

**NORTH DEVON COUNCIL**

Minutes of a meeting of Licensing and Community Safety Committee held at Barum Room - Brynsworthy on Tuesday, 14th June, 2022 at 10.00 am

PRESENT: Members:

Councillor York (Chair)

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

Officers:

Public Protection Manager.

**15. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Yabsley, North Devon Council.

**16. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 12 MAY 2022 (ATTACHED)**

RESOLVED, that the minutes of the meeting held on 12<sup>th</sup> May 2022 be approved as a correct record and signed by the Chair.

**17. ITEMS BROUGHT FORWARD WHICH IN THE OPINION OF THE CHAIR SHOULD BE CONSIDERED BY THE MEETING AS A MATTER OF URGENCY**

The Chair addressed the Committee re. a draft letter from the Chair of the Licensing and Community Safety Committee to the Rt Hon Priti Patel Secretary of State for the Home Department. The letter expressed concerns related to the delays within the court process, which had in turn had led to a delay in the determination of appeals for premises licences.

In this case, the delay had the effect of enabling the premises to continue to trade from the review hearing date onwards, and with the current significant backlog in Magistrates Court diaries and availability of Police Officers, this had led to a lengthy delay in the appeal hearing which significantly devalued the effect of local licensing regulation.

The Committee supported the content of the letter and welcomed the subject being brought the attention of those at Government level.

RESOLVED, that the letter be noted and sent to the Secretary of State for the Home Department.

Councillor Henderson wished it to be recorded in the minutes that he had abstained from the vote as he was not present at the beginning of the item.

**18. DECLARATIONS OF INTERESTS**

There were no declarations of interest announced.

**19. TAXI TARIFF - CONSIDERATION OF REPRESENTATIONS**

The Public Protection Manager advised that a consultation regarding proposed changes to the taxi tariff had been undertaken and was now recommended to the Committee for adoption of new North Devon Council Authorised Maximum Fares for Licensed Hackney Carriages (the hackney tariff).

She referred to the 30 representations received from both hackney carriage drivers and the members of the public as part of the consultation and read each one in turn as follows:

1. Seems a bit low especially with the cost of fuel going up as it is – Comment received from a member of the public.
2. I think it is justifiable to charge more for taxis, especially as the price of fuel has increased considerably. I do use taxis but will just have to cut down, on how often is viable in the future - Comment received from a member of the public.
3. Seems reasonable scrap the 20p charge on items of luggage, seems ridiculous and should be part of the service – Comment received from a taxi driver.
4. As a former Taxi driver and the partner of a current Taxi driver I think the increase is fair and long overdue especially in light of current fuel prices and the increase in licences costs - Comment received from a member of the public.
5. Whilst unwelcome by passengers it seems to be a very necessary increase - Comment received from a member of the public.
6. I think it is very fare and with the fuel increases of late I am surprised it hasn't increased by more. Fuel prices and insurance cost has risen so much since 2016 the last time the Taxi fare was increased - Comment received from a member of the public.
7. Will they reduce once the inflationary effect of the recent fuel increase? Put hourly bus service from Bradiford both ways week days for hospital visits - Comment received from a member of the public.
8. I consider these increases to be excellent. The taxis must be finding it hard to make a living now that the price of fuel is so high. Have no objection - Comment received from a member of the public.
9. I'm in favour of the increases – Comment received from a Taxi Driver.
10. These all seem fair and reasonable, however is there any concessions for children needing a taxi to take them to school? - Comment received from a member of the public.

11. The fare increase seem fair but I would be opposed at this present time to attach surcharges linked to fuel prices. The Government should be lobbied regarding a cap on the fuel price and should consider the same measures as they are regarding gas/electricity etc. Perhaps the taxi drivers and the council could put their weight behind this as it would benefit both drivers and customers alike - Comment received from a member of the public.
12. They seem fairly reasonable but if taxis are electric, how will they reflect the increase of electricity prices? Comment received from a member of the public.
13. As I am no longer licenced to drive any kind of powered vehicle I am dependant on taxi services. I was surprised at how cheap they are here, compared with other parts of UK. I believe an increase is probably long overdue. Comment received from a member of the public.
14. Fare increases seem entirely reasonable - Comment received from a member of the public.
15. No one wants to see extra fares but I can understand why we need to raise fares in line with everything else. I would hope to see the increase mean thank young, old and the most vulnerable are safe in taxis and the driver makes sure the person looks to be in a safe place when they are dropped off. Comment received from a member of the public.
16. Considering the increase in fuel prices, I think this is fair. Comment received from a member of the public.
17. The 9 pm tariff is too early a 10.30 tariff would be more suitable to all concerned. As it would stop the public using taxis as it would be cheaper to drive also an 8am would be a better finishing time for this rate. Waiting time is far too low as is it means £15 per hour it should be double that to stop people taking advantage of drivers at busy times. the fuel surcharge is laughable an extra 10p to go to Bideford for example when it costs an extra 50p is not keeping to a reasonable rate. You do not say how it is to be added and as it's already over 180 a litre the running rate should be 30p per tenth to cover it so it is on every journey and on the total of the meter not added by the driver. By keeping the fares based on previous years as a % you are keeping taxi drivers on low pay meaning they have to work 60 to 80 hours a week and some owner drivers a lot more to earn a reasonable living. This is not encouraging new drivers and you will lose the experienced ones especially if your other recommendations regarding paperwork and age of vehicles are added to the mix. There has never been a proper meeting with council and drivers to discuss the problems faced, its all done by letter and online why do you not send a letter out and ask drivers to attend so they can see who you are and try to make you aware of our problems, there seems to be no consideration of the rural taxi companies who look after the people living out in the sticks where we often travel 5 miles to pick up to go another 2 miles and then go back 14 mile round trip for £6.55, but it gets an oap to the doctors or the shops who has no other means of transport and would be willing to pay more and often do by tips but that is not the point those type of journeys are now with fuel prices and the proposed vehicle changes will not happen and the customer loses out. Comment received from a Taxi Driver.
18. Very expensive - Comment received from a member of the public.
19. Struggling to afford taxis at the moment, especially when they are not reliable. Another increase is just not acceptable - Comment received from a member of the public.

20. Even more price hikes to keep the public out of the town centre - Comment received from a member of the public.
21. We don't have enough money now; so why increase fares???? You will put taxi drivers out of business! - Comment received from a member of the public.
22. Increased fares will lead to less use of them - Comment received from a member of the public.
23. Would recommend the fare only raising to £3 as may put holiday makers off from using Barnstaple taxis. When on holiday - Comment received from a member of the public.
24. Madness people have no money with the increase in gas, electricity and fuel - Comment received from a member of the public.
25. Taxis are crazy expensive in north Devon as it is compared to cities and other parts of the country - Comment received from a member of the public.
26. People moan about bus price these are more than that, need to bring them down - Comment received from a member of the public.
27. It's a big increase and with the cost of things going up it will be hard for some people pay this especially if a taxi is your only way of getting to places if you have health or mobility issues - Comment received from a member of the public.
28. I don't agree to the change of night rate from 11.30pm to 9.30pm as it's bad enough trying to get the night rate before midnight at 11.30pm let alone 9.30pm – Comment received from Taxi Driver.
29. I feel it is the wrong time to increase taxi fares with so many other price increases happening. People who rely on taxis for their only mean of transport are penalised again! North Devon have one of the highest rates for prices already including bus fares. How can you encourage people to use public transport? - Comment received from a member of the public.
30. Tariff 1 £3 then 30p. Tarrif 4 £4 then 40p Tariff 2 £5 then 50p. Tarrif 5 £6 then 60p Tarrif 3 £6 then 60p. Tarrif 6 £9 then 90p – Comment received from Taxi Driver.

She added that it was a procedure under the Local Government (Miscellaneous Provisions') Act 1976 and presented to the Committee for their comments and proposed changes prior to consideration by the Strategy and Resources Committee.

In response to the representations, the Committee raised questions in relation to the following:

- Why the final decision was taken by the Strategy and Resources Committee and could there be a delegation of power to allow the Licensing and Community Safety Committee to make the decision in relation to any changes to tariffs?
- Very low response from the taxi trade, with only five responses received from around 290 drivers currently operating in the North Devon area. (The Public Protection Manager explained that a public notice had been placed in the North Devon Gazette, a specific taxi newsletter sent to all drivers, a press release issued, and a consultation survey appeared on the Council's website).
- With regards to comment 10, the Committee acknowledged that a school pupil that lived over five miles from their school qualified for free travel.

- Comment 28 related to bringing the night rate increase in at 9.30pm as opposed to 11.30pm and the difficulty that drivers would have with enforcing the rate at the earlier time, given the problems that they already experience with the current time. Benchmarking had been undertaken across the area and it transpired that some neighbouring authorities had even earlier night rate start times. So, it was agreed that the reduction to 9.30pm was completely reasonable in those circumstances.
- Comment 17 referred to the lack of dialogue between the taxi trade and the Council. However, an invitation inviting drivers to attend meetings to discuss the tariff changes was placed in the trade newsletter. A long standing taxi trader had also attended a previous meeting to represent the views of some of his fellow the drivers.

The Public Protection Manager advised that the Senior Solicitor and Monitoring Officer was currently preparing a report for the Governance Committee to address other matters and that the question of delegation to the Licensing and Community Safety Committee for the final decision in relation to taxi tariffs had been agreed to be included for consideration as part of the report.

In response to a question regarding comment 12, the Public Protection Manager advised that the tariff changes applied to the whole fleet regardless of whether they were powered by electric or fuel.

RECOMMENDED, that the Strategy and Resources Committee note the comments made and adopt the proposed changes as agreed by the Licensing and Community Safety Committee.

RESOLVED:

- (a) that the Chair liaise with the Leader of the Council to discuss the current route of the Strategy and Resources Committee for the final approval of taxi tariff rates and seek his views regarding proposals to delegate future decisions of that nature to the Licensing and Community Safety Committee; and
- (b) that as part of his report to the Governance Committee the Senior Solicitor and Monitoring Officer be requested to include the proposal to change the delegated power to the Licensing and Community Safety Committee for decisions or changes related to the taxi tariff.

Chair

The meeting ended at 10.26 am

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