

NORTH DEVON COUNCIL

Minutes of a meeting of Licensing and Community Safety Committee held in the Barum Room - Brynsworthy on Tuesday, 12th April, 2022 at 10.00 am

PRESENT: Members:

Councillor York (Chair)

Councillors Biederman, Bulled, Campbell, Chesters, Henderson, Hunt, Pearson (attended virtually), D. Spear, L. Spear and Tucker

Officers:

Legal Advisor, Public Protection Manager, Paralegal and Corporate and Community Services Officer

1. APOLOGIES FOR ABSENCE

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

2. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 8 MARCH 2022

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

3. DECLARATIONS OF INTERESTS

There were no declarations of interest announced.

4. 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 gave the Committee the following points:

- The last review in respect of taxi fares, took place in February 2019, no change was made. The last time taxi fares had been increased was in 2016.

- With the recent increases in fuel price charges a fuel surplus surcharge to the tariff was being suggested. This was an option not utilised at North Devon Council before.
- From April 2016 to February 2022 diesel had increased in cost by 44% per litre, 87% of the taxis in North Devon ran on diesel.
- Due to the rural nature of the area, mileage was high and more 'dead mileage' was incurred because of having further to get back to the next pick up.
- A newsletter was circulated to the trade in February seeking views on an increase in fares. The feedback received was presented at Appendix D of the agenda.
- Appendix E of the agenda listed a comparison table benchmarking the existing Hackney Carriage tariff against the aspirational increase as well as measured increase options.
- A method of using the increases in Consumer Price Index (CPI) values had been the method used to arrive at the percentage increase options displayed in columns 5, 6, and 7 of the table at Appendix E.
- Any agreed increase percentage would be taken to a meter provider tasking them to equate the increase to a meter; this figure would need to be the recommended amount put forward to future committees for approval.
- An exceptional fuel price surcharge was being proposed. Where fuel exceeded £1.75 per litre, based on the latest AA fuel price (South West average price) report a 10p additional surcharge could be added to the fare.
- The valet cost of £100 was being based on the same level of cost most Devon authorities were implementing. This was an increase from the existing charge of £75.
- The horse drawn carriage increase was being proposed at 50p taking the cost to £2.00 per minute.

The Chair invited Mr Lethbridge, a taxi driver of many years, to address the Committee.

RECOMMENDED that the following be approved at Strategy and Resources;

- a) The current table of fares be increased by 12.3%, and this to be reviewed in six months,
- b) The valet charge, due to a customer soiling a vehicle, be increased to £100,
- c) An increase in fare of non-motorised vehicles to £2.00 per minute,
- d) The commencement of tariff 2 and 5 (night rate) from 21:00 hours, and
- e) Add an additional charge of 10p 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.

RECOMMENDED that Governance Committee agree to update North Devon Council's constitution allowing the Licensing and Community Safety Committee delegated power to set Hackney Carriage Fares.

5. **ALTERNATIVE ARRANGEMENTS FOR THE APPOINTMENT OF SUB-COMMITTEES**

The Committee considered a report in respect of the Alternative Arrangements for the Appointment of Sub-Committees (circulated previously), by the Corporate and Community Services Officer.

RESOLVED that:

- (a) That five Sub-Committees be appointed each with three Members with the delegated powers as detailed in Appendix A of the report;
- (b) (i) That alternative arrangements be made for the appointment of Members of the Licensing and Community Safety 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;

(ii) That the alternative arrangements provide that the membership of the Sub-Committees of the Licensing and Community Safety Committee be not politically balanced;
- (c) 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;
- (d) That three Members be appointed to the Sub-Committees A to E with Chairs being appointed on the day a Sub-Committee is convened and until such time as reappointments are made in 2023; and
- (e) 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.

6. UPDATE ON IDLING ENGINES

The Committee received an update in respect of idling engines from the Public Protection Manager.

The Public Protection Manager updated the Committee with a response from the Service Lead - Environmental Protection Officer as follows:

- Following discussions with the Head of Service Jeremy Mann and work undertaken by Officers from the Environmental Protection Team, a paper had now been submitted to the Senior Management Team. This outlined a recommendation that the adoption of powers re anti-idling and an associated communications campaign be carried out. This was included as part of a wider Air Quality related project – under the Council’s “Cherish and Protect the Environment” project programme.
- If approved, Environmental Protection Officers would proceed with the process of formally adopting these powers – and would liaise with colleagues in the Licensing Team to consider how this regime may be incorporated into ongoing work with taxi drivers.

- Stationary idling was an offence under Section 42 of the Road Traffic Act 1988. The act enforces Rule 123 of the Highway Code, which states: "You must not leave a vehicle's engine running unnecessarily while that vehicle is stationary on a public road."
- The Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 (SI 2002. No 1808) enable local authorities in England to issue fixed penalty notices to drivers who allow their vehicles to run unnecessarily while stationary on the road. It was a £20 fixed-penalty fine, rising to £40 if unpaid within 28 days.
- If the fixed-penalty remained unpaid after 28 days, the case could be referred to the local authority's legal team for consideration for prosecution for non-payment.

The Committee noted the update given.

Chair

The meeting ended at 11.24 am

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