



## Public Document Pack

North Devon Council  
Brynsworthy Environment Centre  
Barnstaple  
North Devon EX31 3NP

K. Miles  
Chief Executive.

### **LICENSING AND COMMUNITY SAFETY COMMITTEE**

A meeting of the Licensing and Community Safety Committee will be held in the Barum Room - Brynsworthy on **TUESDAY, 12TH APRIL, 2022 at 10.00 am.**

**(NOTE: A location plan for the Brynsworthy Environment Centre is attached to the agenda front pages. There are limited car parking spaces in the Visitors parking area. If no spaces are available, please find an alternative space. Please ensure that you enter your name and car registration details in the book in front of the entrance door)**

Members of the Licensing and Community Safety Committee will be appointed at the Annual Council meeting of 6 April 2022.

### **AGENDA**

1. Apologies for Absence
2. To approve as a correct record the minutes of the meeting held on (Pages 5 - 8)
3. Items brought forward which in the opinion of the Chair should be considered by the meeting as a matter of urgency
4. Declarations of Interests
5. To agree the agenda between Part 'A' and Part 'B' (Confidential Restricted Information)

### **PART 'A'**

6. **Hackney Carriage and Private hire policy Amendments** (Pages 9 - 34)  
Report by Public Protection Manager (attached).
7. **Alternative Arrangements for the Appointment of Sub-Committees** (Pages 35 - 42)  
Report by Corporate and Community Services Officer (attached).
8. **Update on Idling Engines**  
Public Protection Manager to update.

**PART 'B' (CONFIDENTIAL RESTRICTED INFORMATION)**

Nil.

**If you have any enquiries about this agenda, please contact Corporate and  
Community Services, telephone 01271 388253**

4.04.22



## **North Devon Council protocol on recording/filming at Council meetings**

The Council is committed to openness and transparency in its decision-making. Recording is permitted at Council meetings that are open to the public. The Council understands that some members of the public attending its meetings may not wish to be recorded. The Chairman of the meeting will make sure any request not to be recorded is respected.

The rules that the Council will apply are:

1. The recording must be overt (clearly visible to anyone at the meeting) and must not disrupt proceedings. The Council will put signs up at any meeting where we know recording is taking place.
2. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in their opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.
3. We will ask for recording to stop if the meeting goes into 'part B' where the public is excluded for confidentiality reasons. In such a case, the person filming should leave the room ensuring all recording equipment is switched off.
4. Any member of the public has the right not to be recorded. We ensure that agendas for, and signage at, Council meetings make it clear that recording can take place – anyone not wishing to be recorded must advise the Chairman at the earliest opportunity.
5. The recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or in a way that ridicules or shows a lack of respect for those in the recording. The Council would expect any recording in breach of these rules to be removed from public view.

### **Notes for guidance:**

Please contact either our Corporate and Community Services team or our Communications team in advance of the meeting you wish to record at so we can make all the necessary arrangements for you on the day.

For more information contact the Corporate and Community Services team on **01271 388253** or email **memberservices@northdevon.gov.uk** or the Communications Team on **01271 388278**, email **communications@northdevon.gov.uk**.

North Devon Council offices at Brynsworthy, the full address is:  
Brynsworthy Environment Centre (BEC), Roundswell,  
Barnstaple, Devon, EX31 3NP.

Sat Nav postcode is EX31 3NS.

At the Roundswell roundabout take the exit onto the B3232, after about ½ mile take the first right, BEC is about ½ a mile on the right.

Drive into the site, visitors parking is in front of the main building on the left hand side.

On arrival at the main entrance, please dial 8253 for Corporate and Community Services.



## **NORTH DEVON COUNCIL**

Minutes of a meeting of Licensing and Community Safety Committee held in the Barum Room - Brynsworthy on Tuesday, 8th March 2022 at 10.00 am

PRESENT: Members:

Councillor Tucker (Chair)

Councillors Biederman, Bulled, Cann, Chesters, Gubb, Hunt, Pearson, D. Spear, L. Spear and York

Officers:

Solicitor, Public Protection Manager, Licensing Consultant and Corporate and Community Services Officer

### **40. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Henderson, Orange and Yabsley.

### **41. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 8 FEBRUARY 2022**

The minutes of the meeting held on 8 February 2022 (circulated previously) were approved as a correct record and signed by the Chair.

### **42. DECLARATIONS OF INTERESTS**

There were no declarations of interest announced.

### **43. HACKNEY CARRIAGE AND PRIVATE HIRE POLICY AMENDMENTS**

The Committee considered a report in relation to Hackney Carriage and Private Hire Policy amendments (circulated previously) by the Public Protection Manager.

The Public Protection Manager invited the Licensing Consultant, Lee Staples, to present highlights from the proposed amendments to the Committee.

The Licensing Consultant provided the following:

- After an informal discussion with members during their last meeting, their comments in respect of vehicle standards had been incorporated into the proposed amendments at Appendix B, page 109 of the agenda.

- The age restriction on a vehicle had been lowered to 3 years of age at first licensing, with consideration given year on year dependant on the condition of the vehicle at inspection.
- Due to the cost of purchasing electric and/or disabled adapted vehicles the age restriction would allow for older vehicles at the point of first licensing, (6 years old).
- The authority was not allowed to subsidise wheelchair accessible vehicles by way of the Council's fees.
- The biggest proposed change was to the standard of vehicles and it was hoped that the tracked changes document would provide ease of finding the amendments made.
- Any further changes to the policy that come about as a result of the consultation would presented back to the Committee
- It had been discussed with members of the team and decided that CCTV would not be recommended to form a requirement in North Devon at present. It was acknowledged that it was expensive to set up a suitable system that would meet the Council's criteria. If CCTV was already installed in vehicles there would be no requirement to upgrade the system, albeit that any new systems would need to conform with the proposed new standards recommended.
- The introduction of a daily checks log had been put forward by Officers and was a standard requirement in the industry.
- If a complaint was received against a driver then there would likely be a recorded interview held. This would be a condition of the licence issued and the request had to be made in writing to the driver concerned. This would professionalise complaints.

In response to questions. The Public Protection Manager gave the following replies:

- There was legislation around the idling of engines that she would investigate. Information on this legislation would be presented to Committee at a future meeting.
- The daily checks could be entered onto a word document held electronically or printed off and completed by hand.
- Reference to the environment and health, in terms of idling engines would be added into the Code of Conduct drivers were expected to abide by.

RESOLVED:

- (a) That the Licensing Service carry out a formal consultation on the proposed amended policy; and
- (b) That the results of the consultation be presented to the Committee at a future meeting.

#### **44. RESPONSE FROM HOME OFFICE ALCOHOL TEAM**

The Committee considered a letter received from the Home Office Alcohol Team (circulated previously).

The letter was in response to a request made by the Licensing and Community Safety Committee to Central Government lobbying for an additional Licensing Objective in relation to the environmental consideration of single use plastics at licensed events. The Alcohol Team would not pursue the request as the issue was dealt with under the Environmental Bill.

The Public Protection Manager advised the Committee that littering could be considered as a public nuisance but that the use of single use plastics at an event was not considered a public nuisance and could not therefore be added as a condition when considering a premises licence application. The Environmental Head Lead Officer attended Safety Advisory Group meetings (typically held for events in excess of 500 attendees) where best practice guidance was offered to applicants ahead of an event.

The Licensing Consultant added that Exeter City Council had passed a resolution whereby all street traders were banned from using single use plastics, and if an event were to be held on Council owned land conditions could be imposed.

The response was noted and the Public Protection Manager was requested to write to the MP seeking her views on the response received from the Home Office.

#### **45. LICENSING AND COMMUNITY SAFETY SUB-COMMITTEES**

RESOLVED that the minutes of the Licensing and Community Safety Sub-Committee D held on 24 January 2022 (circulated previously) be approved as a correct record and signed by the Chair of that Sub-Committee.

Chair

The meeting ended at 10.55 am

NOTE: These minutes will be confirmed as a correct record at the next meeting of the Committee.

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## North Devon Council

Report Date: 12 April 2022

Topic: Hackney Carriage and Private Hire Policy Amendments

Report by: Katy Nicholls, Public Protection Manager

### 1. INTRODUCTION

1.1 North Devon Council has set maximum chargeable fares for taxis under the Local Government (Miscellaneous Provisions) Act 1976 which directly impact the salaries of taxi drivers licensed in the district. This report seeks to review North Devon Council's Authorised Maximum Fares for Licensed Hackney Carriages (the hackney tariff).

1.2 There has been no increase in taxi fares subsequent to 2016, when the tariff became effective, and since the time when fares were last reviewed in February 2019, yet there has been an approximate 12.3% and 7.6% respective increase in the Consumer Price Index (CPI) during this period. On this basis, it is suggested that members select from a number of options for an increase in making their recommendation to Strategy and Resources Committee.

1.3 Moreover, for efficiency and due to ongoing threat of fuel price surge, it is further suggested that consideration be made to the introduction of a fuel surplus charge to the tariff. Further consideration is suggested with regard delegated authority. Delegated authority provided to Licensing and Community Safety Committee for setting of fares under the Constitution would provide for more expedient amends to be made to the hackney tariff. This would limit periods of use of 'extras' on a taximeter, should there be a need for further expedited reviews in the subsequent months of 2022.

### 2. RECOMMENDATIONS

2.1 That Licensing and Community Safety Committee consider making one or more of the following recommendations to Strategy and Resources Committee:

2.1 A modification of the hackney carriage tariff via the selection of one of the following options for tariffs 1-6 (increases across the table of fares not including waiting time):

2.1.1 Option One: Modify the current table of maximum fares in line with a 5.5% increase (February 21-February 22 CPI increase).

2.1.2 Option Two: Modify the current table of maximum fares in line with 7.6% increase (February 19-22 CPI increase from last tariff review).



- 2.1.3 Option Three: Modify the current table of maximum fares in line with a 12.3% increase (February 16-22 CPI increase from year tariff effective).
  - 2.1.4 Option Four: Modify the current table of maximum fares in line with a proposal received by way of trade representation.
  - 2.2 Consider an increase in the valet charge, chargeable when a passenger soils a vehicle to £100.00.
  - 2.3 Consider an increase in the fare for non-motorised vehicles from £1.50 to £2.00 a minute.
  - 2.4 Consider whether to recommend an amendment to the commencement of tariff 2 and 5 (night rate), following the suggestion received from one member of the trade that this be brought forward to 21:00 hrs.
  - 2.5 Consider making a recommendation that the Council's Constitution be updated to delegate to Licensing and Community Safety Committee the setting of hackney carriage fares
  - 2.6 Consider adding to the hackney tariff an extra charge of 10p be added to the fare price when the South West average price of fuel oil exceeds £1.75 per litre based on the latest available AA Fuel Price Report with a further 10p added for each subsequent increase of 10p per litre.
- 3 REASONS
- 3.1 To consider representations from the taxi trade received in respect of the Council's hackney carriage fare tariff.
  - 3.2 To take into consideration the increase in the CPI since the hackney tariff became effective.
  - 3.3 It is believed that a valet charge of £100 is proportionate with likely cleaning costs, and downtime not being able to take subsequent fares.
  - 3.4 To provide an expedient mechanism of setting fares.
  - 3.5 Provide the ability to readily react to fuel price surges and a volatile marketplace.
  - 3.6 There is currently only one horse drawn carriage in operation locally. In light of this and the fact that this tariff is in essence for pleasure rides, it is believed that an increase of 50p per minute is likely justified. There is choice



over whether to take this type of ride, unlike with a taxi journey which may be an essential activity for some individuals and businesses.

## 4 REPORT

- 4.1 North Devon Council's current hackney carriage fare tariff became effective in April 2016. **Appendix A** contains the card that must be displayed within a licensed vehicle. Subsequent to its implementation two reviews have taken place in November 2016, and February 2019 during which decisions were taken that any amendment was not justified at that time.
- 4.2 A significant period of time has now passed and it is necessary to undertake a further review. Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 enables the Council to set fares for hackney carriage vehicles and requires that before any alteration to the tariff table can take effect a public notice explaining the changes must be placed in a local newspaper. The public then must be provided with a period of at least 14 days to make comment on the proposals. If no adverse comment/objection is received, the approved changes must take effect. Alternatively, if adverse comment/objection is received then the matter must be returned to allow the Committee to consider the representation(s).
- 4.3 Members attention is drawn to paragraph 5.5 in the Council's Hackney Carriage and Private Hire Licensing Policy, which describes the fare tariff criteria to be utilised when considering any revision:
- Reasonable and fair to all stakeholders
  - Proportionate with the locality
  - Benchmarked with other local authorities
  - Justified
  - Simple, and easily calculated
  - Designed with a view to practicality
  - In line with published best practice guidance
  - Mathematically correct and capable of being entered onto a meter
  - Structurally the same for vehicles of different seating capacity
  - Designed where possible to avoid either deliberate or accidental over charging



- 4.4 Following a meeting of the Strategy and Resources Committee and providing members agree to modify the fare tariff table in the same manner as today's meeting it is proposed that a public notice will be published in a local newspaper and the Council's taxi newsletter explaining the changes and inviting observations.
- 4.5 Fuel prices have increased in the period subsequent to the tariff's implementation. **Appendix B** highlights data gained from AA monthly fuel price reports which will be of relevance. Currently 87.8% of taxis and private hire vehicles licensed by the Council are diesel powered and therefore diesel prices are those for which members will wish to take particular note. In the period from April 2016 to February 2022 diesel increased in price by 44.8 pence per litre.
- 4.6 Private Hire and Taxi Monthly (PHTM) Magazine publish and update the cost of a two mile hackney carriage fare on Tariff 1 (day rate) nationally every month and produce a league table of all 355 Councils. In March the position of North Devon Council was 89<sup>th</sup>. Furthermore, North Devon Council's position is benchmarked against its neighbouring authorities in **Appendix C**, for which North Devon's rate of £6.55 for a two mile daytime journey is currently 7<sup>th</sup> lowest out of those authorities in Devon. The national average is £6.08 and local average £5.94. Due to the rural nature of North Devon it would be expected that fares would be higher than urban areas, where there would be less dead mileage (the amount of mileage spent driving without a passenger in the vehicle i.e. non-earnable mileage), albeit there is history of some of the more affluent areas demanding higher rates due to the higher cost of living, and house prices etc. It is worthy to note that taxi drivers are unable to specifically charge for dead-mileage in the same way as a private hire vehicle operator is able under the relevant legislation.
- 4.7 The Council circulated a taxi trade newsletter in February 2022 seeking initial views as an early stage of consultation. It was believed that comments would assist the committee in examining options prior to undertaking any statutory consultation exercise. The newsletter provided detail of a collective proposal received from the trade (prior to the circulation of the newsletter) and sought to gain responses on whether there was support for the proposal put forward or for any other alternative.
- 4.8 The original trade proposal and subsequent representations received from members of the taxi trade are anonymised and contained at **Appendix D**.
- 4.9 Whilst it is not possible to calculate example journeys for all trade suggestions, for ease of comparison, the initial trade proposal on which members of the trade were given the ability to provide comment on, and a



further proposal suggesting that this be increased further, are both entered into a table at **Appendix E**, alongside other options for potential increase based upon set percentages. The original trade proposal represents a 14.5% increase in a two mile day time journey from the current hackney tariff, and the second trade proposal a 22.1% increase.

- 4.10 The following three potential options for amendment of taxi fares are suggested by officers, being based upon CPI figures from the Office of National Statistics (ONS). Please note that when calculated the tariff has been rounded to provide for a more appropriate format:

#### 4.10.1 Option One

A 5.5% rise across the fare table based on the most recent CPI inflation figure from February 2021 to February 2022.

#### 4.10.2 Option Two

A 7.6% increase based upon the CPI inflation figure for that period since the last tariff review in February 2019 (when an amendment was not deemed to be justified).

#### 4.10.3 Option Three

A 12.3% increase based upon the CPI inflation figure for that period since the tariff became effective in April 2016.

CPI Figures utilised for the above are contained in the following table:

<b>Consumer Prices Index CPI 12 month period rises:</b>	<b>%</b>
Feb 21 – Feb 22	5.5
Feb 20 – Feb 21	0.4
Feb 19 – Feb 20	1.7
Feb 18 – Feb 19	1.9
Feb 17 – Feb 18	2.7
April 16 – Feb 17 (estimated)	0.1
Total Feb 16-21	12.3
Total Feb 19-22	7.6

- 4.11 Given the recent dramatic rises in the cost of living, it is considered appropriate to look at options for amendment of the current table of maximum fares based on CPI inflation data. The benefit being that this has the



significant advantage of being very transparent. The CPI inflation figures produced by the ONS reflect the change in prices for goods and services over time at a national level, and are updated every month and tracked over many years previous.

- 4.12 In addition to the options set out for amendment to the table of maximum fares, it is also proposed that an exceptional fuel price figure be included within the list of applicable extra charges. It is proposed that an extra charge of 10p be added to the fare price when the price of fuel oil exceeds £1.75 per litre based on the latest available AA Fuel Price Report (South West average fuel price published by the AA monthly for many years), with a further 10p for each subsequent increase of 10p per litre. This measure has already been successfully adopted by two other Devon Authorities, and is currently being considered also by South Hams District Council. This is considered by Officers to be a proportionate response to the recent fuel price volatility and may alleviate the concerns of some drivers that any increase by way of this process may not be sufficiently expedient.
- 4.10 In addition to the position in the league table it will be of further benefit for Members to examine the commencement of night rate and additionally the fee for valeting a vehicle in the case it is soiled by a passenger(s):

Local Authority	Night rate start (hrs)	Valet charge
East Devon	19:00	£80
Exeter	19:00	£100
Plymouth	19:00	£100
Mid Devon	21:00	£100
Somerset West and Taunton	22:00	£100
<b>North Devon</b>	<b>23:00</b>	<b>£75</b>
South Hams	23:00	£100
Teignbridge	23:00	£70
Torbay	23:00	£50
Torridge	23:00	£100

- 4.11 The most frequent night rate commencement time is 23:00. The Council's nearest neighbours night rates commence at 23:00hrs (Torridge); 21:00hrs (Mid Devon), and 22:00hrs (Somerset West and Taunton) and therefore there is a lack of uniformity locally. Members may wish to consider an amendment in terms of the commencement of Tariff 2 and 5 (night rates). In terms of valet charges it would seem justified to increase the North Devon table of fares to £100 based upon the fact that the majority of Councils have implemented this level of fee, and that it would be proportionate with cleaning and down time costs, when subsequent journeys are unable to be taken.



- 4.12 The Council's fare tariff encompasses a section in respect of non-motorised vehicles. A proposal for the increase to the non-motorised vehicle tariff has been furnished to the Council and is contained in those representations provided at **Appendix D**. The proposal made is for a proposed increase from £1.50 to £2.00 per minute. There is currently only one horse drawn carriage in operation locally. In light of this, and the fact that this tariff is in essence for pleasure rides, and for those who have a choice to make a journey (rather a different scenario than those for whom travelling in a taxi is essential) Members will need to consider whether this is justified.

## 5 RESOURCE IMPLICATIONS

- 5.1 There are associated costs of newspaper advertisement of any new tariff that will be met by way of the Council's existing budget, realised through its licence fees.
- 5.2 The Council's hackney carriage tariff directly impacts the licensed trade by way of the maximum fares that they are able to charge.
- 5.3 The current tariff was effective in April 2016, and it appears to now be an appropriate time to review the fares given recent significant rises in CPI. It is however recognised that raising the cost of fares too greatly may adversely impact the ability of vulnerable users to be able to afford this essential service.

## 6 EQUALITIES ASSESSMENT

- 6.1 The impact of the proposals will depend on the increase recommended. Should the Council set the fare too low this may adversely affect the supply of taxis in the area. Whilst setting the fare too high may have a negative impact on the vulnerable users of this essential service, for example protected groups including the disabled who rely on taxis as a principle form of transport. An Equalities Impact Assessment will be produced after Licensing and Community Safety Committee has made its recommendation to Strategy and Resources Committee.

## 7 ENVIRONMENTAL ASSESSMENT

- 7.1 An Environmental Assessment will be undertaken after Licensing and Community Safety Committee has made its recommendation to Strategy and Resources Committee and as part of the second report on this subject.

## 8 CORPORATE PRIORITIES

- 8.1 What impact, positive or negative, does the subject of this report have on:



- 8.1.3 The commercialisation agenda: Reviewing the tariff and making an increase of fares will have a general impact on the cost of taxi journeys across the district. Taxi fares have a direct impact on the taxi drivers, operators and proprietors of licensed vehicles by way of the remuneration provided through the journeys taken by the public and there is a similar impact on individuals and businesses using taxis for these journeys which may be pleasure or business related.
- 8.1.4 Improving customer focus and/or: Reviewing the tariff and making careful consideration of those representations gained will ensure there is appropriate customer focus.
- 8.1.5 Regeneration or economic development: Reviewing the tariff and making an increase of fares will have a general impact on the cost of taxi journeys across the district. Taxi fares have a direct impact on the taxi drivers, operators and proprietors of licensed vehicles by way of the remuneration provided through the journeys taken by the public and there is a similar impact on individuals and businesses using taxis for these journeys which may be pleasure or business related.

## 9 CONSTITUTIONAL CONTEXT

- 9.1 Article of Part 3 Annexe 1 paragraph:4b
- 9.2 Referred or delegated power?: Delegated.

## 10 STATEMENT OF CONFIDENTIALITY

- 10.1 This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

## 11 BACKGROUND PAPERS

- 11.1 The following background papers were used in the preparation of this report: (The background papers are available for inspection and kept by the author of the report).
  - North Devon Council's Hackney Carriage and Private Hire Licensing Policy March 2022
  - Private Hire and Taxi Monthly ([www.phtm.co.uk/taxi-fares-league-tables](http://www.phtm.co.uk/taxi-fares-league-tables))
  - Office for National Statistics Consumer Prices Index  
<https://www.ons.gov.uk/economy/inflationandpriceindices#dataset>



## 12 STATEMENT OF INTERNAL ADVICE

12.1 The author (below) confirms that advice has been taken from all appropriate Councillors and Officers:

Katy Nicholls, Public Protection Manager. 04.04.2022

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Tariff		FARES FOR UP TO FOUR PASSENGERS	Rate
1	Hirings begun between <b>7am &amp; 11.30pm Monday to Saturday</b> except Xmas & New Year's Day Distance not exceeding ½ mile (880 yards) Distance exceeding ½ mile for every 1/10 mile or part thereof <b>Waiting Time</b> - For waiting at hirer's request each period of one minute or part thereof		£2.80 £0.25 £0.25
2	Hirings begun between <b>11.30pm &amp; 7am Monday to Saturday</b> . Hirings on <b>Sundays &amp; all Bank Holidays</b> except Xmas Day & New Year's Day Distance not exceeding ½ mile (880 yards) Distance exceeding ½ mile for every 1/10 mile or part thereof <b>Waiting Time</b> - For waiting at hirer's request each period of one minute or part thereof		£4.20 £0.38 £0.25
3	Hirings begun between midnight <b>Xmas Eve &amp; midnight Xmas Day</b> & between 10pm <b>New Year's Eve &amp; midnight New Year's Day</b> Distance not exceeding ½ mile (880 yards) Distance exceeding ½ mile for every 1/10 mile or part thereof <b>Waiting Time</b> - For waiting at hirer's request each period of one minute or part thereof		£5.60 £0.50 £0.25
Tariff		FARES FOR 5, 6, 7 OR 8 PASSENGERS	Rate
4	Hirings begun between <b>7am &amp; 11.30pm Monday to Saturday</b> except Xmas & New Year's Day Distance not exceeding ½ mile (880 yards) Distance exceeding ½ mile for every 1/10 mile or part thereof <b>Waiting Time</b> - For waiting at hirer's request each period of one minute or part thereof		£4.20 £0.38 £0.25
5	Hirings begun between <b>11.30pm &amp; 7am Monday to Saturday</b> . Hirings on <b>Sundays &amp; all Bank Holidays</b> except Xmas Day & New Year's Day Distance not exceeding ½ mile (880 yards) Distance exceeding ½ mile for every 1/10 mile or part thereof <b>Waiting Time</b> - For waiting at hirer's request each period of one minute or part thereof		£5.60 £0.50 £0.25
6	Hirings begun between midnight <b>Xmas Eve &amp; midnight Xmas Day</b> & between 10pm <b>New Year's Eve &amp; midnight New Year's Day</b> Distance not exceeding ½ mile (880 yards) Distance exceeding ½ mile for every 1/10 mile or part thereof <b>Waiting Time</b> - For waiting at hirer's request each period of one minute or part thereof		£8.40 £0.76 £0.25
7	<b>Non-motorised hackney carriages</b> -Hirings at any time		<b>£1.50 per minute</b>

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**NORTH DEVON DISTRICT COUNCIL  
AUTHORISED MAXIMUM FARES FOR  
LICENSED HACKNEY CARRIAGES  
EFFECTIVE 26 APRIL 2016**

**Luggage** - for each article of luggage conveyed outside the passengers' compartment - £0.20

**Valeting Charge** - chargeable to passengers for soiling the vehicle - £75.00

**Children** – 2 child passengers under the age of 10 years can be regarded as one adult passenger (FOR THE CALCULATION OF FARES ONLY) to a maximum of 4 children replacing 2 adult passengers – may not exceed maximum number of passengers vehicle licensed to carry

**ALL VEHICLES CAN ONLY CARRY THE  
NUMBER OF PASSENGERS AS  
INDICATED BY THE PLATE SITUATED  
ON THE REAR OF THIS VEHICLE**

# Agenda Item 6

Appendix B  
APPENDIX B

## AA Fuel Price Reports – Monthly

<b>Date</b>	<b>South West Unleaded 95 Octane (pence/litre)</b>	<b>South West Diesel (pence/litre)</b>
April 2016 (Tariff effective)	107.5	107.2
November 2016 (*Review date, decision to make no amends)	116.5	118.4
April 2017	118.8	120.7
April 2018	121.6	124.5
February 2019 (*Review date, decision to make no amends)	120.1	129.1
April 2019	125.4	132.3
April 2020	109.7	115.8
April 2021	126.5	129.3
February 2022	148.2	152.0
<b>Total increase April 16 – February 2022 (pence/litre)</b>	<b>40.7 (38% increase)</b>	<b>44.8 (41% increase)</b>

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## APPENDIX C: Devon and National Fare Comparison Tables

As existing:

Local Authority	Review date	Local ranking	Position in National League Table	Two Mile Fare
Torbay	April 22 <sup>\$</sup>	1	11*	£7.43 <sup>\$</sup>
Torrige	Oct 20	2	21	£6.95 <sup>^</sup>
East Devon	Sept 20 <sup>#</sup>	3	48	£6.80
Somerset West and Taunton	Feb 22	4	57	£6.80
Exeter	June 13	5	75	£6.60
Plymouth	Jan 22	6	82	£6.60
Teignbridge	Oct 20	7	88	£6.60
North Devon	Aug 16	8	89	£6.55
South Hams <sup>&amp;</sup>	May 17	9	193	£6.00
Mid Devon	Nov 21	10	253	£5.70
West Devon	No meters			
National average				£6.08
Local average (exc N.Devon)				£5.94

**Trade Proposal 1:**

Local Authority	Review date	Local ranking	Position in National League Table	Two Mile Fare
North Devon	-	1	11*	£7.50
Torbay	April 22 \$	2	12*	£7.43\$
Torrige	Oct 20	3	21	£6.95^
East Devon	Sept 20#	4	48	£6.80
Somerset West and Taunton	Feb 22	5	57	£6.80
Exeter	June 13	6	75	£6.60
Plymouth	Jan 22	7	82	£6.60
Teignbridge	Oct 20	8	88	£6.60
South Hams&	May 17	9	193	£6.00
Mid Devon	Nov 21	10	253	£5.70
West Devon	No meters			

**Trade Proposal 2:**

Local Authority	Review date	Local ranking	Position in National League Table	Two Mile Fare
North Devon	-	1	7* (Joint with Reading)	£8.00
Torbay	April 22 <sup>\$</sup>	2	11*	£7.43 <sup>\$</sup>
Torrige	Oct 20	3	21	£6.95 <sup>^</sup>
East Devon	Sept 20 <sup>#</sup>	4	48	£6.80
Somerset West and Taunton	Feb 22	5	57	£6.80
Exeter	June 13	6	75	£6.60
Plymouth	Jan 22	7	82	£6.60
Teignbridge	Oct 20	8	88	£6.60
South Hams <sup>&amp;</sup>	May 17	9	193	£6.00
Mid Devon	Nov 21	10	253	£5.70

**Option 1 +5.5%:**

Local Authority	Review date	Local ranking	Position in National League Table	Two Mile Fare
Torbay	April 22 <sup>\$</sup>	1	11*	£7.43 <sup>\$</sup>
Torrige	Oct 20	3	21	£6.95 <sup>^</sup>
North Devon	-	2	46*	£6.85
East Devon	Sept 20 <sup>#</sup>	4	48	£6.80
Somerset West and Taunton	Feb 22	5	57	£6.80
Exeter	June 13	6	75	£6.60
Plymouth	Jan 22	7	82	£6.60
Teignbridge	Oct 20	8	88	£6.60
South Hams <sup>&amp;</sup>	May 17	9	193	£6.00
Mid Devon	Nov 21	10	253	£5.70
West Devon	No meters			

**Option 2 +7.6%:**

Local Authority	Review date	Local ranking	Position in National League Table	Two Mile Fare
Torbay	April 22 <sup>\$</sup>	1	11*	£7.43 <sup>\$</sup>
North Devon	-	2	30*	£7.05
Torrige	Oct 20	3	21	£6.95 <sup>^</sup>
East Devon	Sept 20 <sup>#</sup>	4	48	£6.80
Somerset West and Taunton	Feb 22	5	57	£6.80
Exeter	June 13	6	75	£6.60
Plymouth	Jan 22	7	82	£6.60
Teignbridge	Oct 20	8	88	£6.60
South Hams <sup>&amp;</sup>	May 17	9	193	£6.00
Mid Devon	Nov 21	10	253	£5.70
West Devon	No meters			

### Option 3 +12.3%:

Local Authority	Review date	Local ranking	Position in National League Table	Two Mile Fare
Torbay	April 22 <sup>\$</sup>	1	11*	£7.43 <sup>\$</sup>
<b>North Devon</b>	-	<b>2</b>	<b>18*</b>	<b>£7.30</b>
Torrige	Oct 20	3	21	£6.95 <sup>^</sup>
East Devon	Sept 20 <sup>#</sup>	4	48	£6.80
Somerset West and Taunton	Feb 22	5	57	£6.80
Exeter	June 13	6	75	£6.60
Plymouth	Jan 22	7	82	£6.60
Teignbridge	Oct 20	8	88	£6.60
South Hams <sup>&amp;</sup>	May 17	9	193	£6.00
Mid Devon	Nov 21	10	253	£5.70
West Devon	No meters			

\*Position in PHTM league table estimated

# Consultation underway on 10% increase on the first half mile of Tariffs 1 & 2

<sup>\$</sup> Due to come into effect 6 April, figures estimated for two miles

<sup>&</sup> Consultation underway as part of review based upon CPI % options

<sup>^</sup> Rate in PHTM £7.20

## Appendix D

### Representations received from the taxi trade

1.

Just a quick note to ask how the details are going regards the tariff changes for the Hackney cabs.

In my view it would be better for all concerned and cheaper for the council to do the meter changes and the new bank holiday changes at the same time obviously before the new bank holiday. In the mail regarding this it states that it is voluntary but I think it should be mandatory as owners can charge more for the old bank holiday that is already on the meter.

Finally the letter regarding the possible rate change only gave 2 weeks or less for people to reply, it was supposed to to a consultation I personally was on holiday and did not get the letter till I was back in the UK and too late to reply, but I think if you are going to consult then enough time should be given and 6 weeks seems more appropriate and for changes to rules and regulations 12 weeks and we should be given dates were we can sit in on these meetings that try to change the way we are allowed to work and make our living all the best

2.

.....With regards the tariff changes I think with the rising costs the trade would welcome this price increase.

3.

I am writing to enquire when the next Fare Increase will increase.  
It has been over 5 years since the last one, and lots of price increases for us drivers too, especially fuel. My personal running costs have dramatically increased, especially the price for maintaining my vehicle, tyres, servicing costs etc.

I have spoken to quite a few taxi driver colleagues who also think it's time for an increase.

I welcome your comments, thank you.

Additional email from same individual:

Dear Licensing Team

I spoke with quite a few taxi drivers last week about the Meter Price increase that was proposed to yourselves quite a few months ago by various individuals.

With the many recent fuel price increases over the past few months we think that the prices previously forwarded to you need to be revised.

I would like you to take into account that many drivers are currently finding it difficult to make a living, for example, a driver waiting on the taxi rank might only get one job an hour,

If this journey is short and local the price could currently be as low as £2.80 then back to join the back of the taxi queue for another hour plus wait for possibly another miserable fare.

We cannot continue to live on such a poor wage. I would also like you to take into consideration the License Fees, and the other costs involved to keep a taxi on the road, including the very expensive Insurance Premiums.

I would like to propose an increase as follows *(to include flag and running mile)*:

**Tariff 1 £3.20**

**Tariff 3 £6.00**

**Tariff 2 £4.60**

**Tariff 6 £9.00**

**Tariff 4 £4.60**

**Tariff 5 £6.00**

I would to propose that the hiring rate time change from 23.30hrs to 21.00hrs which would be the same time that Mid Devon County Council has agreed with their taxi drivers.

I would like to propose that a £12 Booking Charge be implemented which would be agreed/discussed with the customer booking the journey over the phone, this is for journeys where the driver has to drive to a designated pick-up point, again as agreed with Mid Devon County Council and their taxi drivers.

I would like to propose that the charge of soiling a taxi should increase to £100.00 – not that it happens much at all, but everything has gone up.

4.

I fully support the proposed rate increase.

With ever increase of fuel costs, the increase would help the burden of this

5.

Good morning Licencing,

We are all in Agreement with the price increases.

Signed by three drivers.

6.

Hi,

Having read the recent paperwork, I X write to advise that I am in favour of a tariff increase.

7. Original proposal for which the newsletter sought views upon:

Dear Sir or Madam

Due to rising fuel/servicing/tyres /cost of living/ etc,we respectfully request an increase on our our Hackney carriage fare rates,we propose, day rate to rise to three pounds pull off,and thirty pence per tenth of a mile. Night rate to increase to five pounds pull off and forty five pence per tenth of a mile Multy seat vehicles we recommend four pound pull off day rate with forty five pence per tenth of a mile, and night rate six pound pull off and fifty pence per tenth of a mile

The following names are representatives of the trade that are in agreement with these figures

15 names provided at close of email

8.

Is the £3 flag fall, and or £4.50p or £6.00p for the first Half Mile, and corresponding rates then .30p and or 45p or 50p for every One Tenth of a mile there after?.

Keep Night Rate and Sunday Rates @ Time And One Half IE £4.50p Flag Fall for first Half Mile and .45p for every One Tenth Of A Mile There After.

Multi seater Rates::: Day Rate £4.50 For First Half Mile then .45p For every One Tenth Of A Mile there After, Night & Sunday Bank Holiday Rates £6.00p Flag Fall Then .50p For Every One Tenth Of A Mile There After. As with all the rates as an insentive to attract more drivers to be on duty could Double Fares Christmas and New Years Day. With The Time And One Half Being implemented AT 18.00 Hours Christmas Eve And New Years Eve PLEASE.

May I bring to the committee's attention that the running mile has remained unchanged now for APPROXIMATELY TWELVE YEARS. The Cost Of A Litre Of Diesel, in 2010 At The Pump Was Approx £1.05.

not to mention the increases over said time in the cost of Maintenance, Insurance, Licensing, Tyres ECT ECT also the living cost of drivers has increased but not our income thus forcing some drivers to be on duty over extended periods of time. You Must Agree that an uplift in fares is long over due, and trust that the committee would grant an uplift in the fare structure to be granted in the not to distant future.

PS COULD IT BE POSSIBLE FOR TAXI & PRIVATE HIRE DRIVERS TO ATTEND THE COMMITTEE MEETING TO DISCUSS THE PROPOSED FARE INCREASE, IF SO PLEASE FORWARD ME THE DETAILS OF DATE TIME, & PLACE, AND THE PERMITTED NUMBERS THAT WOULD HAVE ACCESS.

KIND REGARDS

9.

Hi, I am emailing in response to the proposed change in fares. I put in a request for the fares for the horse drawn hackney carriage to be reviewed on 16th June 2021. This doesn't appear to be listed on the proposed fare changes. Please can this also be amended as this hasn't changed for 10 years. The proposed changes I asked for was for a minimum fare of 10 minutes and the charge to be increased from £1.50 to £2 per minute. The cost of shoes and feed has gone up dramatically over the last 10 years hence the need for an increase.

### APPENDIX E

### Comparison of options against existing North Devon Council hackney carriage tariff

Fare	Trade Proposed 1	Trade Proposed 2	Existing North Devon Council  (April 16)	Option 1  +5.5%	Option 2  +7.6%	Option 3  +12.3%	Existing Torridge District Council  (Oct 20)
<b>FARES FOR UP TO FOUR PASSENGERS</b>							
<b>Tariff One</b> Hirings begun between <b>7am &amp; 11.30pm Monday to Saturday</b> except Xmas & New Year's Day							
Flag Rate*	£3.00	£3.20	£2.80	£2.95	£3.00	£3.10	£3.70
Running Mile	£3.00	£3.20	£2.50	£2.60	£2.70	£2.80	£2.60
Two miles	£7.50	£8.00	£6.55	£6.85	£7.05	£7.30	£6.95
Ten Miles	£31.50	£33.60	£26.55	£27.65	£28.65	£29.70	£27.75
Hirings begun between <b>11.30pm &amp; 7am Monday to Saturday</b> . Hirings on <b>Sundays &amp; all Bank Holidays</b> except Xmas Day & New Year's Day							
Flag Rate*	£5.00	£4.60	£4.20	£4.40	£4.50	£4.70	£5.55
Running Mile	£4.50	£4.60	£3.80	£4.00	£4.10	£4.30	£3.90
Two miles	£11.75	£11.50	£9.90	£10.40	£10.65	£11.15	£10.42
Ten Miles	£47.75	£48.30	£40.30	£42.40	£43.45	£45.55	£41.62
Hirings begun between midnight <b>Xmas Eve</b> & midnight <b>Xmas Day</b> & between 10pm <b>New Year's Eve</b> & midnight <b>New Year's Day</b>							
Flag Rate*	No change	£6.00	£5.60	£5.90	£6.00	£6.30	£7.40
Running Mile	No change	£6.00	£5.00	£5.30	£5.40	£5.60	£5.20
Two miles	No change	£18.00	£13.10	£14.45	£14.10	£14.70	£13.90
Ten Miles	No change	£66.00	£53.10	£56.85	£57.30	£59.50	£55.50

# Agenda Item 6

## Appendix E

Fare	Trade Proposed 1	Trade Proposed 2	Existing North Devon Council  (April 16)	Option 1 +5.5%	Option 2 +7.6%	Option 3 +12.3%	Existing Torridge District Council  (Oct 20)
<b>FARES FOR 5, 6, 7 OR 8 PASSENGERS</b>							
<b>Tariff Four</b> Hirings begun between <b>7am &amp; 11.30pm Monday to Saturday</b> except Xmas & New Year's Day							
Flag Rate*	£4.00	£4.60	£4.20	£4.40	£4.50	£4.70	£5.55
Running Mile	£4.50	£4.60	£3.80	£4.00	£4.10	£4.30	£3.90
Two miles	£10.75	£11.50	£9.90	£10.40	£10.65	£11.15	£10.37
Ten Miles	£46.75	£48.30	£40.30	£42.40	£43.45	£45.55	£41.57
<b>Tariff Five</b> Hirings begun between <b>11.30pm &amp; 7am Monday to Saturday</b> . Hirings on <b>Sundays &amp; all Bank Holidays</b> except Xmas Day & New Year's Day							
Flag Rate*	£6.00	£6.00	£5.60	£5.90	£6.00	£6.30	£8.33
Running Mile	£5.00	£6.00	£5.00	£5.30	£5.40	£5.60	£5.85
Two miles	£13.50	£15.00	£13.10	£14.45	£14.10	£14.70	£15.64
Ten Miles	£53.50	£63.00	£53.10	£56.85	£57.30	£59.50	£62.44
<b>Tariff Six</b> Hirings begun between midnight <b>Xmas Eve</b> & midnight <b>Xmas Day</b> & between 10pm <b>New Year's Eve</b> & midnight <b>New Year's Day</b>							
Flag Rate*	No change	£9.00	£8.40	£8.85	£9.00	£9.40	£11.10
Running Mile	No change	£9.00	£7.60	£8.00	£8.20	£8.50	£7.80
Two miles	No change	£22.50	£19.80	£20.85	£21.30	£22.15	£20.85
Ten Miles	No change	£94.50	£80.60	£84.85	£86.90	£90.15	£83.25

\*Flag rate based on ½ mile North Devon and ¾ mile Torridge District Council



## North Devon Council

Report to: Licensing and Community Safety Committee

Report Date: 12 April 2022

Topic: Alternative arrangements for the appointment of Sub-Committees

Report by: Corporate and Community Services Officer

### 1. INTRODUCTION

1.1 This report considers the alternative arrangements for the appointment of Sub-Committees to support the Committee in its work.

### 2. RECOMMENDATIONS

2.1. That the Committee appoint five Sub-Committees each with three Members with the delegated powers as to be detailed in Appendix A of this report which will follow after Annual Council when membership of the Licensing and Community Safety Committee has been determined.

2.2. (a) That alternative arrangements be made for the appointment of Members of the Sub-Committees of the Licensing Committee in accordance with the powers set out in S17 of the Housing And Local Government Act 1989 and the provisions of the Local Government (Committees And Political Groups) Regulations 1990;

(b) That the alternative arrangements provide that the membership of the Sub-Committees of the Licensing Committee be not politically balanced

2.3 That a Member be selected by Corporate and Community Services to act as a Substitute Member for each Sub-Committee meeting should the need arise for a substitute;

2.4 That Members and Chair's be appointed to the Sub-Committees as detailed in Appendix B of the report until such time as re-appointments are made in 2023;

2.5 That the appointed Sub-Committees be restricted in that they may not further delegate any of their powers to an officer of the Council or any other body.

### 3. REASONS FOR RECOMMENDATIONS

3.1. To establish the working practices for the Licensing Committee under the Licensing Act 2003 and other Licensing regimes.



## 4. REPORT

4.1. The Licensing Committee has operated through a series of Sub-Committees appointed with delegated powers as set out in Appendix A.

4.2. The previous Licensing Committee adopted the following:

(a) *that alternative arrangements be made for the appointment of Members of the Sub-Committees of the Licensing Committee in accordance with the powers set out in S17 of the Housing And Local Government Act 1989 and the provisions of the Local Government (Committees And Political Groups) Regulations 1990;*

(b) *that the alternative arrangements provide that the membership of the Sub-Committees of the Licensing Committee be not politically balanced.*

4.3. The Committee is requested to consider a similar resolution to apply to the appointment of Sub-Committees for administration of the Licensing Act 2003. See Appendix B for proposed membership of Sub-Committees.

4.4. Should the Committee pass such a resolution it is recommended that five Sub-Committees of three Members be appointed in accordance with the provisions of the Act: should such a resolution be not made, then the Sub-Committees must be politically balanced.

## 5. RESOURCE IMPLICATIONS

5.1. The implementation of the recommendations of this report will have no significant financial or manpower cost implications.

## 6. EQUALITIES ASSESSMENT

6.1. Please detail if there are/are not any equalities implications anticipated as a result of this report. If so, please complete the Equality Impact Assessment (EIA) Summary form available on Insite and email to the Corporate and Community Services Team at [equality@northdevon.gov.uk](mailto:equality@northdevon.gov.uk).

6.2. The conduct of hearings by the Committee and any of its Sub-Committees will be in accordance with all provisions of human rights and natural justice.



## 7. ENVIRONMENTAL ASSESSMENT

7.1. Please undertake an Environmental Assessment and complete the checklist (EAC) form available on Insite. If there are no environmental implications arising from your proposals please state that there are none. If after completion of the assessment there are environmental implications please provide a brief summary. If you require any further information please contact the Sustainability and Climate Change Officer. Email completed EACs to [donna.sibley@torridge.gov.uk](mailto:donna.sibley@torridge.gov.uk)

## 8. CORPORATE PRIORITIES

8.1. What impact, positive or negative, does the subject of this report have on:

8.1.1. The commercialisation agenda: n/a this is a statutory policy review

8.1.2. Improving customer focus and/or consultation with the public has taken place in consideration of the changes

8.1.3. Regeneration or economic development, the fees are a statutory amount

## 9. CONSTITUTIONAL CONTEXT

9.1. Article of Part 3 Annexe 1 paragraph

9.2. Referred or delegated power? Delegated

## 10. STATEMENT OF CONFIDENTIALITY

10.1 This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

## 11. BACKGROUND PAPERS

The following background papers were used in the preparation of this report: (The background papers are available for inspection and kept by the author of the report).

NDC Constitution May 2019 revised March 2022.

## 12. STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers: Aurienna Dunbrook, Corporate and Community Services Officer

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## APPENDIX A

### LICENSING AND COMMUNITY SAFETY COMMITTEE

#### APPOINTMENT OF SUB-COMMITTEES

1. That each Sub-Committee be delegated power to:
  - (a) To consider any appeals against the decision of officers in relation to any of the matters covered by paragraphs (a), (b) and (d) of Part 3, Annexe 1 (4), of the Constitution as detailed below:

To consider and determine any matter under the Licensing Act 2003, the Gambling Act 2005 and other licensing matters as set out in Part B of Schedule 1 to the 2000 Regulations. To consider any appeals against the decision of officers in relation to any of the matter covered by paragraph (a) or (b) above.

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## APPENDIX B

### PROPOSED MEMBERSHIP OF THE LICENSING SUB-COMMITTEES

#### Sub-Committee A

Chair : Councillor

Councillors

#### Sub-Committee B

Chair : Councillor

Councillors

#### Sub-Committee C

Chair : Councillor

Councillors

#### Sub-Committee D

Chair : Councillor

Councillors

#### Sub-Committee E

Chair : Councillor

Councillors

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