

Swindon Borough Council

Private Hire and Hackney Carriage Licensing Sub-Committee

Thursday, 22 May 2008

Committee Room 2, Civic Offices (Anticipated meeting room)

At 1.00 p.m.

To: All Members of the Licensing Committee

Committee Officer: Shaun Banks (Telephone 01793 463606)

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(Telephone 01793 445500)

AGENDA

- 1. Appointment of Chair**
- 2. Appointment of Vice-Chair**
- 3. Apologies for Absence**
- 4. Declarations of Interest**
Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.
- 5. Minutes** (Pages 1 - 2)
To receive the minutes of the meeting held on 20th December 2006.
- 6. Public Question Time**
See explanatory note below. Please phone the Committee Officer whose name and number appears at the top of this agenda if you need further guidance.
- 7. Hackney Carriage Fares** (Pages 3 - 14)

Date of Despatch: 15 May 2008

Public Question Time - Swindon Borough Council is committed to increasing its accountability to the public and to promoting active citizenship. Up to 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from members of the public about the work of the Committee (except for confidential matters and specific planning applications). Questions must be relevant, clear and concise. Because of time constraints Public Question Time is not an opportunity to make speeches or statements. Prior notice of a question to the Director of Law and Democratic Services is desirable - particularly if detailed background information is needed.

Access Arrangements – *The Venue is wheelchair accessible and an infrared receiver hearing system is provided. If you would wish to attend the meeting but have any special requirement to enable you to do so please contact the Committee Clerk above, as soon as possible prior to the date of the meeting.*

If you would like to receive any of the pages contained in this agenda in a larger print size please contact the Committee Officer whose name appears on the first page of this agenda.

PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING SUB-COMMITTEE

WEDNESDAY, 20 DECEMBER 2006

PRESENT:- Councillor John Ballman, Councillor Sinead Darker, Councillor Brian Ford, Councillor Colin Lovell and Councillor David Sammels.

Apologies for absence were received from Councillor Melanie Duff, Councillor David Glaholm and Councillor Philip Young

21. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

22. Minutes

Resolved – That the minutes of the meeting held on 26th September 2006, be confirmed and signed.

23. Public Question Time

Mr. Anthony Johnson asked what the Sub-Committee intended to do to resolve the issue of current licence holders who had poor English communication skills. He referred to complaints he had received from Members of the public concerning this issue.

The Chair thanked Mr. Johnson for his question and asked officers to address these issues as part of their presentation to the Sub-Committee.

Mr. Jaginder Bassi (Director of Swindon Racial Equalities Council) asked the following question:

We welcome moves by the Council to improve the standards of services provided by taxi drivers in Swindon and the intention to test drivers before granting a license. However, we are seeking assurances from the Council that a robust monitoring system be put in place in line with the Race Equality Scheme

- i) To measure any adverse impact on different groups of people and the results reported and made public via the Race Coalition and the Equality Advisory Forum
- ii) The tests are set at a level which is relevant to enable drivers to perform their duties effectively.

The Chair indicated that officers would address these issues as part of their presentation to the Sub-Committee.

24. Revised Conditions for Applicants for Hackney Carriage and Private Hire Drivers Licences

The Sub-Committee considered (a) a report of the Group Director, Environment and Leisure setting out recommendations for revised conditions to be met by new applicants for Hackney Carriage and Private Hire Drivers' Licences, (b) an oral update on discussions with Swindon College regarding English comprehension tests, (c) questions and answers arising from the report and officers' presentation, and (d) public questions received from Mr. Johnson and Mr. Bassi.

Resolved – (1) That, as from 1st January 2006, the Council's terms and conditions for the grant of Hackney Carriage or Private Hire drivers' licences to new applicants for Hackney Carriage or Private Hire drivers' licences be amended to include:

(a) A Hackney Carriage or Private Hire drivers licence will not be issued to any new applicant who has not held a full United Kingdom driving licence granted under Part III of the Road Traffic Act 1988 for a minimum of 36 months, or held a licence from another EEC state for a minimum of 36 months. Driving licences must show the applicant's current address.

(b) Applicants who have been resident in the United Kingdom for less than five years from the date of application are required to provide a Certificate of Good Conduct, or equivalent, from any country in which they have been resident within the previous five years. The Certificate of Good Conduct must be in English and provided at the applicant's own expense. This is in addition to the enhanced Criminal Records Bureau check.

(c) A driving licence must be taken up within six months of a candidate being informed that he has successfully passed the Local Knowledge Test.

(2) That, subject to the final details being approved by Members of this Sub-Committee, from 1st April 2007 all applicants, prior to taking the Local Knowledge Test, for a Hackney Carriage or Private Hire drivers licence will be required to attend an interview at which there will be an appraisal of his/her spoken English, English comprehension, a test of reading, basic written English and basic mathematics. Drivers not reaching a satisfactory level will be refused a licence.

(3) That, further to (2) above, officers be authorised to continue negotiations with Swindon College to administer the appraisals set out on the basis that Swindon College has the necessary skills for such appraisal work.

(4) That, further to (2) above, a mechanism be included in the new policy for review of existing drivers who have had complaints made against them by members of the public, on the grounds of their competency in any of the areas set out, and that whilst the process be robust enough to protect the public it also be framed to prevent vexatious complaints.

Author: Group Director, Environment and Regeneration

Wards Affected: All

Purpose

- To consider proposals to increase Hackney Carriage fares from 1 June 2008.

Recommendation

The Sub-Committee is asked to: -

- Agree that the revised fare chart as set out in Appendix 'B' be advertised as required by Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 and, if no objections are received, to implement the new fares on and from 1 June 2008
- Agree in principle to an annual review of hackney carriage fares, the calculation matrix to be the subject of a separate report to be submitted to this Sub-Committee for approval.

1. Reasons

- 1.1 Requests have been received from the hackney carriage trade to increase hackney carriage fares to reflect increases in the price of fuel.
- 1.2 To revisit a request to the Licensing Committee in November 2007 to approve a fare rise proposed by the Swindon Taxi Drivers' Association. As only 50 drivers responded to the ballot held in October 2007 the Committee were reluctant to approve the proposed rise, and instead requested officers to hold discussions with the trade in an attempt to justify the fare rise.

2. Detail

- 2.1 Meetings have been held between the Chair of the Private Hire and Hackney Carriage Licensing Sub-Committee and representatives of the Association it was agreed to hold a further ballot to determine the level of support among the hackney carriage trade for the revised fare scale.
- 2.2 Officers have compiled a chart showing the current average fare applying in each area of the United Kingdom, with a detailed breakdown for Local Authorities in the South West region. This is attached at Appendix D.

Appendix D shows average increases in hackney carriage fares across the United Kingdom for the last eight years.

Further information on the subject of this report can be obtained from Rod Collett on 01793 466109 or e-mail rcollett@swindon.gov.uk.

- 2.3 Also attached at Appendix E is a chart showing the proposed revised fares applying to journeys of one to five miles, and the comparison with current private hire fares. This shows that the proposed Hackney Carriage fares will mean an increase of £1 to each fare across the board for a typical journey of one to five miles.
- 2.4 The ballot of Hackney Carriage drivers was held in April 2008 and the results were as follows:
- | | | |
|-----|---|-----|
| 2.5 | Number of ballot papers issued | 212 |
| | Fare chart submitted by Swindon Taxi Drivers Association: | 73 |
| | No changes to fares at present: | 8 |
| | Spoiled ballot papers | 4 |
- 2.6 The proposed fares (as submitted by the Swindon Taxi Drivers' Association) are shown as Appendix "B". The fare chart currently in force is shown as Appendix "A".
- 2.7 The last fare increase was in December 2004.
- 2.8 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 states that "a district council may fix the rates or fares [for hackney carriages] within the district as well as for time as distance ..." and when a table of fares is varied the revised fare table must be published in at least one local newspaper. Such notice shall specify the period, not less than 14 days from the date of publication of the notice, within which the manner in which objections to the table of fares can be made".
- 2.9 Should any objections be received, the Council shall set a further date, not later than two months after the first specified date, on which the table of fares shall come into force with or without modifications as decided by them after consideration of the objections.
- 2.10 As agreed with the Chair of the Licensing Committee, in order to conduct a systematic review of fares, officers will carry out an annual review of hackney carriage fares in February of each year, the calculation matrix to be the subject of a separate report to this Committee.
- 2.11 Officers are of the opinion that the requested fare rise is reasonable and will go some way towards compensating hackney carriage drivers for the recent rises in the cost of fuel.

Alternative Options

- Fares may remain as they are at present, in accordance with the fare chart dated December 2004.

Risk Management

Financial and Procurement Implications

There are no direct financial implications to the Council itself arising from this report.
There are no procurement issues arising from this report. The costs of managing the

Further information on the subject of this report can be obtained from Rod Collett on 01793 466109 or e-mail rcollett@swindon.gov.uk.

Council's Hackney Carriage responsibilities are met from existing budgets.

Links to Corporate Plans and Policies (in particular to Swindon 2010 Promises)
A Healthy and Caring Place; An Economically Prosperous Place; An Environmentally Friendly Place; A Safe Place.

Consultees

The Director of Finance (s.151 Officer) and the Director of Law and Democratic Services (Monitoring Officer) are consulted on all reports.

Background Papers and Appendices

- Appendix "A" – Current fare chart currently in force, dated December 2004.
- Appendix "B" – Proposed fare chart from June 2008.
- Appendix "C" – Minutes of the Licensing Committee held on 29 November 2007
- Appendix "D" – Analysis of current Hackney Carriage fares
- Appendix "E" – Comparison of fares: Hackney Carriage versus Private Hire

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HACKNEY CARRIAGE FARES 1-12-04 (Appendix A)

DAY RATE	EVENING RATE	NIGHT RATE	CHRISTMAS/ NEW YEAR
Monday - Saturday 0600 - 2000	Monday - Friday 2000 - 2359	Monday - Friday 2400 - 0600 AND SATURDAY NIGHT SUNDAY AND PUBLIC HOLIDAY RATE From 2000 on the day before until 0600 on the day after Public Holidays and Sundays	2000 Dec 24 to 0600 Dec 27 and 2000 Dec 31 to 0600 Jan 1
Minimum Fare £1.90 for the first 368.8 metres or 79.3 seconds then 20p for each additional 184.4 metres or 39.6 seconds until the fare exceeds £11.20 thereafter 20p for each 129.2 metres or 27.7 seconds.	Minimum Fare £2.90 Distance and times as Day Rate	Minimum Fare £3.20 Distance and times as Day Rate	Minimum Fare £4.90 Distance and times as Day Rate

EXTRA CHARGES TO APPLY AT ALL TIMES

Each person (excluding infants in arms) (2 children under 10 count as 1 person) 50p

Luggage (excluding wheelchairs) Each item in the driver's compartment and each other item over 61 cm long 20p

Soilage Charge Where the customer has soiled the vehicle requiring off the road valeting £75.00

Telephone Bookings For any hiring which is arranged in advance £2.00

THERE IS NO EXTRA CHARGE FOR CARRYING WHEELCHAIRS

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Hackney Carriage Fares – Proposed from 1 July 2008 (Appendix B)

<p>DAY RATE</p> <p>Monday - Friday 0600 – 1900 and Saturday 0600 - 1800</p> <p>Minimum Fare £2.90 for the first 368.8 metres or 79.3 seconds then 20p for each additional 184.4 metres or 39.6 seconds until the fare exceeds £16.10 thereafter 20p for each 129.9 metres or 27.7 seconds.</p>	<p>NIGHT RATE Monday - Friday 1900 - 0600 AND SATURDAY NIGHT SUNDAY AND PUBLIC HOLIDAY RATE From 1800 on the day before until 0600 on the day after Public Holidays and Sundays</p> <p>Minimum Fare £3.50</p> <p>Distance and times as Day Rate</p>	<p>CHRISTMAS/ NEW YEAR 2000 Dec 24 to 0600 Dec 27 and 2000 Dec 31 to 0600 Jan 2</p> <p>Minimum Fare £6.50 for the first 368.8 metres or 79.3 seconds then 20p for each additional 184.4 metres or 39.6 seconds until the fare exceeds £19.10 thereafter 20p for each 129.9 metres or 27.7 seconds.</p>
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EXTRA CHARGES TO APPLY AT ALL TIMES

ADDITIONAL PASSENGERS Each additional person (excluding infants in arms) (2 children under 10 count

as 1 person) **50p**

Luggage (excluding wheelchairs) Each item in the driver's compartment and each other item over 61

cm long **20p**

Soilage Charge Where the customer has soiled the vehicle requiring off the road valeting **£75.00**

Telephone Bookings For any hiring which is arranged in advance **£2.00**

THERE IS NO EXTRA CHARGE FOR CARRYING WHEELCHAIRS OR ASSISTANCE DOGS

LICENSING COMMITTEE

THURSDAY, 29 NOVEMBER 2007

PRESENT:- Councillors Brian Mattock, Michael Bray, Brian Ford, David Glaholm, Russell Holland and Robert Wright.

Apologies for absence were received from Councillors Steve Allsopp, Andrew Bennett, John Ballman, Sinead Darker, Melanie Duff, Mark Edwards, David Sammels, Steve Wakefield and David Wood.

24. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. Councillor Brian Ford made a personal and non-prejudicial declaration of interest in respect of Agenda Item No. 4 as he was the Vice-Chair of the Wiltshire Police Authority.

25. Minutes

Resolved – That the minutes of the meeting held on 5th November 2007, be confirmed and signed as a correct record.

26. Proposed Designated Public Place Scheme to cover public land at the Orbital Retail Park and The Broad Street Area

The Committee considered a report of the Council's Licensing Manager setting out a recommendation to implement new Designated Public Place Orders covering the land at the Northern Orbital retail Park and in the Broad Street Area.

Resolved – (1) That, officers undertake consultations with Ward Councillors regarding the extension of the Broad Street Area Designated Public Place Order to cover the area between County Road and Ocotal Way.

(2) That, further to (1) above, the Designated Public Place Orders covering the land at the Northern Orbital retail Park and the Broad Street Area be approved.

(3) That, further to (1) and (2) above, and subject to no responses being received during the advertisement period, Council be recommended to confirm the Designated Public Place Orders covering the land at the Northern Orbital retail Park and the Broad Street Area.

(4) That the proposals for signage for the Designated Public Place Orders, as set out in the report, be approved.

27. Report - Hackney Fares 2007

The Group Director, Environment and Regeneration submitted a report setting out proposals to increase Hackney Carriage fares from 2nd January 2008.

Resolved – (1) That, due to the concerns of this Committee in respect of the poor support received for the proposed Hackney Carriage Fare increases through the ballot of Hackney Carriage Drivers no action be taken at this time regarding the proposal set out in the report.

(2) That, further to (1) above, the Group Director, Environment and Regeneration be requested to advise the Hackney Carriage Drivers of this

Committee's concerns and ask them to consider their proposals for fare increases before arranging another ballot of all Hackney Drivers regarding proposals for increasing fares.

(3) That, further to (2) above, and following the completion of the new ballot, the Group Director, Environment and Regeneration report the ballot results, and proposals for fare increases to this Committee in the new year for consideration.

EIGHT. YEAR AREA AVERAGES COMPARED WITH THE NATIONAL AVERAGE AS AT FEB 2008

NATIONAL AVERAGE	1999	2000	2001	2002	2003	2004	2005	2006	2008
£3.12	£3.14	£3.40	£3.50	£3.72	£3.97	£4.01	£4.19	£4.48	£4.71
EAST ANGLIA	1999	2000	2001	2002	2003	2004	2005	2006	2008
£3.02	£3.06	£3.46	£3.66	£3.86	£3.94	£4.14	£4.49	£4.68	
MIDLANDS	1999	2000	2001	2002	2003	2004	2005	2006	2008
£2.93	£3.00	£3.28	£3.45	£3.73	£3.78	£3.92	£4.22	£4.39	
NORTH	1999	2000	2001	2002	2003	2004	2005	2006	2008
£3.44	£3.48	£3.83	£4.08	£4.27	£4.39	£4.57	£4.82	£5.11	
SOUTH	1999	2000	2001	2002	2003	2004	2005	2006	2008
£3.37	£3.39	£3.85	£4.09	£4.20	£4.33	£4.54	£4.91	£5.13	
SOUTH WEST	1999	2000	2001	2002	2003	2004	2005	2006	2008
£2.92	£2.92	£3.21	£3.35	£3.55	£3.60	£3.74	£4.05	£4.27	
SCOTLAND	1999	2000	2001	2002	2003	2004	2005	2006	2008
£2.88	£3.09	£3.39	£3.49	£3.61	£3.71	£3.90	£4.09	£4.32	
WALES	1999	2000	2001	2002	2003	2004	2005	2006	2008
£2.88	£3.09	£3.39	£3.49	£3.61	£3.71	£3.90	£4.09	£4.32	

NATIONAL AVERAGE	50.96%
EAST ANGLIA	49.0%
MIDLANDS	51.3%
NORTH	49.8%
SOUTH	48.55
SOUTH WEST	52.22%
SCOTLAND	46.2%
WALES	50.0%

Figures in green boxes in these columns indicate a fare level equal to or better than the 12 local area averages

Figures in red indicate a fare level lower than the 12 local area averages

THE 12 LOCAL AREA AVERAGES	1999	2000	2001	2002	2003	2004	2005	2006	2007
£3.36	£3.41	£3.91	£4.06	£4.24	£4.37	£4.61	£4.78	£5.14	
VALE OF WHITE HORSE	1999	2000	2001	2002	2003	2004	2005	2006	2007
£3.85	£3.85	£4.45	£4.65	£5.30	£5.30	£5.30	£5.70		
BATH AND N.E. SOMERSET	1999	2000	2001	2002	2003	2004	2005	2006	2007
£3.30	£3.30	£3.90	£4.00	£4.40	£4.60	£4.80	£5.00	£5.40	
WEST OXFORD	1999	2000	2001	2002	2003	2004	2005	2006	2007
£3.00	£3.30	£4.35	£4.35	£4.35	£4.35	£4.35	£4.35	£5.40	
SALISBURY	1999	2000	2001	2002	2003	2004	2005	2006	2007
£3.70	£3.70	£4.10	£4.10	£4.10	£4.50	£4.50	£4.80	£5.20	
WEST BERKS	1999	2000	2001	2002	2003	2004	2005	2006	2007
£3.40	£4.00	£4.00	£4.10	£4.30	£4.50	£4.50	£5.10	£5.20	
WEST WILTSHIRE	1999	2000	2001	2002	2003	2004	2005	2006	2007
£3.35	£3.35	£3.77	£3.77	£4.08	£4.70	£4.85	£5.14		

THE 12 LOCAL AREA AVERAGES	52.97%
VALE OF WHITE HORSE	
BATH AND N.E. SOMERSET	
WEST OXFORD	
SALISBURY	40.54%
WEST BERKS	52.94%
WEST WILTSHIRE	53.43%

SWINDON	1999	2000	2001	2002	2003	2004	2005	2006	2007
£3.21	£3.21	£3.60	£3.80	£3.80	£3.80	£3.80	£5.10	£5.10	
CHELtenham	1999	2000	2001	2002	2003	2004	2005	2006	2007
£3.40	£3.40	£4.00	£4.00	£4.60	£4.60	£4.60	£4.60	£5.00	
STROUD	1999	2000	2001	2002	2003	2004	2005	2006	2007
£3.70	£3.70	£4.20	£4.20	£4.40	£4.40	£4.40	£4.70	£5.00	
NORTH WILTSHIRE	1999	2000	2001	2002	2003	2004	2005	2006	2007
£3.10	£3.10	£3.40	£3.60	£3.60	£4.00	£4.00	£4.00	£4.90	
COTSWOLD	1999	2000	2001	2002	2003	2004	2005	2006	2007
£3.30	£3.30	£3.60	£4.20	£4.20	£4.20	£4.20	£4.80	£4.80	
KENNET	1999	2000	2001	2002	2003	2004	2005	2006	2007
£3.00	£3.00	£3.50	£4.10	£4.35	£4.35	£4.60	£4.80	£4.80	
COTSWOLD	1999	2000	2001	2002	2003	2004	2005	2006	2007
£3.30	£3.30	£3.60	£4.20	£4.20	£4.20	£4.20	£4.80	£4.80	
KENNET	1999	2000	2001	2002	2003	2004	2005	2006	2007
£3.00	£3.00	£3.50	£4.10	£4.35	£4.35	£4.60	£4.80	£4.80	

SWINDON	58.87%
CHELtenham	47.05%
STROUD	35.14%
NORTH WILTSHIRE	58.06%
COTSWOLD	45.45%
KENNET	60.00%

Comparison of Fares – Proposed Hackney Carriage fare table against current Private Hire fares

Mileage	Current Hackney Carriage fares	Proposed Hackney Carriage Fares	Current Private Hire fares
1 mile	£3.50	£4.50	£4.00
2 miles	£5.50	£6.50	£4.80
3 miles	£7.30	£8.30	£5.80
4 miles	£9.30	£10.30	£6.80
5 miles	£11.10	£12.10	£7.80