

Licensing Committee

MINUTES OF THE LICENSING COMMITTEE MEETING HELD ON 27 JANUARY 2020 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Allison Bucknell, Cllr Trevor Carbin, Cllr Jose Green (Vice-Chair), Cllr Mike Hewitt, Cllr Peter Hutton (Chair), Cllr George Jeans, Cllr Jim Lynch and Cllr Leo Randall

Also Present:

Julie Anderson-Hill (Head of Service, Operational and Cultural Change), Tom Ince (Principal Compliance Officer), Sarah Marshall (Senior Solicitor)

Members of the Public Present:

Adrian Berridge, Stephen Berridge, Paul Humphries, Atiquel Hoque, Robin McGowan, and Amanda Newbery

1 **Apologies/Substitutions**

Apologies were received from Councillors Sue Evans, Pip Ridout, Ian Thorn and Peter Evans.

2 **Chair's Announcements**

The Chair, Councillor Peter Hutton made the following announcements:

Focus of Meeting

The Chair wished to clarify to the Committee Members and the members of the public present that he was aware that this extraordinary meeting had drawn some media attention. No final decision on the taxi tariff for Wiltshire would be made today. The Committee were being asked to consider the Officer's recommendations of proposed changes to the taxi tariff which would then be subject to public consultation. Following the public consultation, if no major amendments were proposed then the tariff would be delegated to the Officers for implementation.

Holocaust Remembrance

The Council would be lowering the flag in remembrance of the Holocaust at 11am. With the Committee's agreement the Chair proposed to adjourn the meeting at 10.55am in order for those who wished to join this brief ceremony to do so.

3 **Declarations of Interest**

There were no declarations of interest.

4 **Public Participation**

No questions had been submitted to the Committee from the public prior to the meeting. There were two members of the public present who wished to make statements in relation to the ensuing discussions for the proposed changes to Wiltshire Council's Hackney Carriage Tariff and Fee Structure.

Statement from Mr Paul Humphries

I have been a taxi driver for 20 years in Salisbury. I am primarily independent taxi driver although I have the support of a 40-driver car company. A few things have been brought to my attention regarding the proposed changes. Wiltshire is a big county and Salisbury is different. I am here to represent the voice of the people but myself primarily. Some of the press following the previous meeting in December had made statements apparently coming from the more prominent Taxi trade in Salisbury. I have quotes from the Salisbury Journal Facebook page saying that there is much corruption, people are being ripped off by taxi drivers and it needs to stop, one driver is charging more than another. I would say that this isn't necessarily ripping off, the tariff only shows what we are legally entitled to charge. I have made my voice known to Salisbury – the drivers are not robbing anyone! We hope they are charging legal tariffs and leaders of these Taxi companies need to address what is their legal right of what they are entitled to charge.

One of the key points to address is safety, forget price. The safety of the driver, the passenger and any other members of the public that are road users is paramount. Safety needs to come first. Education is important. We need to educate the public as well as drivers as what to charge – this is what is going wrong – it needs to be simplified. Some of the timings are being ludicrous and needs to be addressed – night time should apply to when the night clubs are open.

The Chair clarified that there was a Licensing Authority Working Group that looks at tariff and other safety aspects for drivers etc. We are currently waiting for the feedback from the Government and will be looking further at it after that time.

Statement from Mr Adrian Berridge

I am a taxi driver from Warminster. I totally agree Salisbury is different to Wiltshire. From our point of view the night time foot fall has dropped off. If we lose the option to use Tariff 3 we are likely to get to the point at 01:00 where drivers decide that they will go home. We can't be brought in line with Salisbury as they are different.

5 **Proposed Changes to Wiltshire Council's Hackney Carriage Tariff and Fee Structure**

Mrs Julie Anderson-Hill (Head of Service, Operational and Cultural Change) reported that the points that had been raised by the two speakers in public participation on behalf of the trade were exactly the essence of what the authority were trying to focus on. Officers confirmed that the Licensing Authority Working Group would continue to meet and look into the possibility of CCTV in vehicles, look to ensure that drivers speak English and put what they can in place to address concerns around safety. The response from the Government's consultation carried out in 2019 was still awaited.

Officers referred to the report circulated with the Agenda which sought to provide the Licensing Committee with the relevant information to make an informed decision on the proposed public consultation on a revised schedule of fees and tariffs for hackney carriages operating from taxi ranks in Wiltshire.

Officers gave details of the engagement that had taken place to get into the position we are now in and that it was important to understand that the feedback needs to come from the trade and it is not for Officers to suggest what the tariff for Wiltshire should look like. Engagement has been part of the voice and it was noted that there were differing views from Salisbury and Warminster reported by the public speakers today.

Officers outlined the proposed changes to the tariff which included an additional 30p to be added to all flag rates (standing charge). Tariff 3 be amended to only apply on public holidays. Tariff 2 be implemented to start at 22.00 instead of 22.30 but will apply every day. Officers reported that as part of the pre-consultation some representatives from the taxi trade had asked for Tariff 2 to commence at 21.30 and some at 23.00 so as a compromise the time of 22.00 was selected.

Officers reminded the Committee that the current schedule had been in place since 2015 and that the changes proposed would only apply to hackney carriages operating from a rank. Officers explained that a private hire driver is able to take a phone booking with an agreed rate and that is the difference between hackney carriage and private hire.

Should any changes to the tariff be agreed following the consultation, sufficient time would be allowed to enable drivers to make the relevant amendments to the meters, etc. It was anticipated that the implementation of any new tariff would be Summer 2020.

Officers explained the table on page 11 of the Agenda which gave details of the proposals raised by trade and on which the proposed tariff was now based. Officers wished to ensure that the taxi provision in Wiltshire remains sustainable to residents and that they felt there was evidence to show that there was need for a tariff change.

Officers circulated coloured graphs (attached as Appendix 1 to these Minutes) at the meeting which showed the current and proposed tariff for Wiltshire over 4 and 8-seater vehicles at different times of the time, together with the costs of fares of neighbouring authorities compared to the existing and proposed tariffs for Wiltshire. The graphs showed that if Wiltshire were to adopt the proposed tariff we come down to a comparable tariff to that of our neighbours. The key difference is when we look at an 8-seater taxi there is a higher cost.

The meeting was adjourned between 10:55 and 11:06 to allow Members and Officers to attend where the Council would be lowering the flag in remembrance of the Holocaust at 11:00.

There was a brief discussion on what competitors are and what comparators are, and it was confirmed that drivers licensed from other authorities are able to drop off but not able to pick up a fare in Wiltshire. The Chair reminded members of the public that the public participation had finished, and any further comments should now be submitted to the public consultation.

A Committee Member asked that if the rest of Wiltshire came up to Salisbury's tariff in 2015 – have South Wiltshire taxi drivers continued to raise their tariffs in isolation? Why/how has this disparity come about?

Officers explained that the difference for the South of Wiltshire is that Tariff 3 was never operated prior to 2015. Since then Tariff 3 has given the drivers the ability to charge a higher rate after 02.30 and that is where the price increase appears to have come from.

Officers wished to clarify to Committee that there was a typo to correct on page 17 of the Agenda (the proposed tariff card) and that the journey start time should be amended to read 06:00 (not 07:00) with the implementation of tariff 2 to run from 22:00 to 05:59 (not 06:59).

Officers explained that the Committee were being asked to agree the tariff that should now be sent out for public consultation. These proposed changes would be shared with the taxi trade, published in the Salisbury Journal, the Wiltshire Times and the Gazette and Herald. The consultation would be open for 14 days after which time Officers would review the consultation responses and then subject to this review and any non-significant changes made, seek to implement the changes with additional time allowed to enable the trade to make the changes they needed to make.

The Chair asked Officers to confirm that a communications strategy would be implemented to ensure that everyone was aware of any changes. Officers confirmed that press release were ready to be released following the meeting.

Committee Members suggested a number of minor amendments to the wording of the proposals/tariff to make it clearer to understand.

A Committee Member asked if the consultation could include Town and Parish Councils and Officers confirmed that they would be included in the consultation.

A Committee Member asked if the suggestion of breaking out into different tariffs for different areas was raised during the consultation if this would be considered. The importance of making the aims and the parameters of the consultation clear were strongly expressed. The purpose of this consultation was to look at proposed changes to the taxi tariff for Wiltshire.

A Committee Member asked if the consultation would be included on the consultation portal – Officers confirmed that they would look to do this if possible, but it would be subject to IT timelines and requirements.

A Committee Member indicated their preference for the terms of the consultation to be explicit in that the feedback received, and that this should be published with the responses made by Officers being made available to clear up what the public sometimes perceive as the futility of a widespread consultation. Officers confirmed that the response to the consultation would be fed back.

A Committee Member asked for a probable timeline of events following the meeting.

Officers reiterated that a key element of when any new tariff would be implemented would be enforcement. There were aware of drivers in different areas doing different things. At present there were only two Enforcement Officers countywide, but changes were in the pipeline to look at shaping the team differently to allow for more junior roles being able to assist with roles and free up officers for compliance/enforcement. However, any problems from users and tariffs not being correctly applied would need to be reported to enable them to be investigated and acted upon by the team.

It was planned that the advertisements of the proposed changes to the tariffs would be placed in the local newspapers and the public consultation launched in February. This would run for 14 days. It would close by the end of February which would allow officers sufficient time during March/April to consider/review the feedback responses with a planned implementation date of any changes in the summer of 2020.

A Committee Member asked about any changes that are raised following consultation. Officers confirmed that if any significant changes were considered this would mean a +/- 10% change - if this was the case then then the matter would have to come back again to the Licensing Committee. Otherwise with no significant changes then this would be delegated to officers to implement.

A Committee Member asked if/how the results of the consultation would be shared. Officers confirmed that they would be happy to share the results of the consultation with the Chair.

A Committee Member suggested that wording should perhaps be included that Officers also consult with the Chair and Vice Chair of Licensing if they were going to make changes under their delegation which was agreed by the Chair.

The Chair read out the revised proposals and it was put to the vote. The Committee unanimously agreed:

Resolved:

1. **That the Licensing Committee approves that a public consultation take place on Wiltshire Council's revised Hackney Carriage Fees and Tariffs schedule, detailed in Appendix A. Subject to the results of the consultation it is also proposed that in the event of no significant objections that the power to implement the revised schedule be delegated to officers in consultation with the Chair and Vice Chair of Licensing Committee. Significant objections would be defined as those which change the rates charged by more than 10% or changes to the proposed tariff implementation or finish times greater than one hour.**
2. **The proposed changes include an increase in the flag rate, and changes to the timings at which the various tariffs apply.**

The proposed changes include:

For vehicles up to four seats:

- i) **An additional 30p to be added to all flag rates (standing charge).**
- ii) **Tariff 3 be amended to only apply on all public holidays.**
- iii) **Tariff 2 be implemented from 22:00 instead of the current 22:30 and apply every day except public holidays.**
- iv) **Tariff 1 to end at 21:59 instead of 22:29.**

For vehicles with more than four seats carrying more than four passengers:

- v) **Tariff 5 be amended to only apply on all public holidays.**
- vi) **Tariff 4 be implemented from 22:00 instead of the current 22:30 and apply every day except public holidays.**
- vii) **Tariff 2 to end at 21:59 instead of 22:29.**

Appendix 1 to Minutes - Taxi Fare Comparison Data
Dates of Future Committee Meetings

6

Members noted the dates of future meetings of the Licensing Committee as detailed below, all to start at 10.30am:

2 March 2020
1 June 2020
7 September 2020
7 December 2020.

7

Urgent Items

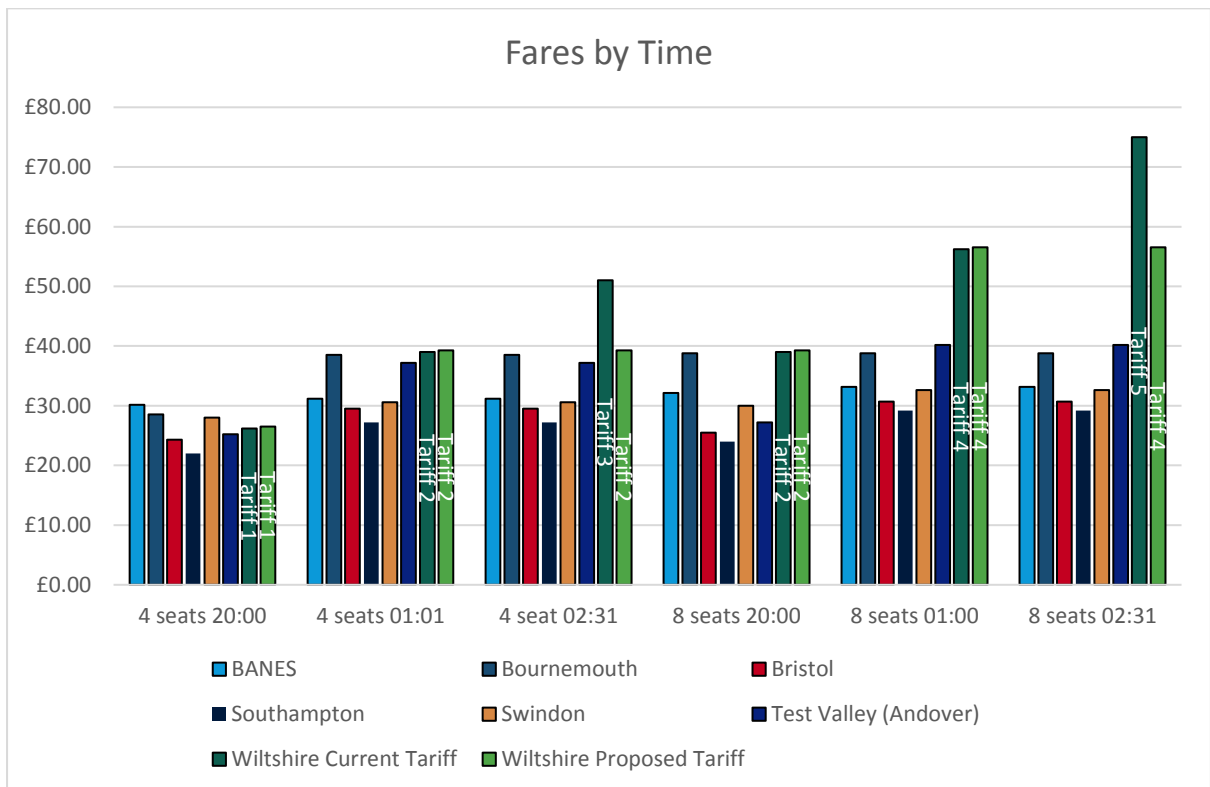
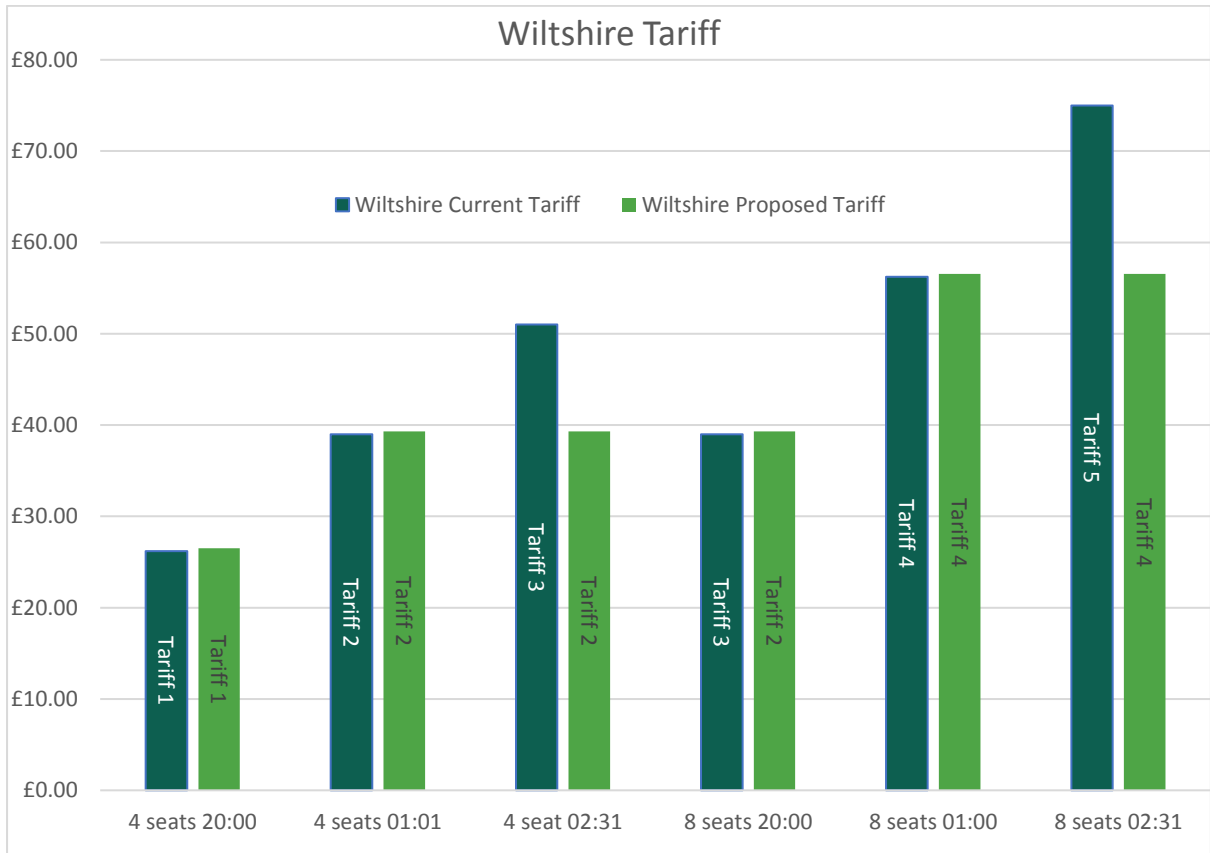
There were no urgent items.

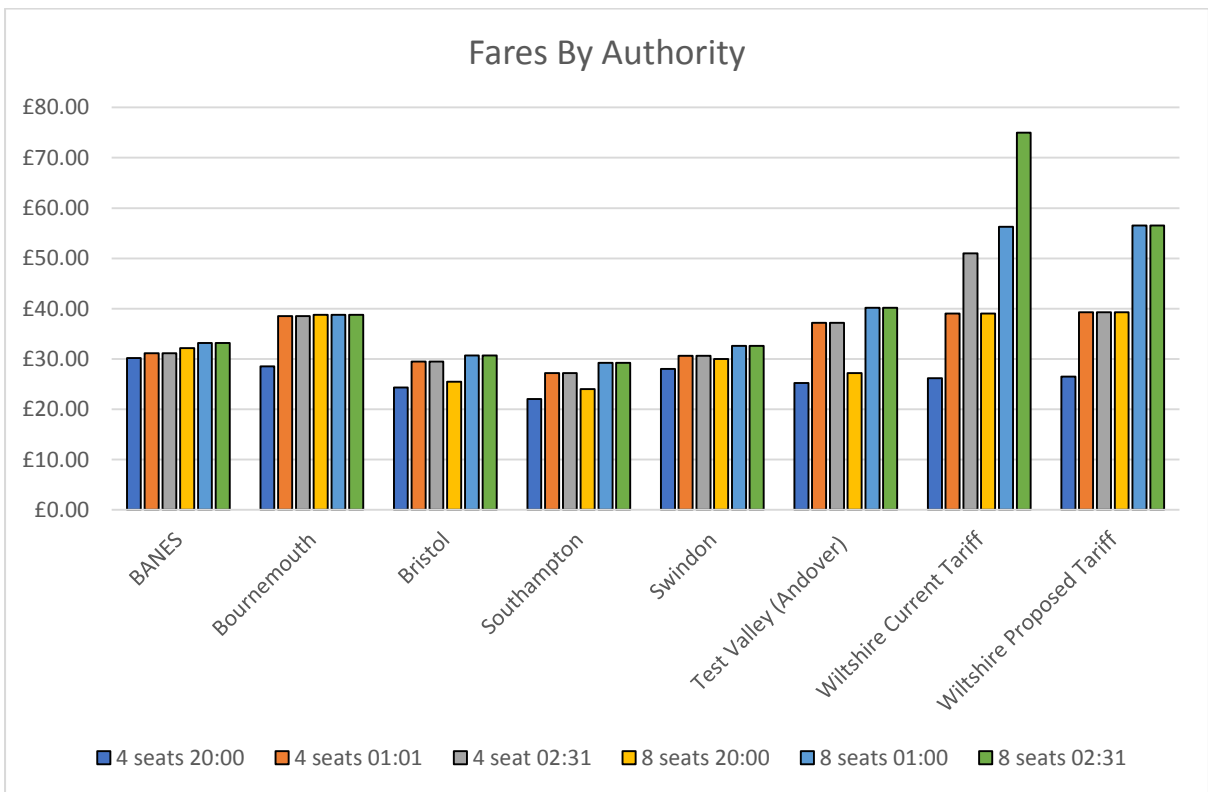
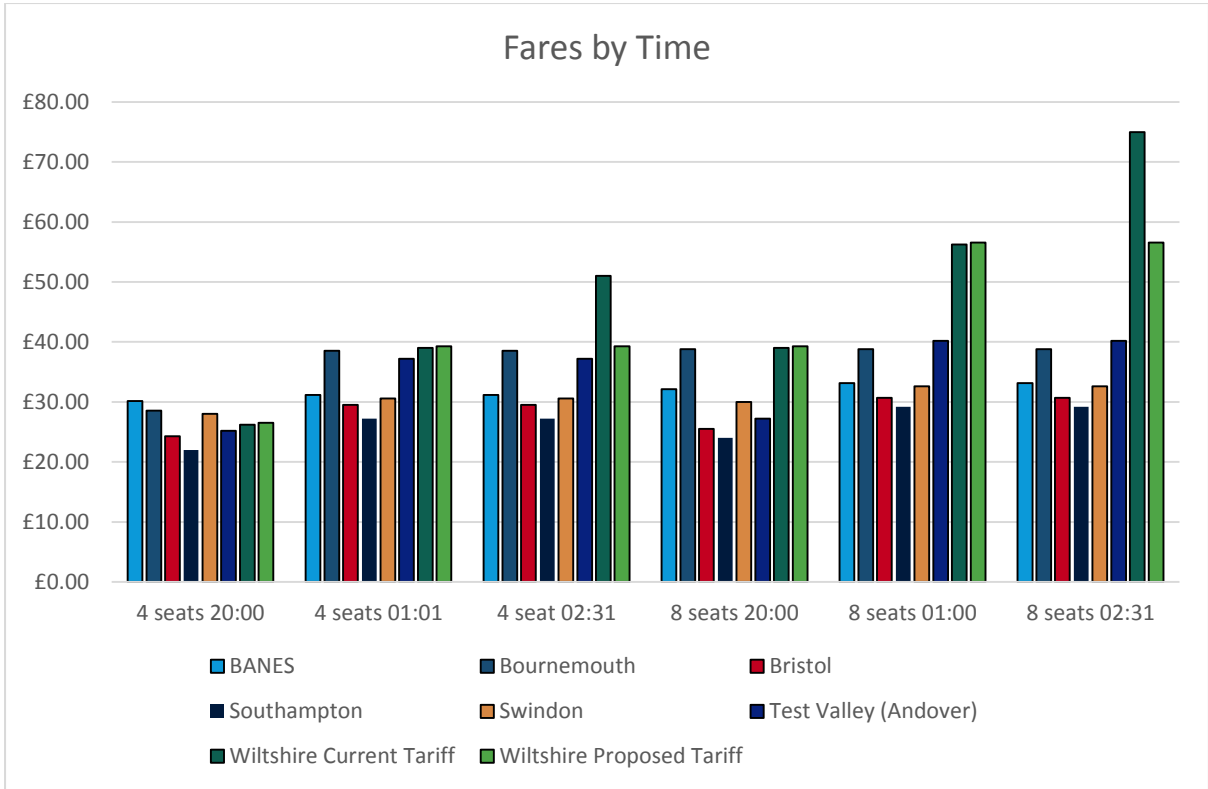
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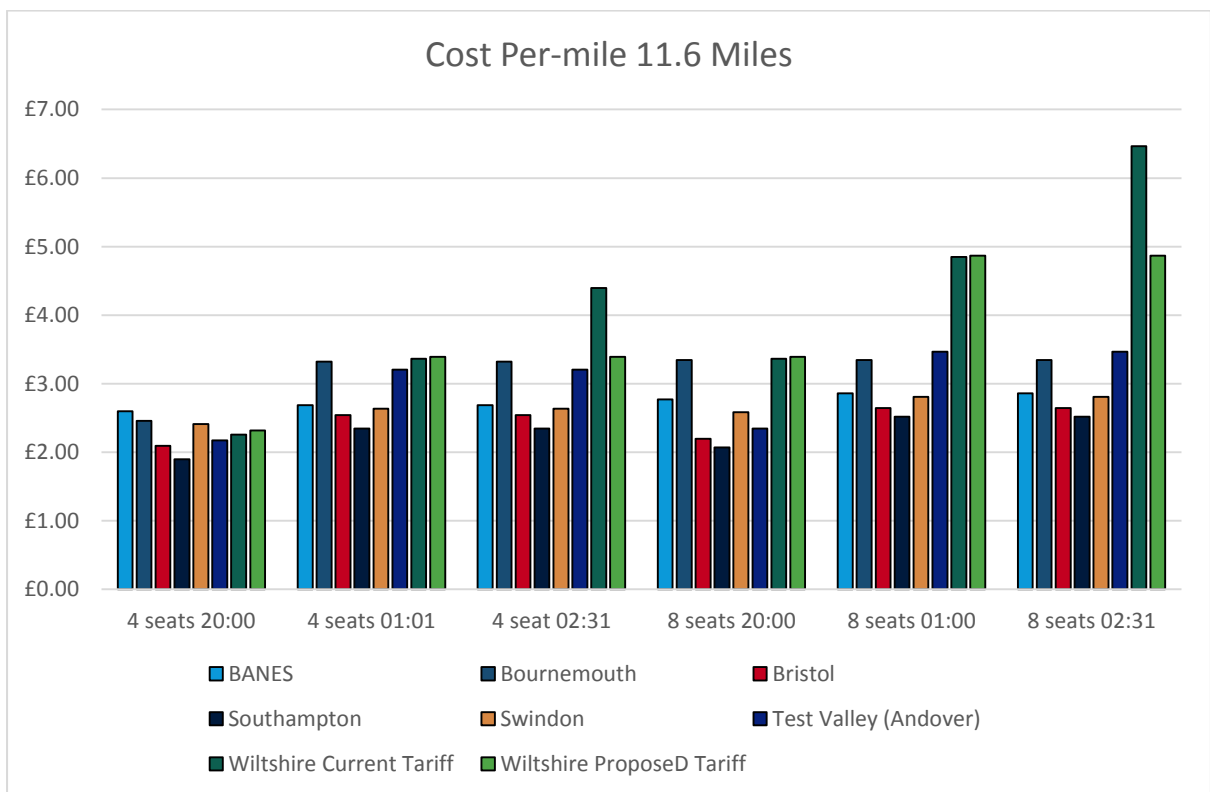
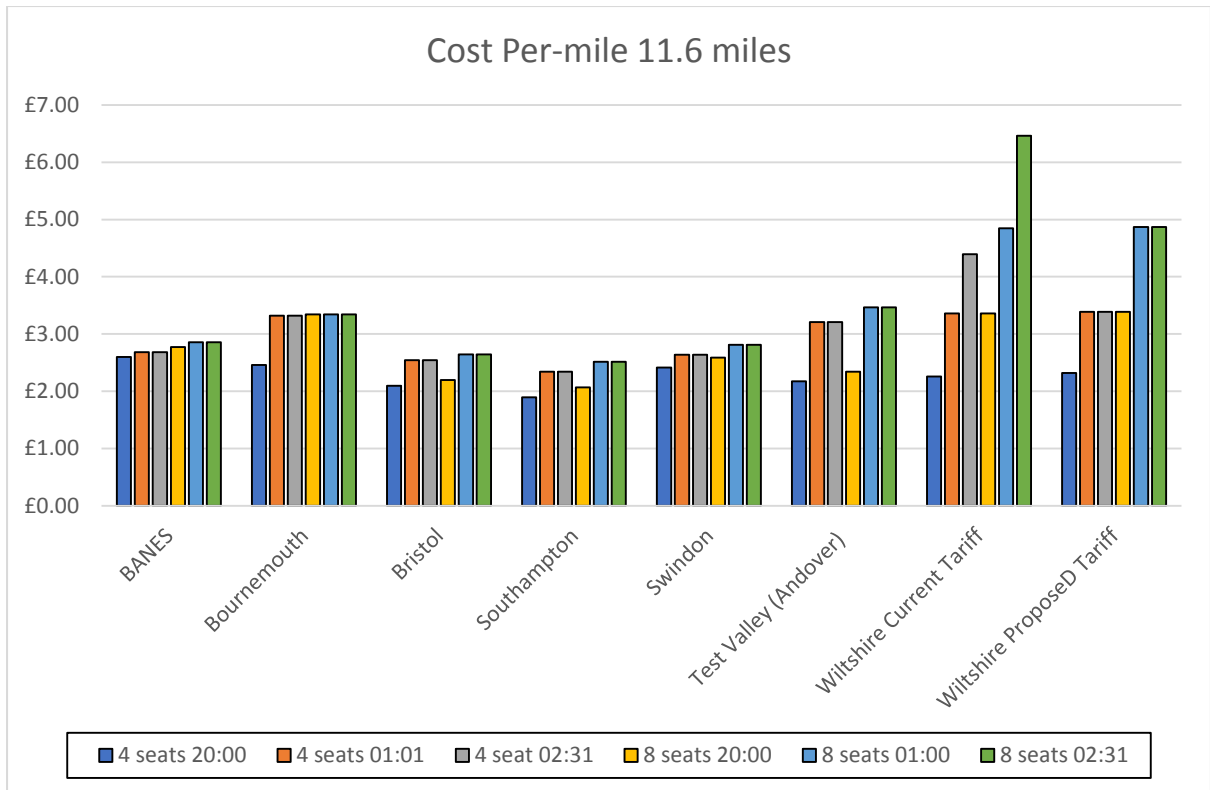
The Officer who has produced these minutes is Lisa Pullin of Democratic Services,
direct line 01225 713015, e-mail lisa.pullin@wiltshire.gov.uk

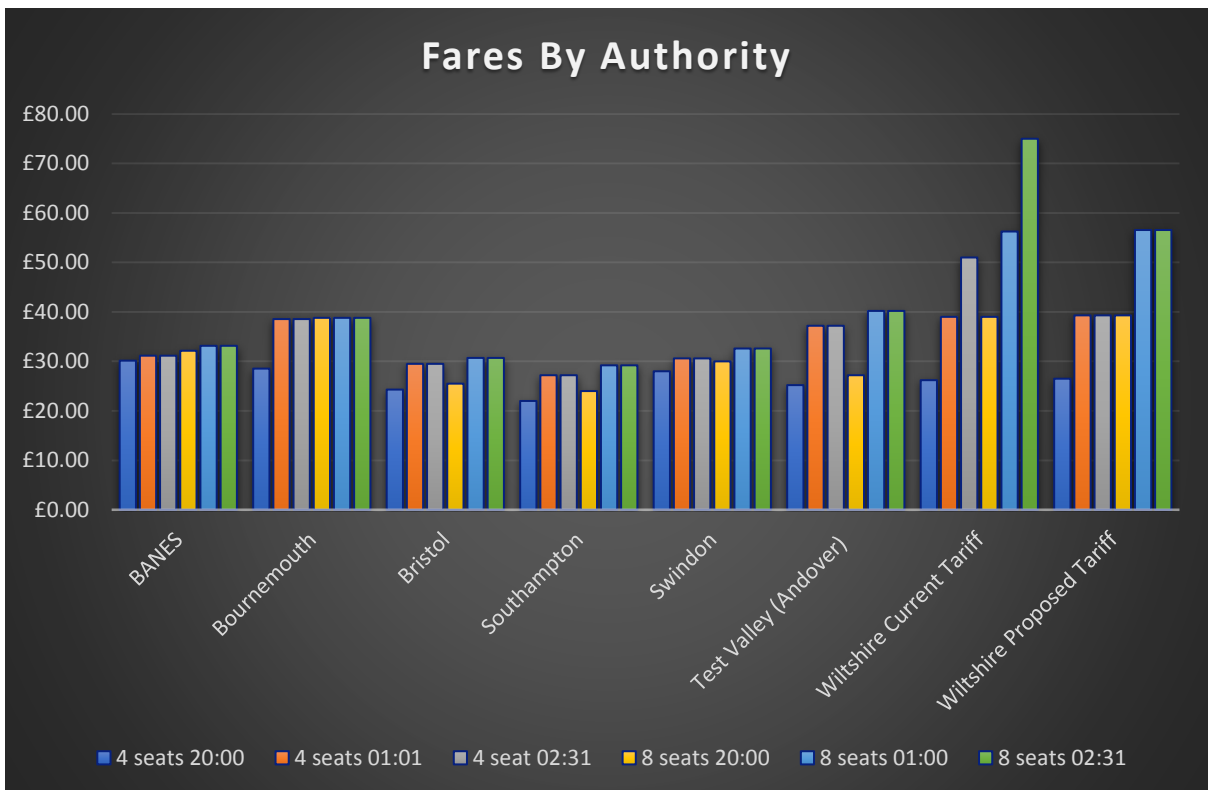
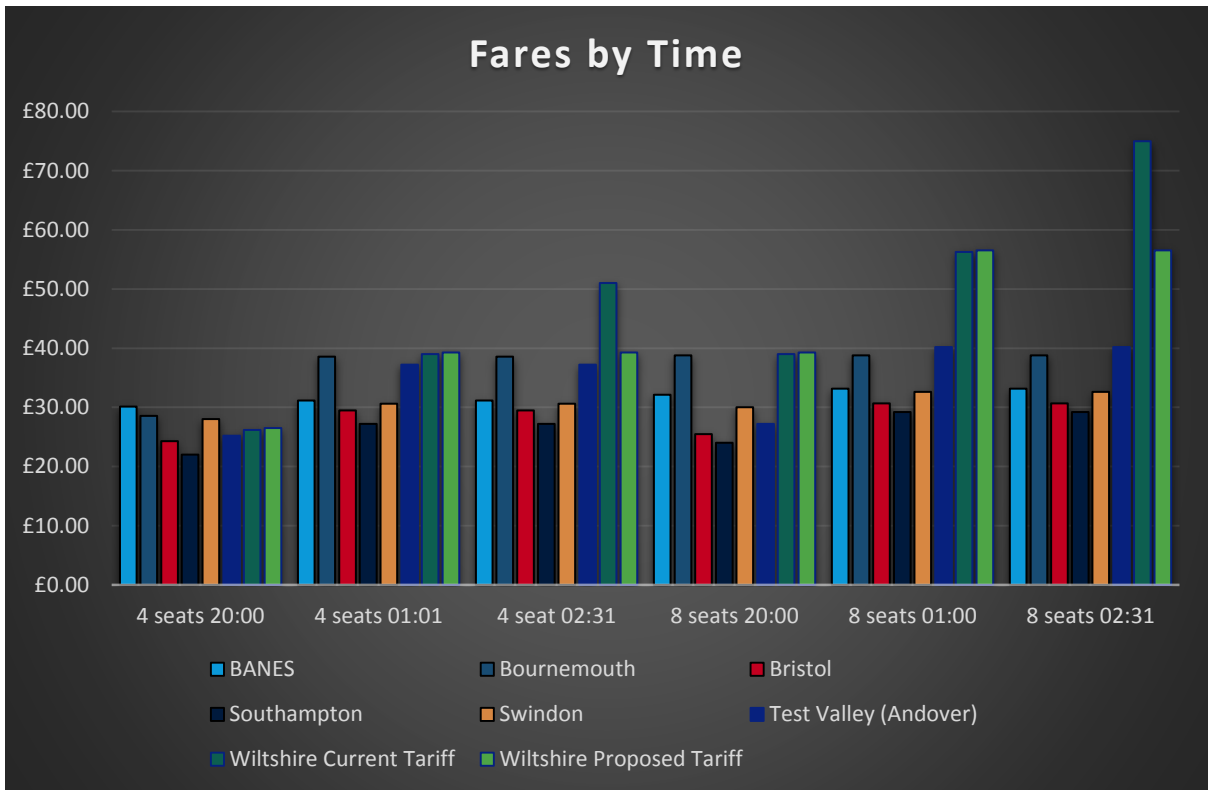
Press enquiries to Communications, direct line (01225) 713114/713115

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**Bulford Camp to Chapel
night Club 11.6 miles**

Authority	4 seats 20:00	4 seats 01:01	4 seat 02:31	8 seats 20:00	8 seats 01:00	8 seats 02:31
BANES	£30.15	£31.15	£31.15	£32.15	£33.15	£33.15
Bournemouth	£28.54	£38.55	£38.55	£38.80	£38.80	£38.80
Bristol	£24.30	£29.50	£29.50	£25.50	£30.70	£30.70
Southampton	£22.00	£27.20	£27.20	£24.00	£29.20	£29.20
Swindon	£28.00	£30.60	£30.60	£30.00	£32.60	£32.60
Test Valley (Andover)	£25.20	£37.20	£37.20	£27.20	£40.20	£40.20
Wiltshire Current Tariff	£26.20	£39.00	£51.00	£39.00	£56.25	£75.00
Wiltshire Proposed Tariff	£26.50	£39.30	£39.30	£39.30	£56.55	£56.55

Average cost per mile

Authority	4 seats 20:00	4 seats 01:01	4 seat 02:31	8 seats 20:00	8 seats 01:00	8 seats 02:31
BANES	£2.60	£2.69	£2.69	£2.77	£2.86	£2.86
Bournemouth	£2.46	£3.32	£3.32	£3.34	£3.34	£3.34
Bristol	£2.09	£2.54	£2.54	£2.20	£2.65	£2.65
Southampton	£1.90	£2.34	£2.34	£2.07	£2.52	£2.52
Swindon	£2.41	£2.64	£2.64	£2.59	£2.81	£2.81
Test Valley (Andover)	£2.17	£3.21	£3.21	£2.34	£3.47	£3.47
Wiltshire Current Tariff	£2.26	£3.36	£4.40	£3.36	£4.85	£6.47
Wiltshire Proposed Tariff	£2.32	£3.39	£3.39	£3.39	£4.87	£4.87

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