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Date: 4 February 2020

## MEETING OF LICENSING COMMITTEE

<b>On:</b>	Wednesday 12 February 2020	<b>At:</b>	10.00 am
<b>Venue:</b>	Town Hall - Bridge Street, Bideford, EX39 2HS		

### NOTICE OF MEETING

<b>To:</b>	Councillor K James (Chair) Councillor J McKenzie (Vice-Chair) Councillors: C Bright, D Bushby, M Clarke, P Hackett, P Hames, T Inch, D McGeough and R Wiseman
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**Members are requested to turn off their mobile phones for the duration of the meeting**

## AGENDA PART I - (OPEN SESSION)

1.	<b>Apologies For Absence</b> To receive apologies for absence for the meeting.
2.	<b>Minutes (Pages 3 - 7)</b> Confirmation of the Minutes of the meeting held on 4 December 2019
3.	<b>Declarations of Interests</b> Members with interests to declare should refer to the agenda item and describe the nature of their interest when the item is being considered.
4.	<b>Agreement of Agenda Items Part I and II</b>
5.	<b>Urgent Matters of Information to be Brought Forward with the Permission of the Chair and the Committee</b>

6.	<b>Review of Taxi Fares</b> (Pages 8 - 10) To receive the report from the Lead Licensing Officer
7.	<b>Taxis - Climate Change</b> To receive a verbal update from the Lead Licensing Officer
8.	<b>Animal Welfare Licensing</b> To receive a verbal update from the Lead Licensing Officer
9.	<b>Taxi Drivers Liaison Committee</b> To receive a verbal update from the Lead Licensing Officer
10.	<b>Consideration of the Forward Plan</b> (Page 11)
11.	<b>Exclusion of the Public</b> The Chairman to move:-  That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in Part I of schedule 12A of the Local Government Act 1972.
12.	<b>Part II (CLOSED SESSION)</b>
13.	<b>Incidents in public houses</b> To receive a verbal update from the Lead Licensing Officer
	Meeting Organiser: Mary Richards

## TORRIDGE DISTRICT COUNCIL

### LICENSING MEETING

Town Hall - Bridge Street, Bideford, EX39 2HS

Wednesday, 4 December 2019 - 10.00 am

PRESENT                    Councillor K James (Chair)

                                  Councillor J McKenzie (Vice-Chair)

                                  Councillors C Bright, M Clarke, P Hackett, P Hames and T Inch

ALSO PRESENT            C Norman                    - Solicitor

                                  C Parkhouse                - Lead Licensing Officer

                                  M Richards                 - Democratic Services Officer

                                  K Brown                     - Officer

27.    APOLOGIES FOR ABSENCE

There were no apologies for absence.

28.    MINUTES

It was proposed by Councillor Hackett, seconded by Councillor Inch and –

Resolved:

That the minutes of the meeting held on 23 October be agreed and signed as a correct record.

(Vote: For 6, Abstentions1)

29.    DECLARATIONS OF INTERESTS

Members were reminded that declarations of interest should be made as and when the specific agenda item to which they related was under discussion.

30.    AGREEMENT OF AGENDA ITEMS PART I AND II

There were no Part II items.

31.    URGENT MATTERS OF INFORMATION TO BE BROUGHT FORWARD WITH THE PERMISSION OF THE CHAIR AND THE COMMITTEE

With the permission of the Chair, the Lead Licensing Officer advised Members that the taxi meters contain calendar control chips which count the bank holidays and

he had been alerted by the taxi drivers that these need to be updated for 2020 bank holidays.

It had been suggested by the trade that a review of taxi fares be carried out at the same time. This will require a general consultation with the trade to ascertain whether they wish to have a fare change and if so, what the proposed rates would be. This would then be followed by a formal consultation process. The meters have to be changed by 1 April which means the consultation would have to take place in January but this would miss the January committee meeting and the March committee would be too late. It was proposed therefore, that the meeting be held on 12 or 19 February and that the meeting scheduled for 15 January be postponed. Decision to be agreed when discussing the Forward Plan.

### 32. PAUL BUTLER, POLICE LICENSING OFFICER

Paul Butler introduced himself giving a brief history of his career. He currently works as the Police Licensing Officer for North Devon and Torridge.

Mr Butler gave an overview of the role of the Licensing Officer and the escalation process, providing information about the sources from which intelligence came. He stressed the importance of the quality of evidence and the requirement to support with evidence the measures taken to engage with the Licence Holder or Designated Premises Supervisor. A paper was circulated to the Committee listing incidents in public houses and the actions the police had taken. The role also encompassed off-licenses where incidents of sales of high percentage alcohol to under age drinkers presented issues. Other areas of involvement included the sale of butane gas and Young Farmers Clubs.

Looking forward, Mr Butler will be involved with the implementation of the Pub Watch Scheme in Bideford and possibly Holsworthy. TDC have arranged a Pub Watch information event for licensees to take place at Caddsdon on 30 January 2020. It was hoped that the Police Pubs Against Drugs initiative could also be implemented sometime next year.

Mr Butler referred to the Police & Crime Commissioner's guidance on best practice in relation to tackling street drinking and read out information regarding the significant costs incurred because of street drinking "... not simply crime and anti-social behaviour on the street but also associated costs such as hospital visits, repeated 999 calls and opportunity costs of resources used to target their needs. Alcohol Concern's Blue Light project estimated that the average annual cost of a high-risk, change resistant drinker is around £35,000 including health, criminal justice and anti-social behaviour costs."

Crime summary figures for Torridge were presented.

Members were informed about prosecutions, court costs and other options for addressing offences, such as cautions, fines and mediation.

It was proposed by Councillor James, seconded by Councillor McKenzie and –

Resolved:

That under Section 100(a)(4) of the Local Government Act (as amended) the public be excluded from the meeting for the following items of business because of the likely disclosure of exempt information by virtue of Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

(Vote: For – unanimous)

33. PART II

34. PAUL BUTLER POLICE LICENSING OFFICER - PART II INFORMATION

Mr Butler detailed a recent incident outside a pub in the Torridge area. The premises did not have external CCTV, however the perpetrators had been picked up on public CCTV but the footage had been poor. Mr Butler detailed the events that had followed and how this had led to a reclassification of the incident.

Mr Butler gave updates on other establishments in the district.

Members were advised that they should report any incidents to the Lead Licensing Officer as the first point of call.

The Lead Licensing Officer thanked Mr Butler for his proactive approach and the wealth of information provided.

The Chair thanked Mr Butler for the presentation.

Mr Butler left the meeting.

35. RE-ADMITTANCE OF PRESS AND PUBLIC

It was proposed by Councillor James, seconded by Councillor Hackett and –

Resolved: That the press and public be readmitted.

(Vote: For – Unanimous)

36. TAXI FEEDER RANK

The Chair advised that the Community & Resources Committee had approved the recommendation from the Licensing Committee -

That a feeder rank system be established on the concrete apron area of the Quay side for a monitoring period of 12 months.

It was noted that the Environmental Health & Community Safety Manager had raised her concerns over safety issues.

Increased signage had been requested and a report will be brought to the Committee.

37. CLIMATE CHANGE - TAXI POLICIES

The Lead Licensing Officer informed the meeting that the taxi policy was due for renewal next year and a consultation with taxi drivers will be held.

The Chair alluded to the Notice of Motion due to go to Full Council on Monday 9 December. The motion was that TDC encourage the transition to electric taxis in Bideford.

Members discussed. It was established that the major issue will be the provision of charging points. The proposed area is the responsibility of Devon County Council so their approval would be required. It was noted that the transition to electric taxis in Bideford will be on the agenda for the next meeting of the Climate change Working Group

38. SEX ESTABLISHMENT POLICY

The Lead Licensing Officer advised the existing policy was due for review. Although there are no sex establishments in Torridge and there is no statutory requirement on authorities to have a policy, it is good practice to have a policy and ensure it remains up to date. The only changes were in relation to names and addresses and there was more information on safeguarding.

It was proposed by Councillor Inch, seconded by Councillor James and –

Resolved:

That the revised policy, to take effect from 1 January 2020 and a further review take place in 5 years or sooner if there are any amendments to relevant legislation, be approved.

(Vote: For – unanimous)

39. LICENSING SERVICE - BUSINESS REPORT

The Lead Licensing Officer presented the report which detailed the performance of the licensing service for the period 1 April - 30 September.

Demand on the Service was very similar to last year and there had been a decrease in Licensing Act applications but an increase in taxi applications largely due to the move to 3 yearly licenses coming up for renewal.

The Lead Licensing Officer provided clarification in response to questions and agreed to bring a report to committee summarising the animal licensing legislation.

40. CONSIDERATION OF THE FORWARD PLAN

The Forward Plan was reviewed and updated.

The meeting commenced at 10.02 am and closed at 11.07 am

Chair:

Date:

# Agenda Item 6

**REPORT OF LEAD LICENSING OFFICER**

**To: LICENSING COMMITTEE**

**Subject: REVIEW OF TAXI FARES**

**Date: 12 FEBRUARY 2020**

**Reference:**

## **PURPOSE OF REPORT:**

To inform Committee of the results of a recent fare consultation with hackney carriage proprietors and to consider whether to increase the existing fare tariff.

## **1. INTRODUCTION**

Local authorities have the power to set fares for hackney carriages under section 65 of the Local Government (Miscellaneous Provisions) Act 1976. Hackney carriage fares were last increased on 1 August 2017. Since then, fares have remained at their present level. Taxi meters contain calendar control chips which count the bank holidays and these need to be updated for the bank holidays in 2020. As this is being done it has been suggested by the trade that a review of taxi fares could be carried out at the same time.

## **2. REPORT**

A consultation on fares was carried out with taxi proprietors between 9<sup>th</sup> and 31<sup>st</sup> January 2020. This report sets out the results of the consultation and provides background information which will help Members to make an informed decision on any increase in fares.

The consultation was sent to all 27 licensed hackney carriage proprietors. 14 proprietors responded - a return rate of 52% - and the results are detailed below.

In favour of an increase: 11 (79%)      Against an increase: 3 (21%)

This indicates strong support for an increase from those who responded to the consultation.

However there was a mixed reply in response to what the increase should be. The results are given in Table 1 below.

**Table 1 – Consultation responses**

<b>Option</b>	<b>Increase</b>	<b>Number</b>
A	No increase – maintain current fares	3
B	Flag fare 20p increase/miles thereafter 10p increase Flag fare (3/4 mile): £3.70 Mile thereafter: £2.60	6
C	Flag fare no increase/miles thereafter 20p increase Flag fare (3/4 mile): £3.50 Mile thereafter: £2.70	1
D	Reduce flag fare distance to half mile. No increase in amounts Flag fare (1/2 mile): £3.50 Mile thereafter: £2.50	4
	Total	14





Table 2 shows the effect of different rate increases on current Torridge fares.

**Table 2 – Effect of different increases**

Option	2 Mile	5 Mile	10 Mile	20 Mile
A	£6.63	£14.13	£29.13	£54.13
B	£6.95	£14.75	£30.35	£56.35
C	£6.88	£14.98	£31.18	£58.18
D	£7.25	£14.75	£29.75	£54.75

### National Context

In terms of the national context, as at January 2020, Torridge was ranked 56 out of the 363 local authorities which regulate hackney carriage fares (*Source Private Hire and Taxi Monthly*). The national average two mile hackney fare on tariff one is £5.96.

A comparison with the other Devon authorities is shown below:

**Table 3 – Devon authorities**

Position (All England Councils)	Council	2 Mile Fare Cost	Date of last fare increase
47	Torbay	£6.75	2019
56	Torridge	£6.62	2017
62	Exeter	£6.60	2013
73	North Devon	£6.55	2016
109	East Devon	£6.30	2012
137	Teignbridge	£6.20	2013
175	Plymouth	£6.00	2017
178	South Hams	£6.00	2017
233	Mid Devon	£5.70	2010

In addition to the fare increase it has also been requested to increase the fare for waiting time from 20p to 25p per minute.

### 3. IMPLICATIONS

#### Legal Implications

The Council is legally obliged to advertise any variation of fares. If this is not done, the proposed fares would be invalid.

#### Financial Implications

None

#### Human Resources Implications

None

#### Sustainability/Biodiversity Implications

None



Equality/Diversity

None

Risk Management

There are legal, reputational and possible financial risks if the Council does not follow the correct procedures.

Compliance with Policies and Strategies

Complies with the current Taxi Policy.

Data Protection (GDPR) Implications

None

Climate Change

None

Ward Member and Lead Member Views

Cllr James has been consulted

**4. CONCLUSIONS**

It is important to find a balance between the income generated by Taxi Drivers, to cover their day-to-day costs and the costs associated with the licensing process, as well as setting fares which meets the needs of the residents and visitors to the area.

Members should note that the fares prescribed by the Council are maximum fares. Drivers may charge a lower fare or offer a discount if they wish.

**5. RECOMMENDATIONS**

It is recommended:

1. Members consider the information contained in this report and make a decision as to whether or not to increase the existing fares.

And, if a fare increase is approved:

2. That the level of increase be determined; and
3. the proposed fares be advertised for a period of not less than 14 days as required by s. 65(2) of the Local Government (Miscellaneous Provisions) Act 1976; and, provided there are no objections, the proposed fares be introduced on 1<sup>st</sup> April 2020.

**SUPPORTING INFORMATION**

Consultations: Taxi Trade – January 2020

Contact Officer: Chris Parkhouse  
Background Papers: Licensing files



LICENSING COMMITTEE – FORWARD PLAN 2019/20

2019/20	Cycle 1	Cycle 2	Cycle 3	Cycle 4	Cycle 5	Cycle 6	Cycle 7	Cycle 8
	29 May 2019	24 July 2019	11 Sept 2019	23 Oct 2019	4 Dec 2019	12 Feb 2020	11 March 2020	23 Apr 2020
	10am	10am	10am	10am	10am	10am	10am	10am
Page 11				Taxi Demand Study Results  Taxi Rank issues  Climate Change – Taxis	Invite Police Licensing Officer  Sex Establishment Policy Review  Business Report  Verbal Update On Climate Change  Feedback From C&R On Taxi Feeder Rank	Taxi Fares Review  Incidents in public houses  Climate Change  Animal Welfare	Taxi Policy Review  Business Report  Climate Change	Climate Change
	Standing Item	Taxi Drivers Liaison Committee	Taxi Drivers Liaison Committee	Taxi Drivers Liaison Committee	Taxi Drivers Liaison Committee	Taxi Drivers Liaison Committee	Taxi Drivers Liaison Committee	Taxi Drivers Liaison Committee