



Licensing Committee

Mon 4 Nov
2019
7.00 pm

Council Chamber
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL

*making
difference*

www.redditchbc.gov.uk

**If you have any queries on this Agenda please contact
Sarah Sellers**

**Town Hall, Walter Stranz Square, Redditch, B98 8AH
Tel: (01527) 64252 ext 2884**

e.mail: / sarah.sellers@bromsgroveandredditch.gov.uk

GUIDANCE ON PUBLIC SPEAKING

The Council has introduced public speaking at Licensing Committee which allows members of the public to comment on agenda items due to be considered at the meeting.

The total maximum time permitted for public speaking is 15 minutes and the time limit for individual speakers is 3 minutes.

Only those members of the public who have registered to speak in advance of the meeting will be permitted to do so.

To register to speak you must contact Democratic Services by phone on 01527 64252 ext 2884, or by email at sarah.sellers@bromsgroveandredditch.gov.uk before 12 noon on the day of the meeting.

When registering to speak you must give your name and contact telephone number and indicate which agenda item you wish to speak about, and whether you are in support of or opposed to the officer recommendation

Licensing

COMMITTEE

Monday, 4th November, 2019

7.00 pm

Council Chamber - Town Hall
Redditch

Agenda

Membership:

| | | |
|--------|----------------------------|----------------|
| Cllrs: | Salman Akbar (Chair) | Pattie Hill |
| | Michael Chalk (Vice-Chair) | Ann Isherwood |
| | Joanne Beecham | Gareth Prosser |
| | Brandon Clayton | Mark Shurmer |
| | Andrew Fry | Yvonne Smith |
| | Julian Grubb | |

1. Apologies

2. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests and / or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

3. Minutes (Pages 1 - 6)

To confirm as a true record the minutes of the Licensing Committee held on Monday 8th July 2019.

4. Public Speaking

For any registered speakers to address the Committee regarding items on the agenda for the meeting.

(Maximum time 15 minutes)

5. Review of Hackney Carriage and Private Hire Penalty Points Scheme (Pages 7 - 16)

6. Hackney Carriage Table of Fares (Pages 17 - 22)

7. The Air Quality (Taxi and Private Hire Vehicles Database) (England and Wales) Regulations 2019 (Pages 23 - 26)

8. Work Programme (Pages 27 - 28)



Licensing Committee

Monday, 8 July 2019

MINUTES

Present:

Councillor Salman Akbar (Chair), Councillor Michael Chalk (Vice-Chair) and Councillors Joanne Beecham, Brandon Clayton, Andrew Fry, Julian Grubb, Mark Shurmer and Yvonne Smith

Also Present:

Officers:

Dave Etheridge and Vanessa Brown

Committee Services Officer:

Sarah Sellers

1. APOLOGIES

Apologies for absence were received from Councillors Pattie Hill, Ann Isherwood and Gareth Prosser.

2. DECLARATIONS OF INTEREST

In relation to Agenda item 6, Reform of Annual Licensing Report, Councillor Joanne Beecham declared that she was the owner of a cattery. However, as the report was only for noting and Members were not making a decision that would affect Councillor Beecham, she remained present during consideration of this item.

3. MINUTES

RESOLVED that

the Minutes of the Licensing Committee held on 4th March 2019 be confirmed as a correct record and signed by the Chair.

.....
Chair

4. PUBLIC SPEAKING

There were no registered speakers.

5. REPORT RE MEDICAL ARRANGEMENTS FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS

Members received a report regarding the arrangements for licensed drivers of hackney carriage and private hire vehicles to be assessed as medically fit. The report highlighted a number of aspects where officers believed the arrangements could be improved and invited Members to consider undertaking a consultation exercise to seek views on potential amendments.

The Senior Practitioner (Licensing) (SPL), Worcestershire Regulatory Services (WRS) presented the report and summarised the rules that currently applied around medical examinations for Hackney Carriage and Private Hire drivers.

Historically the Council had chosen to impose the requirement that all drivers must meet “Group 2” medical standards as defined by the Driver & Vehicle Licensing Agency (DVLA). It was noted that these standards were more onerous on drivers, being the standards that were applied to bus and lorry drivers in the UK.

New applicants for drivers licences were required to show that they were medically fit, and the current practice was for a medical certificate to be provided following a medical assessment by the Council’s appointed medical practitioner.

Originally there had been two doctors appointed, but one had subsequently retired. The remaining council approved doctor was based in Alcester and officers had received reports from drivers with regard to delays in getting appointments and that the times available for appointments were sometimes quite restrictive. As there was now only one doctor authorised undertake the medical assessments, the whole of the work in this regard was falling to be carried out by one doctor and there was no element of choice for the drivers. Officers also pointed out that the system would be vulnerable if the remaining doctor decided to retire, or stop doing the assessments.

With regard to frequency of testing, it was noted that currently a medical assessment was required upon application and then every 5 years until the age of 60. From the age of 60 to 65 frequency of testing changed to every three years, and then from over 65 upwards, testing was required annually.

The SPL explained that this was out of line with the DVLA guidelines as set out in the publication “Assessing Fitness to Drive” (Appendix 1), which required drivers to be medically assessed upon application and then again at age 45. From 45 to 65 assessments were required every 5 years and over 65 annually.

Drivers in Redditch were therefore having to undergo a higher number of tests than bus and lorry drivers and it was questioned whether this could be justified.

The third matter that officers wished to consult on was ending the practice of the medical assessment being combined with a drug test which was carried out at the doctor’s surgery. In the last 6 years no licence holders had failed a drugs test as part of their medical assessment, and officers were concerned that the pre-planned nature of the appointments meant that drivers could have a period of abstinence before the assessment which would render the drug testing ineffective.

It was noted that the drugs test had been introduced some years previously and had been added to the medical assessment because of concerns around incidents of drug taking at the time.

Officers were now questioning whether it was still useful in that format, and were of the view that random roadside testing in partnership with the police would be a more effective approach.

In response to questions from Members the SPL confirmed the following points:-

- That in Worcestershire the other District Councils required medical testing in accordance with the frequency recommended in the DVLA guidelines; Redditch was the only Council that combined drug testing with the medical assessment.
- That if roadside drug testing was introduced, this would be intelligence led.
- That the medical assessment consisted of basic checks including blood pressure, blood sugar and other tests, and an assessment based on the driver’s medical history that they would meet Group 2 standards.

Members discussed a number of points in detail:

That the changes proposed to the current arrangements seemed sensible, particularly adding more choice regarding the identity of the medical practitioner undertaking the assessment, and the proposal to end the pre-planned drug testing.

A rule to allow drivers to be assessed by any GP at their doctors practice, rather than their named GP would make arrangements more flexible.

That if the system was changed to allow drivers a wider choice of GPs, then it would be up to those GPs to decide how much to charge. The SPL confirmed that the amount for the test currently charged by the approved council doctor was £50, but if the requirements were changed to allow other GPs to carry out the assessments they might charge more.

There was concern that if the current arrangements were expanded to include more GPs, that high standards in completing the tests would need to be maintained. The SPL assured Members that officers would monitor this element and pick up if one particular doctor began to take on a disproportionate number of assessments.

Further liaison could be carried out with the police under the consultation to make sure that they had sufficient resources to support a move to random drug testing. It was noted that one option would be to combine the drug testing with the taxi enforcement exercises which are carried out about twice a year and currently focus on vehicle checks.

In conclusion, Members were in agreement that a consultation should proceed and that the questions should include:-

- i. Medical Assessments
Options for expanding the number of doctors available to carry these out including retaining a Council approved list with additional names added to it, or being able to go to any GP or being able to go to your own GP/ GP's practice.
- ii. Frequency of Medical Assessments
Bringing the frequency of medical assessments in line with the DVLA guidance.
- iii. Drug Testing
Ending the requirement for drug testing to be included in the medical assessment, and moving to a system of random roadside drug tests.

RESOLVED that

Officers be requested to carry out consultation on amending the Council's current requirements in relation to licence holders and applicants demonstrating their medical fitness to drive hackney carriage and private hire vehicles, and for the consultation to include the questions agreed by Members as detailed in points i to iii of the Minutes above.

6. LICENSING ANNUAL REPORT 2018 - 19

Members considered the Licensing Annual Report 2018/2019 which provided an overview of activities under the Licensing Act 2003, the Gambling Act 2005 and other aspects of licensing activity, and to inform the Committee of any issues anticipated in the ensuing year.

The report set out the number of new licences issued in 2018/2019 broken down by type of licence, together with total numbers of licences that were in force for each category.

The Senior Practitioner (Licensing) (SPL), Worcestershire Regulatory Services (WRS) responded to questions from Members with regard to:

- The numbers of new applications for licences to drive hackney carriages / private hire vehicles, of which there were between 20 to 40 new drivers per year representing a slight upward trend. There had not been an increase in the number of applications for licenced vehicles, the number of which remained fairly consistent.
- Licences had been issued under the newly introduced Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 to 10 establishments in the Borough made up of different types of businesses. Members requested more detail on this aspect be included in the 19/20 annual report.
- Members requested that for the next report more information also be included in relation to Street Trading. Officers were planning to look into this area as they believed that there were likely to be a number of unlicensed operators, particularly around the employment areas in Redditch.
- Scrap metal dealers and the different regulatory requirements that applied to site licences and mobile collector licences. Although reports of issues in this area were low, it was noted that where intelligence was received, taking enforcement action could be difficult as there were

Licensing Committee

Monday, 8 July 2019

challenges with being able to link the holders of mobile collector licences to the vehicles they used.

RESOLVED that

The Licensing Annual Report 2018/2019 be noted.

7. WORK PROGRAMME

In discussing the work programme, Members indicated that if possible they would like to see the response from the consultation on medical assessments on the agenda of the November meeting, provided that this did not compromise the quality of the exercise and gave respondents sufficient time to reply.

Members discussed the option of adding an item to the work programme around welfare of taxi drivers, and whether there were any national initiatives encouraging respect towards taxi drivers and providing support for them. The SPL confirmed that he would make some enquiries in this regard and report back to Members.

Subject to these matters it was

RESOLVED that

The Licensing Committee Work Programme 2019/20 be noted.

The Meeting commenced at 7.00 pm
and closed at 8.20 pm

REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE PENALTY POINTS SCHEME

| | |
|----------------------------|---|
| Relevant Portfolio Holder | Councillor Grubb |
| Portfolio Holder Consulted | No |
| Relevant Head of Service | Simon Wilkes – Head of Worcestershire Regulatory Services |
| Wards Affected | All Wards |
| Ward Councillor Consulted | N/A |
| Non-Key Decision | |

1. SUMMARY OF PROPOSALS

In early 2018, following a decision taken by the Licensing Committee, the Council introduced a Hackney Carriage and Private Hire Penalty Points Scheme. This report provides an update to the Licensing Committee on the operation of the scheme to date and invites Members to consider whether they wish to carry out consultation on amending the scheme.

2. RECOMMENDATIONS

That Members RESOLVE to either:-

(i) note the contents of the report;

or

(ii) to carry out a consultation on amending the Council's Hackney Carriage and Private Hire Penalty Points Scheme.

3. KEY ISSUES**Financial Implications**

- 3.1 The costs of carrying out any consultation would be met from existing budgets held by Worcestershire Regulatory Services.

Legal Implications

- 3.2 Many authorities across the UK operate penalty point schemes and there have been a number of legal challenges to same. In order to avoid such

LICENSING COMMITTEE4th November 2019

challenges being successful it is necessary to have a mechanism in place to allow for appeals against the imposition of penalty points, and to ensure that any decision in respect of whether, or not, to revoke a licence, once the maximum number of permissible points has been reached, is taken at the appropriate level, based on the merits of each individual case.

Service / Operational Implications

- 3.3 Early in 2018 a Hackney Carriage and Private Hire Penalty Points Scheme was implemented by the Council.
- 3.4 This followed a decision made in November 2017 by the Licensing Committee to introduce the scheme following an ongoing review of complaints received over the course of 18 months and a consultation exercise undertaken prior to this.
- 3.5 The basic principle of such a scheme is that individuals that are found to have committed relatively minor offences or acts of non-compliance have a number of penalty points logged against their licensing records held by the authority.
- 3.6 If an individual accumulates a given number of penalty points, within a defined period, this triggers an automatic referral of the licence holder to a Licensing Sub-Committee where consideration is given to whether the individual remains a fit and proper person to hold the relevant licence.
- 3.7 A penalty point scheme enables officers to deal quickly and efficiently with minor compliance issues and helps to identify those that are regularly not acting in compliance with their licensing requirements so that more serious action can be considered against these individuals in a targeted and proportionate way.
- 3.8 The introduction of the penalty point scheme does not affect the Council's ability to take formal enforcement action for any offence or act of non-compliance and every case will continue to be considered on its own merits.
- 3.9 A copy of the Hackney Carriage and Private Hire Penalty Points Scheme implemented can be seen at **Appendix 1**.
- 3.10 Since the implementation of the scheme, penalty points have been issued on 37 separate occasions to licence holders. A table showing the reasons that the points were issued can be seen at **Appendix 2**.
- 3.11 Since the implementation of the scheme, one driver has accumulated sufficient penalty points to have appeared before a Licensing Sub-Committee. The driver's licence was revoked by the Sub-Committee.

LICENSING COMMITTEE4th November 2019

- 3.12 As the scheme has been in operation for nearly two years, it was felt appropriate to conduct a review. Part of this review could involve carrying out consultation on the current scheme with a view to considering if there are any minor offences or acts of non-compliance that should be removed from the scope of the scheme and whether any additional minor offences or acts of non-compliance should be added to the scope of the scheme.
- 3.13 For example, Bromsgrove District Council has recently amended its own penalty points scheme to allow officers to issue points to drivers who breach rule 123 of the Highway Code by leaving their vehicle engine running unnecessarily while that vehicle is stationary on a public road. This was done to encourage drivers to avoid leaving their engines idling on taxi ranks, as this contributes to air quality problems.
- 3.14 Likewise, officers have some concerns over the fairness of issuing penalty points to drivers who are found with a defective bulb on their vehicle, as this fault will very likely develop quickly and could lead to the issuing of points without the driver having opportunity to notice and rectify the issue.

4. RISK MANAGEMENT

- 4.1 None

5. APPENDICES

- Appendix 1 – Current Penalty Points Scheme
- Appendix 2 – Table of points issued

AUTHOR OF REPORT

Name: Dave Etheridge – Senior Practitioner (Licensing)
Worcestershire Regulatory Services

E Mail: dave.etheridge@worcestershire.gov.uk

Tel: (01905) 822799

This page is intentionally left blank



REDDITCH BOROUGH COUNCIL

HACKNEY CARRIAGE AND PRIVATE HIRE PENALTY POINTS SYSTEM

The penalty points system for recording non-compliance with Hackney Carriage or Private Hire requirements will operate as follows:-

1. Redditch Borough Council's Enforcement Policies will be fully considered by the enforcing officer when determining the manner in which any breach of the legislation, byelaws or the requirements of this licence conditions are dealt with. Where it is decided that the use of penalty points is appropriate they will be issued in accordance with the rate in the attached schedule.
2. Before penalty points are issued, there must be sufficient evidence to prove the relevant offence(s) or breach of condition(s).
3. Each case will be considered on its own merits.
4. When points are issued, the relevant proprietor, driver or operator will be sent written confirmation within five working days.
5. Points may be issued to the driver, proprietor and/or operator of a vehicle in accordance with the table below depending on the circumstances of the case.
6. Where the driver of the vehicle is also the proprietor and/or operator of the vehicle, only one set of points will be issued in respect of each offence or breach of condition identified.
7. There is a right of appeal to the Licensing and Support Services Manager against any points that are issued. An administration fee must be paid to submit an appeal with this fee being refunded in full if the appeal is subsequently successful in having the points removed. If the appeal is unsuccessful the administration fee will not be refunded.
8. Points issued will remain "live" for a rolling period of two years from the date of issue. Points will be considered "spent" once it is more two years from the date of issue.

9. Any driver, proprietor or operator accumulating 12 points in a two year period will be referred to a Licensing Sub-Committee for a review of whether the individual remains a fit and proper person to hold the relevant licence.
10. When a driver, proprietor or operator appears before a Licensing Sub-Committee, the following options are available to the Sub-Committee:
 - Take no further action
 - Issue a written warning
 - Extend the two year period for which the points remain live
 - Suspend the licence
 - Revoke the licence
 - Any other action that the Sub-Committee feels appropriate in the circumstances of the case
11. Any driver appearing before a Licensing Sub-Committee will have the right to make representations to the Sub-Committee and be legally represented at the hearing.
12. Any driver, proprietor or operator who has their licence suspended or revoked by a Licensing Sub-Committee will have the right to appeal against the decision to a Magistrates Court within 21 days unless in the interests of public safety, the Sub-Committee further resolves that the suspension or revocation should have immediate effect.
13. Once a Licensing Sub-Committee has considered a case involving accumulated points, the points will be treated as spent unless the Sub-Committee decides otherwise.
14. If the Sub-Committee decides that any points are to remain live, they must stipulate the date at which they will be considered spent.
15. Nothing in this penalty points system will prevent the Council from taking action under any appropriate legislation.
16. The penalty points scheme will be subject to review two years after implementation and as necessary thereafter.

SCHEDULE – TARIFF OF POINTS ISSUED FOR OFFENCES / BREACHES

| | Offence (s) / Breach of condition (s) | Points applicable | Vehicle Driver | Vehicle Proprietor | Operator (PH) |
|----|--|--------------------------|-----------------------|---------------------------|----------------------|
| 1 | Failing to behave in a civil and orderly manner | 4 | X | | |
| 2 | Failure to proceed to another hackney carriage stand on finding a hackney carriage stand full (over-ranking) | 3 | X | | |
| 3 | Failing to wear drivers badge so it is plainly visible | 3 | X | | |
| 4 | Failing to display vehicle licence plate on the outside rear of the vehicle | 3 | X | X | |
| 5 | Vehicle interior in unacceptable condition | 3 | X | X | |
| 6 | Vehicle exterior in unacceptable condition | 3 | X | X | |
| 7 | Failure to provide fire extinguisher | 3 | X | X | |
| 8 | Failure to provide adequate first aid kit | 3 | X | X | |
| 9 | Taximeter defective or not clearly visible | 4 | X | X | |
| 10 | Failing to afford reasonable assistance with loading and unloading luggage | 3 | X | | |
| 11 | Failure to display table of fares | 3 | X | X | |
| 12 | Conveying more passengers in the vehicle than permitted by the licence | 4 | X | | |
| 13 | Leaving hackney carriage unattended on a stand | 3 | X | | |
| 14 | Charging more than the prescribed fare for a journey | 4 | X | | |
| 15 | When hired to do so, failing to attend at the appointed time and place without reasonable cause | 3 | X | X | X |
| 16 | Failing to hand in property left in a licensed vehicle by a passenger | 3 | X | X | X |
| 17 | Failing to notify the Council of motoring or other convictions within 7 days | 4 | X | X | X |
| 18 | Failing to keep appropriate records of bookings | 4 | | | X |
| 19 | Failing to notify the Council of a change of name or address | 3 | X | X | X |
| 20 | Refusing a fare without reasonable cause | 3 | X | | |
| 21 | Failing to report an accident to the Council within 72 hours | 3 | X | X | |
| 22 | Failing to produce insurance certificate to officer on request | 4 | X | X | |
| 23 | Failing to produce vehicle for inspection on request | 4 | X | X | |
| 24 | Failure to produce booking records upon request | 4 | | | X |
| 25 | Causing or permitting any vehicle other than a hackney carriage to wait on a hackney carriage stand | 4 | X | | |
| 26 | Unnecessarily prolonging a journey without reasonable cause | 4 | X | | |
| 27 | Obstructing an authorised officer or constable | 3 | X | X | X |

| | | | | | |
|----|--|--------------|---|---|---|
| 28 | Failing to comply with a requirement properly made by an authorised officer or constable | 3 | X | X | X |
| 29 | Using vehicle horn otherwise than in accordance with the rule 112 of the Highway Code. | 3 | X | | |
| 30 | Allowing smoking in a licensing vehicle | 3 | X | | |
| 31 | Smoking in a licensed vehicle | 3 | X | | |
| 32 | Parking a vehicle in an illegal or dangerous position | 3 | X | | |
| 33 | Using a vehicle with defective lights | 3 (per bulb) | X | X | |
| 34 | Using a vehicle with defective tyres | 6 (per tyre) | X | X | |

Penalty Points Notices Issued

| Offence of act of non-compliance | Number of notices issued |
|---|--------------------------|
| Vehicle exterior in unacceptable condition | 1 |
| Failing to display vehicle licence plate on the outside rear of the vehicle | 16 |
| Leaving hackney carriage unattended on a stand | 1 |
| Failing to notify the Council of motoring or other convictions within 7 days | 3 |
| Smoking in a licensed vehicle | 3 |
| Causing or permitting any vehicle other than a hackney carriage to wait on a hackney carriage stand | 2 |
| Failing to report an accident to the Council within 72 hours | 1 |
| Failing to comply with a requirement properly made by an authorised officer or constable | 1 |
| Using a vehicle with defective lights | 3 |
| Parking a vehicle in an illegal or dangerous position | 3 |
| Using a vehicle with defective tyres | 3 |
| | 37 |

This page is intentionally left blank

REDDITCH BOROUGH COUNCIL**LICENSING
COMMITTEE****4th November 2019****HACKNEY CARRIAGE TABLE OF FARES**

| | |
|----------------------------|--|
| Relevant Portfolio Holder | Councillor Grubb |
| Portfolio Holder Consulted | No |
| Relevant Head of Service | Simon Wilkes – Head of Worcestershire Regulatory Services |
| Wards Affected | All Wards |
| Ward Councillor Consulted | N/A |
| Non-Key Decision | |

1. SUMMARY OF PROPOSALS

The Council has responsibility under the Local Government (Miscellaneous Provisions) Act 1976, for setting the maximum fares that can be charged by hackney carriage vehicles licensed to operate within the district. It is good practise to review the table of fares on a regular basis.

2. RECOMMENDATIONS

That the Licensing Committee note the contents of the report and that no further action is required at the present time.

3. KEY ISSUES**Financial Implications**

- 3.1 The costs of advertising any proposed variations to the table of fares for hackney carriages would be met from existing budgets held by Worcestershire Regulatory Services.

Legal Implications

- 3.2 Section 65 (1) of the Local Government (Miscellaneous Provisions) Act 1976 states that a district council may fix the rates or fares within the district as well for time 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.

REDDITCH BOROUGH COUNCIL**LICENSING
COMMITTEE****4th November 2019**

- 3.3 Section 65(2) of the Local Government (Miscellaneous Provisions) Act 1976 goes on to state:
- a) When a district council make or vary a table of fares they shall publish in at least one local newspaper circulating in the district a notice setting out the table of fares or the variation thereof and specifying the period, which shall not be less than fourteen days from the date of the first publication of the notice, within which and the manner in which objections to the table of fares or variation can be made.
 - b) A copy of the notice referred to in paragraph (a) of this subsection shall for the period of fourteen days from the date of the first publication thereof be deposited at the offices of the council which published the notice, and shall at all reasonable hours be open to public inspection without payment.
- 3.4 If no objection to a table of fares or variation is duly made within the period specified in the notice referred to in section 65 (2), or if all objections so made are withdrawn, the table of fares or variation shall come into operation on the date of the expiration of the period specified in the notice or the date of withdrawal of the objection or, if more than one, of the last objection, whichever date is the later.
- 3.5 If objections are made and are not withdrawn, the district council must set a further date, not later than two months after the first specified date, on which the table of fares shall come into force with or without modifications as decided by them after consideration of the objections.

Service / Operational Implications

- 3.6 The Council has responsibility under the Local Government (Miscellaneous Provisions) Act 1976, for setting the maximum fares that can be charged by hackney carriage vehicles licensed to operate within the district.
- 3.7 Hackney Carriage ("Taxi") fares are made up of an initial hiring charge and a "mileage" rate, both of which are expressed in terms of distance and / or time per unit cost. This is because when a hired taxi is stationary or moving slowly in traffic the meter continues charging, but by time, instead of distance.

REDDITCH BOROUGH COUNCIL**LICENSING
COMMITTEE****4th November 2019**

- 3.8 The table of fares applies only to hackney carriage vehicles. Private hire operators are free to agree their hiring charges in advance with their customers, normally at the time of booking the journey.
- 3.9 The current table of fares can be seen at **Appendix 1**. The current table of fares was approved by the Licensing Committee at its meeting in November 2018 took effect on 16th November 2018.
- 3.10 Prior to table of fares approved in November 2018, the Council's table of fares for hackney carriages had not been amended since 2011, which represented a significant period without any increase to take account of inflation and other relevant cost rises for hackney carriage drivers and proprietors.
- 3.11 Partly for this reason, hackney carriage fares in Redditch were the lowest in Worcestershire and also considerably lower than those payable in other nearby areas including Sandwell, Dudley, Warwick, Stratford-on-Avon, Solihull and Birmingham.
- 3.12 Representatives of the hackney carriage trade in Redditch had requested an increase in the table of fares to address this. The increase originally requested would have seen fares increase in price by between 10% and 15% depending on the time and day of travel.
- 3.13 The increases in the table of fares approved in November 2018 were not as high as originally requested by representatives of the hackney carriage trade in Redditch. This was because whilst Members recognised that hackney carriages fares were significantly lower in Redditch than other districts nearby, they had concerns about increasing fares suddenly in one go and preferred to see a more gradual increase.
- 3.14 Members expressed the view that the table of fares should be regularly reviewed to avoid a situation where a large increase is requested following several years without a review having taken place.
- 3.15 Therefore, as the table of fares has now been in place for one year, Redditch Taxi Association have been approached by officers to see if they would like to request any further increase in the table of fares.
- 3.16 The Chairman of Redditch Taxi Association has confirmed that they do not wish to request any further increase in the table of fares at the present time.

**LICENSING
COMMITTEE****4th November 2019**

- 3.17 Officers therefore recommend that Members note that this matter has been reviewed and that no further action is required at the present time.

4. RISK MANAGEMENT

- 4.1 None

5. APPENDICES

- 5.1 None

AUTHOR OF REPORT

Name: Dave Etheridge – Senior Licensing Practitioner
Worcestershire Regulatory Services

E Mail: dave.etheridge@worcsregservices.gov.uk

Tel: (01905) 822799

REDDITCH BOROUGH COUNCIL
TABLE OF FARES FOR HACKNEY CARRIAGES
WITH EFFECT FROM 16 NOVEMBER 2018



www.redditchbc.gov.uk

| | Tariff One | Tariff Two | Tariff Three |
|---|---|--|--|
| For the first 880 yards (804.7 metres approx.) or part thereof | £3.20 | £4.45 | £6.40 |
| For each subsequent 176 yards (160.9 metres approx.) | £0.14 | £0.14 | £0.28 |
| Equivalent to: | £1.40 per mile (1609.3 metres approx.) | £1.40 per mile (1609.3 metres approx.) | £2.80 per mile (1609.3 metres approx.) |
| Waiting time – for each 30 seconds | £0.10 | £0.10 | £0.20 |
| Extra Charges | | | |
| For each dog (except guide dogs) | | £1.50 | |
| For each passenger in excess of 6 | | £0.50 | |
| Explanation of Tariffs Applicable | | | |
| Tariff One | 6am – Midnight | | |
| Tariff Two | Midnight – 6am and Bank Holidays | | |
| Tariff Three | Christmas Day, Boxing Day and New Years Day | | |
| <p><u>Note</u> if the vehicle or seating is so soiled by any passenger or animal as to require cleaning, the proprietor may make a charge. This must be made clear to the passenger at the end of the journey there will be a maximum charge of £75.00.</p> | | | |

This page is intentionally left blank

REDDITCH BOROUGH COUNCIL**LICENSING COMMITTEE**4th November 2019**THE AIR QUALITY (TAXI AND PRIVATE HIRE VEHICLES DATABASE)(ENGLAND AND WALES) REGULATIONS 2019**

| | |
|----------------------------|---|
| Relevant Portfolio Holder | Councillor Grubb |
| Portfolio Holder Consulted | No |
| Relevant Head of Service | Simon Wilkes – Head of Worcestershire Regulatory Services |
| Wards Affected | All Wards |
| Ward Councillor Consulted | N/A |
| Non-Key Decision | |

1. SUMMARY OF PROPOSALS

The Air Quality (Taxis and Private Hire Vehicles Database) (England and Wales) Regulations 2019 took effect on 1st May 2019 and the Council will shortly be required to provide relevant information in accordance with the regulations. This report is being prepared to provide information to Members on the implications of the regulations.

2. RECOMMENDATIONS

That Members note the contents of the report.

3. KEY ISSUES**Financial Implications**

- 3.1 The costs of complying with the requirements of the Air Quality (Taxis and Private Hire Vehicles Database) (England and Wales) Regulations 2019 will be met from existing budgets held by Worcestershire Regulatory Services.

Legal Implications

- 3.2 The legal implications are set out in the main body of the report.

Service / Operational Implications

- 3.3 In 2017, the government published the UK plan for tackling roadside nitrogen dioxide concentrations followed by a supplement in 2018 (together “the plan”).

REDDITCH BOROUGH COUNCIL**LICENSING COMMITTEE**4th November 2019

- 3.4 The plan identified 61 local authorities in England showing exceedances which have been required to carry out feasibility studies and if necessary, develop bespoke plans to bring roadside concentrations of nitrogen dioxide within legal limits in the shortest possible time. The Welsh Government is taking the same approach with two local authorities in Wales.
- 3.5 Clean Air Zones (“CAZs”) will have a key role to play in delivery of a number of these local plans. The Clean Air Zone Framework sets out the minimum requirements for a CAZ and the expected approach to be taken by local authorities when implementing and operating these zones.
- 3.6 CAZs are not required to include a charging element. However, where there are no other viable options to reduce air pollution to legally permissible levels in the shortest possible time, some local authorities may decide to introduce zones where vehicle owners are required to pay a charge to enter, or move within, a zone if they are driving a vehicle that does not meet the particular minimum emission standard for their vehicle type in that zone.
- 3.7 The Framework sets out four classes of charging CAZ:
- Class A - Buses, coaches, taxis and private hire vehicles (PHVs)
- Class B - Buses, coaches, taxis, PHVs and heavy goods vehicles (HGVs)
- Class C - Buses, coaches, taxis, PHVs, HGVs and light goods vehicles (LGVs)
- Class D - Buses, coaches, taxis, PHVs, HGVs, LGVs, cars (motorcycles and mopeds are optional).
- 3.8 Each vehicle type is expected to reach the following minimum standards:
- Euro 4 for petrol driven vehicles (Euro IV for larger vehicles)
 - Euro 6 for diesel driven vehicles (Euro VI for larger vehicles)
- 3.9 Ultra-low emission vehicles with significant zero emission range will never be charged for entering or moving through a CAZ.
- 3.10 Leeds and Birmingham will be introducing charging CAZs in 2020 (class B and D respectively). A number of other authorities have also consulted on the introduction of a charging CAZ.

REDDITCH BOROUGH COUNCIL**LICENSING COMMITTEE**4th November 2019

- 3.11 To implement these schemes, local authorities may need to differentiate between taxis/PHVs and private vehicles. This is because in some cases local authorities will implement CAZs that apply charges to taxis and PHVs and not to private vehicles, or they may wish to set a different level of charge for these vehicles.
- 3.12 Licensing authorities only hold information on taxis and PHVs licensed within their own area so are not able to clearly identify and charge a taxi/PHV entering or moving around their charging CAZ which has been licensed by another authority (also known as 'out of area vehicles').
- 3.13 If local authorities cannot identify all out of area vehicles then this would undermine their ability to effectively operate CAZs where charging of these vehicles has been determined to be necessary.
- 3.14 The Air Quality (Taxis and Private Hire Vehicles Database) (England and Wales) Regulations 2019 therefore require all licensing authorities in England and Wales to submit certain information about their licensed taxis/PHVs to a national database to be overseen by the Department for Food, Environment and Rural Affairs (DEFRA) .
- 3.15 Licensing authorities are responsible for ensuring that the data which they provide is accurate, legitimate and up to date.
- 3.16 It is also for licensing authorities to ensure that they have complied with any data protection legislation when implementing their obligations under the Regulations. The Council has signed a Memorandum of Understanding (MoU) with DEFRA with respect to the data that the Council has to provide under the Regulations.
- 3.17 It is anticipated that the Council will be required to begin supplying the required data towards the end of October 2019. In preparation for this all vehicle proprietors will be notified in writing of the obligation placed on the Council to provide the relevant data to DEFRA and the Council's vehicle licence application forms will also be updated to make reference to the Regulations.

4. RISK MANAGEMENT

- 4.1 None

5. APPENDICES

None

AUTHOR OF REPORT

Name: Dave Etheridge – Senior Practitioner (Licensing)
Worcestershire Regulatory Services

E Mail: dave.etheridge@worcsregservices.gov.uk

Tel: (01905) 822799

**LICENSING
COMMITTEE****4th November 2019****LICENSING COMMITTEE WORK PROGRAMME 2019/20****4 November 2019**

Review of penalty point scheme for hackney carriage and private hire drivers

Hackney carriage table of fares review

Air Quality (Taxis and Private Hire Vehicles Database) (England and Wales)
Regulations 2019 – Information Report

16th March 2020

Policy on the suitability of applicants and licence holders in the hackney
carriage and private hire trades – approval to consult

Review of Arrangements for Medical Examinations of Hackney Carriage and
Private Hire Drivers – Consideration of consultation responses

To Be Allocated To Suitable Available Dates in 2020

Consultation on policy on the suitability of applicants and licence holders in
the hackney carriage and private hire trades – consideration of responses

This page is intentionally left blank