

EAST HAMPSHIRE DISTRICT COUNCIL
PENNS PLACE
PETERSFIELD
HAMPSHIRE
GU31 4EX

Telephone: 01730 266551
Website: www.easthants.gov.uk



LICENSING COMMITTEE AGENDA

Date: Friday 20 February 2015

Time: 10.00 am

Venue: Council Chamber, Penns Place, Petersfield, GU31 4EX

Membership: Councillor K Carter (Chairman)

Councillors D Ashcroft, R Ayer, L Evans, A Glass, M Harvey, M Johnson MBE, B Moulard, A Muldoon, J Onslow (Vice-Chairman), D Phillips, R Saunders, G Stacpoole, I Thomas and C Wherrell

The business to be transacted is set out below:

Jo Barden-Hernandez
Service Manager – Legal & Democratic Services

Date of Publication: 12 February 2015

Contact Officer: Cynthia Haveron 01730 234092
Email: cynthia.haveron@easthants.gov.uk

	Page
1 Apologies for Absence	
To receive and record any apologies for absence.	
2 Confirmation of Minutes	
Minutes of the Licensing Committee held on 13 January 2015 and the Sub-Committees held on 10 October 2014 at 10am and 11.30am , 7 November 2014 and 1.15pm on 30 January 2015.	
3 Chairman's Announcements	
4 Declarations of Interest	
To receive and record any declarations of interest from councillors present in respect of any of the various matters on the agenda for this meeting.	
5 Proposed Addition of a Booking Fee to the Table of Hackney Carriage Fares	1 - 8
FOR DECISION	

GENERAL INFORMATION

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Internet

This agenda and its accompanying reports can also be found on the East Hampshire District Council website: www.easthants.gov.uk

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Emergency Procedure

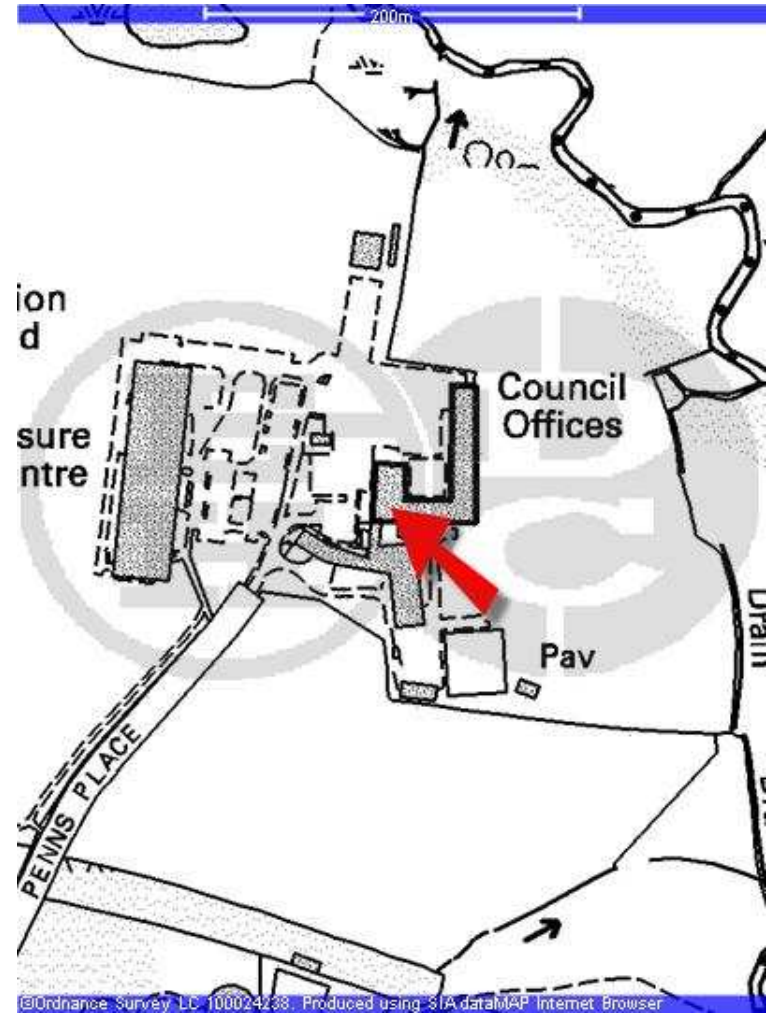
Please ensure that you are familiar with the location of all emergency exits which are clearly marked. In the unlikely event of an emergency an alarm will sound.

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NON EXEMPT

EAST HAMPSHIRE DISTRICT COUNCIL

LICENSING COMMITTEE

20 February 2015

PROPOSED ADDITION OF A BOOKING FEE TO THE TABLE OF HACKNEY CARRIAGE FARES

Report of the Licensing Team Leader

FOR DECISION

Key Decision: No

1.0 Purpose of Report

1.1 The purpose of this report is to consider objections to the proposed booking fee on the Hackney Carriage table of fares as decided by Licensing Committee on 13 January 2015.

2.0 Recommendation

2.1 That Members consider the objections and decide:

- To retain the booking fee previously agreed;
OR
- Whether a different fee may apply and what this should be.
AND
- Agree a date as to when the new table of fares should have effect. This cannot be more than two months after the first date specified (23 February 2015). Thus any variation must commence before 23 April 2015.

3.0 Summary

3.1 Members of the Licensing Committee agreed on 23 January 2015 to include a booking fee on the table of Hackney Carriage Fares, commencing 23 February 2015.

3.2 This variation to the table of fares has been subject of public consultation for a period of not less than 14 days as required by legislation.

3.3 Three objections to the variation have been received within the consultation period.

3.4 Members must now consider the objections and make a decision in line with the recommendation above.

4.0 Subject of Report

4.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 states that “a District Council may fix the rates or fares within the district for time as well as distance, and all other charges in connection with the hire of a vehicle or with the arrangements for the hire of a vehicle, to be paid in respect of the hire of hackney carriages by means of a table (hereafter in this section referred to as a “table of fares”) made or varied in accordance with the provisions of this section.”

By ‘fixing’ the fares, the Council is effectively setting the maximum fare that hackney carriages can charge. Legally, hackney carriage drivers may charge less than this rate but may not charge more than this rate. Additionally, extra charges not listed on the table of fares may not legally be charged. In practice, it is customary for hackney carriage drivers to set the fares at the rate fixed by the Council. This contrasts with Private Hire Vehicle Operators who are not bound by the Council’s table of fares and are able to factor in the travel distance to a customer in their charging structure.

4.2 Following a request from the trade to include a booking fee on the table of fares and subsequent consultation with the trade, Licensing Committee agreed on the 13 January to allow a booking fee of £3 on the Council’s table of fares under the “Extra Charges” Section. It was proposed to commence this new table of fares on the 23 February, if there were no objections.

4.3 This variation to the table of fares has been subject to a period of public consultation of not less than 14 days. Advertisements have been placed in a local newspaper, and a public notice has been on display in the Council offices, and information offices. The trade have also been advised of the variation.

4.4 During the period of consultation, # objections to the variation have been received. These objections can be seen in Appendix I. The objections are from the trade and are on the basis that the fee of £3 is not sufficient.

4.5 Members must now consider the objections, and decide whether to retain the booking fee in the previously agreed form; or whether a different fee may apply and what this should be.

4.6 Members should also agree a date which the variation to the table of fares should have effect. This cannot be more than two months after the first date specified. The first date specified was 23 February. Thus the new fares must come into force on or before 23 April 2015.

4.7 The trade have asked that a representative be allowed to address the Committee on the matter of booking fees, in order for Members to understand the trade’s position and in order to answer any questions Members may have. The Chairman has agreed to this request.

5.0 Implications

5.1 Resources:

Licensing Staff will be required to produce a new table of fares and send this out to the trade, and deal with any enquiries. This could be approximately 10 officer hours.

5.2 Legal:

Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 provides the powers for local authorities to set maximum fares for hackney carriages.

Members must consider the objections to the proposed table of fares agreed on 23 January, although do not have to vary the proposed table as a result of the objections.

Members must also agree a date which the new table of fares has effect. This must be on or before the 23 April.

5.3 Strategy:

The priorities in the Council corporate strategy are:

Financial Sustainability: Cost incurred through consulting with the trade and advertising will be recovered in the licensing fees charged.

Economic Growth: Introducing a booking fee to the table of fares would allow the trade to recover their costs through picking up fares some distance away from their base location.

The ability to charge a booking fee may encourage more taxi companies to provide a service to outlying areas of the district. As stated by a number of the consultation responses, some of the companies are finding it uneconomic to travel to these areas. However, as the charge would be discretionary, those that would not wish to charge may benefit from increased business because their service would be cheaper.

Public Service Excellence: Effective community transport is a key issue in East Hampshire. It is important that our towns and villages continue to be served by a viable taxi service. Consulting with and taking on board the views of the taxi trade on fares will ultimately help to make sure that this remains the case.

Creativity and Innovation: Most Local Authorities do not have a booking fee on their table of fares. In the cases of those that do, the fee is no more than £1.00.

5.4 Risks:

Members must allow sufficient time for the Licensing Office to produce a new table of fares and communicate this to the trade when considering a date from which to commence the new table of fares.

Options for tables of fares based upon distance from the proprietors base may increase the risk of confusion amongst the public and increase the risks of disputes with the trade.

5.5 Communications:

Advertisements detailing the variation to the table of fares have been placed in a local newspaper, and a public notice has been on display in the Council offices, and information offices. The trade have also been advised of the variation.

5.6 For the Community:

Effective community transport is a key issue in East Hampshire. It is important that our towns and villages continue to be served by a viable taxi service. Allowing a booking fee may affect the affordability of local transport for the community. Not allowing a booking fee may affect the economic viability of the taxi trade and may affect the level of provision.

6.0 Consultation

The proposed variation has been subject to a period of public consultation as required by legislation.

Appendices:

Appendix I – Objections to the proposed variation to the table of fares.

Agreed and signed off by:

Legal Services: Nick Leach 12 February 2015

Service Manager: Andrew Pritchard 11 February 2015

Contact Officer: Mike Smith

Job Title: Licensing Team Leader

Telephone: 01730 234094

E-Mail: mike.smith@easthants.gov.uk

Mike Smith

From: EHDC - Licensing Shared
Sent: 02 February 2015 09:19
To: Mike Smith
Subject: FW: Booking Fee

-----Original Message-----

From: Peter Blackman [mailto:peter.blackman@hotmail.co.uk]
Sent: 31 January 2015 22:35
To: EHDC - Licensing Shared
Subject: Booking Fee

Mike Please take this email as an objection to the booking fee rate, this is not from the taxi association it is from me. Some of my drivers are intending to email aswell. I don't think the councilors are living in the real world and Alton 8s taxis will not pick up any customers in surrounding villages until this ridiculous fee has been changed. There will be further contact through the taxi association in the near future.

Pete Blackman

Sent from my iPad

Mike Smith

From: EHDC - Licensing Shared
Sent: 03 February 2015 11:43
To: Mike Smith
Subject: FW: Booking Fee

From: Kevin New [mailto:Kevin-New@brconnect.com]
Sent: 03 February 2015 11:05
To: EHDC - Licensing Shared
Subject: Booking Fee

Dear Mike

I am writing on behalf of all my drivers regarding the proposal of a £3.00 booking fee. We all think this is not high enough because of the distances to some of the pick ups ie Four Marks Medstead etc. It is obvious now that this a problem for all areas and I think it would be in the interests of everyone, if we were able to explain to the licensing committee why we need a higher figure.

Correspondence from Mr Stephen Amey

Ref No: 32548

Status: Logged

Open for: 1 day

Ref No:	32548	External	Type	feedback from website
Post Code:	GU314AD		Building Name:	
Building Number:	unit 19, The Folly Market		Thoroughfare:	10/12 college street
Minor Road:			Locality:	
Sub-Localty:			Postal County:	hants
Postal Town:	petersfield		E-Mail Address:	[REDACTED]
Tel No:	[REDACTED]			
Received By:	Helpdesk		on	05 Feb 2015 at 13:32

Reason:

Parish:

EHDC Area:

Service Team: Licensing

Allocated To: Justine Allingham, Tricia Waters

Details:

This Comment Log has been automatically generated (feedback from the Website)

Ref: Booking Fee

I Think The £3 Is Not As Much As We Would Like

My I Suggest £5 For 3 To 6 Miles, Then £10 For Anything Over That.

Log allocated to Justine Allingham & Tricia Waters as Action Officer(s) for Licensing (05 Feb 2015 13:32)

EHDC Response

Date dealt with:

Actions taken:

Completed By:

Document Created by Helpdesk on 05 Feb 2015 at 13:32

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