mackenzie (Licensed Driver)

Mr Mackenzie also strongly welcomed the alternative proposal to retain tariffs 4, 5 and 6 as tabled.

He also made reference to the recommendation to annually review taxi fares at the meeting scheduled closest to 1 March and argued that November would be preferred from his perspective.

22. Review into West Suffolk Council's Hackney Carriage Fares Table for 2024 (Report No: LIC/WS/24/001)

The Committee was reminded that the District's taxi tariffs were last reviewed at their meeting on 11 July 2023, where it was agreed that as fuel costs had decreased significantly that fares would not increase unless the fuel duty increased in the forthcoming budget.

Since that meeting a request for a formal taxi fare review was submitted to the Licensing Authority in November 2023, as attached as Appendix B to Report No LIC/WS/24.001.

Officers had reviewed the request received and developed a table of initially recommended fare increases. Part of the feedback received from the public was that the fare card was difficult to understand due to the number of varied tariffs included, accordingly, the proposed fare card attached as Appendix A to the report had removed tariffs 4, 5 and 6 which related to vehicles that carried 5 or more passengers.

Since publication of the agenda, Licensing Officers had received a number of objections from the Trade in respect of the proposed removal of the three tariffs. Henceforth, an amended version of Appendix A had been produced which reinstated the three tariffs and this was tabled to the meeting.

Councillor Charlie Lynch stated that he had spoken with some taxi drivers in Newmarket who, similarly to the majority of the drivers who had earlier

addressed the Committee, supported the increases within the proposed fare card subject to the reinstatement of the three removed tariffs.

There was some debate amongst the Committee as to whether the tariffs for the larger vehicles could be better managed on the fare card, in order to minimise public confusion.

Other Members remarked on the fact that the fare card had to be displayed in all vehicles and there was nothing to stop drivers advising their passengers at the start of the journey which tariff was being operated.

The Chair highlighted that any change to the fares agreed by the Committee would then have to undergo a public consultation period.

It was proposed by Councillor Roger Dicker, seconded by Councillor Pat Hanlon and with 9 voting for the motion and with 1 abstention it was

RESOLVED:

That:-

1. The revised table of fares for West Suffolk, as tabled to the meeting, be approved;
2. Taxi fares be annually reviewed by the Licensing & Regulatory Committee at the meeting scheduled closest to 1 March;
3. The proposed methodology for how an annual fare review will be undertaken, as set out in Report No LIC/WS/24/001, be approved; and
4. A temporary surcharge of £1 per journey be approved in the event that petrol and/or diesel prices increase to £2 per litre.

23. West Suffolk Council Street Trading Policy Consultation (verbal)

The Food, Safety & Licensing Manager verbally advised the Committee that the Licensing Authority was currently undertaking consultation on West Suffolk's Street Trading Policy in advance of a policy review later in the year.

The consultation sought views from street traders, businesses, events organisers, Town and Parish councils, residents and other stakeholders on some of the issues which could potentially be covered and addressed in the new policy.

Members were advised that the Council had directly written to licensed street traders, Our Bury St Edmunds and Love Newmarket Business Improvement Districts, Town/Parish councils across West Suffolk and a host of other groups and stakeholders, in order to encourage people of all ages and backgrounds to collaborate and help shape the future policy.

The consultation period was due to run from 5 February 2024 to 18 March 2024.

The Chair asked if feedback on the consultation responses received could be provided to the Licensing & Regulatory Committee and the Food, Safety & Licensing Manager agreed to pick this up at the next scheduled meeting in April 2024.

24. **Licensing Team Update (verbal)**

Prior to the Chair closing the meeting, he invited the Food, Safety & Licensing Manager to introduce Members to the new Licensing Team Leader who had recently been appointed to post and who was in attendance.

The Committee was also advised that other new team members were due to start imminently as part of an ambitious plan for service improvements.

The meeting concluded at 7.24pm

Signed by:

Chair

Review into West Suffolk Council's Hackney Carriage Fares Consultation for 2024

Report No:	LIC/WS/24/002
Report to and date/s:	Licensing & Regulatory Committee - 15 April 2024
Cabinet Member:	Councillor Gerald Kelly Portfolio Holder for Regulatory and Environment Tel: 07968 396389 Email: gerald.kelly@westsuffolk.gov.uk
Lead officer:	Jen Eves Director (HR, Governance & Regulatory) Tel: 01284 757015 Email: democratic.services@westsuffolk.gov.uk

Decisions Plan: N/A

Wards impacted: All wards

Recommendation: It is recommended that:

1. Members consider the report and the consultation response received (Appendix A); and
2. Members commit to adopting the taxi fares table without modification and set a date for them to come into effect.

1. Introduction

1.1 During the Licensing and Regulatory Committee meeting on 29 January 2024 it was resolved that

1. The revised table of fares for West Suffolk, as tabled to the meeting, were approved;
2. Taxi fares were to be annually reviewed by the Licensing & Regulatory Committee at the meeting scheduled closest to 1 March;
3. The proposed methodology for how an annual fare review will be undertaken, as set out in Report No LIC/WS/24/001, was approved; and
4. A temporary surcharge of £1 per journey was approved in the event that petrol and/or diesel prices increase to £2 per litre.

1.2 During the meeting it was highlighted that any change to the fares agreed by the Committee would have to undergo a public consultation period and the report which accompanied the proposed fares specified that if approved the Council must advertise the proposed fare increase in a local newspaper

2.0 Background

2.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 makes provision for the Council to fix the rates of fares for time, distance, and all other charges in connection with the hire of a hackney carriage.

2.3 Following the revised table of fares being agreed by the Licensing and Regulatory committee the Licensing Team went out to consultation. A copy of the public notice was displayed in a local paper on 5 February 2024 giving notice that the Council was consulting on the proposed fare increase and that the consultation would run until 20 February 2024 (Appendix B).

2.5 A copy of the notice was displayed at the Council offices and drivers and operators were notified by email of the fact that West Suffolk Council was out for consultation regarding a proposed fare increase.

3.0 Consultation Responses

3.1 Two responses were duly received during the consultation period, which have been included in Appendix A. The responses stated that they didn't agree with an increase at this point in time. No other objections were duly received by the Licensing Team during the consultation period.

3.3 As the objections have not been subsequently withdrawn the Council must consider them and set a new date for the table of fares to come into effect with or without modification.

3.4 In light of the factors raised by the Licensing Team and the taxi trade during the previous Licensing and Regulatory Committee meeting it is recommended that the Committee agrees to accept the table of fares without modification and that a date is set for the fares to come into effect. **It is the Licensing Team's recommendation that this date is set for Monday 22 April 2024.**

5. Implications

5.1 Financial

Any increase in fares would incur a small, one-off cost to all hackney carriage proprietors for a meter recalibration.

Legal

- 5.2 Where an Authority makes or varies a Table of Fares it must publish in at least one local newspaper a notice setting out the Table or variation, specifying a period not less than 14 days within which objections may be made, and keep a copy of the notice at its offices open to public inspection. If no objection is received or all objections are withdrawn, the Table or variation comes into operation. If an objection is made and not withdrawn, the council must set a further date for the Table or variation to come into effect, with or without modification as decided by it after consideration of the objections.

A Table of Fares has effect as if it were included in the hackney carriage byelaws. Unless the fare is otherwise agreed before the hiring was affected, the Table applies to journeys ending outside the district. It also applies where a hackney carriage is used in the district as a private hire vehicle.

6. Risks

- 6.1 It is important that fares reflect the running costs associated with operating hackney carriage vehicles. Failing to review the fares could be detrimental to hackney carriage proprietors, particularly where the operating costs make the business financially unviable as it currently stands.
- 6.2 Increasing the cost of using taxis may also impact those who are partly or wholly reliant on taxis for transport.

7. Appendices

- 7.1 Appendix A – Consultation responses received
Appendix B – Copy of the public notice which was displayed in a local paper

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Appendix A Consultation Responses to Proposed Taxi Fare Increase

Response 1 received 7 February 2024

I strongly object to the proposed increases.

The current rates are more than adequate.

At a time where a lot of people, who rely on taxis, are struggling to make ends meet, another increase in fares will put them off using our services.

I am already losing work because the current fares are too expensive, so an increase will only ensure this happens more often.

Response 2 received 8 February 2024

Dear Team,

I would like this email to act as a rejection of the proposal to increase the Hackney Tariffs. In an economy that is struggling I do not feel that the public will accept the increases and it is my own feelings that the proposal would alienate the general public towards using Hackney Carriage vehicles around the West Suffolk area.

Therefore I am totally against this proposal.

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APPENDIX B

WEST SUFFOLK COUNCIL LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS ACT 1976 (Section 65)

HACKNEY CARRIAGE FARES

NOTICE IS HEREBY GIVEN pursuant to Section 65 of the above-mentioned Act that West Suffolk Council, by resolution of its Licensing and Regulatory Committee meeting on 29 January 2024 proposes to vary its TABLE OF HACKNEY CARRIAGE FARES as of 26 February 2024.

In accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 a copy of this Notice may be inspected without charge at the Offices of West Suffolk Council, West Suffolk House, Western Way, Bury St Edmunds, IP33 3YU between normal office hours (8:45 am – 5:00pm. Monday to Friday) from 6 February 2024 until 26 February 2024.

Objections to the variation in Hackney Carriage fares must be sent in writing to the Licensing Team. They can be sent by email to licensing@westsuffolk.gov.uk, or by post to Licensing Team, West Suffolk Council, West Suffolk House, Western Way, Bury St Edmunds, IP33 3YU. Objections must be sent by 26 February 2024.

The consultation is open until Monday 26 February 2024. If you have any questions, please contact licensing@westsuffolk.gov.uk

If no objections are received, or any such objections are subsequently withdrawn, the revised table of fares will come into operation from Monday 26 February 2024 or the date on which the last objection is withdrawn, whichever is the later date.

If objection is duly made and not subsequently withdrawn, the council will consider them and set a new date for the table of fares to come into effect, with or without modification, which must be no later than Friday 26 April 2024.

Dated this 6 February 2024

Licensing Team
West Suffolk Council
West Suffolk House
Western Way
Bury St Edmunds
IP33 3YU

Section 65 Local Government (Miscellaneous Provisions) Act 1976

West Suffolk hackney carriage tariffs

with effect from 26 February 2024

Tariff 1 – Between the hours of 6am and midnight	
If the distance does not exceed 1760 yards	£5.40
For each 160 yards or part thereof	£0.20
The first mile will cost £5.40 and each subsequent mile £2.20 (approximately)	
Tariff 2 – Between the hours of midnight and 6am, on public or bank holidays AND 6pm to midnight on Christmas Eve and New Year’s Eve	
If the distance does not exceed 1760 yards	£8.10
For each 160 yards or part thereof	£0.30
The first mile will cost £8.10 and each subsequent mile £3.30 (approximately)	
Tariff 3 – From midnight Christmas Eve to midnight Boxing Day and midnight New Year’s Eve to midnight New Year’s Day	
If the distance does not exceed 1760 yards	£10.80
For each 160 yards or part thereof	£0.40
The first mile will cost £10.80 and each subsequent mile £4.40 (approximately)	
The Following tariffs apply when vehicles are carrying 5 or more passengers	
Tariff 4 – Between the hours of 6am and midnight	
If the distance does not exceed 1760 yards	£8.10
For each 160 yards or part thereof	£0.30
The first mile will cost £8.10 and each subsequent mile £3.30 (approximately)	
Tariff 5 – Between the hours of midnight and 6am, on public or bank holidays AND 6pm to midnight on Christmas Eve and New Year’s Eve	
If the distance does not exceed 1760 yards	£10.80
For each 160 yards or part thereof	£0.40
The first mile will cost £10.80 and each subsequent mile £4.40 (approximately)	
Tariff 6 – From midnight Christmas Eve to midnight Boxing Day and midnight New Year’s Eve to midnight New Year’s Day	
If the distance does not exceed 1760 yards	£14.80
For each 160 yards or part thereof	£0.55
The first mile will cost £14.80 and each subsequent mile £6 (approximately)	
Additional charges	
If the vehicle is left unfit to continue to work	£150
The equivalent amount of any congestion or toll charge incurred	As charged
Waiting time per minute	£0.40
No charge or refusal for assistance dogs	