





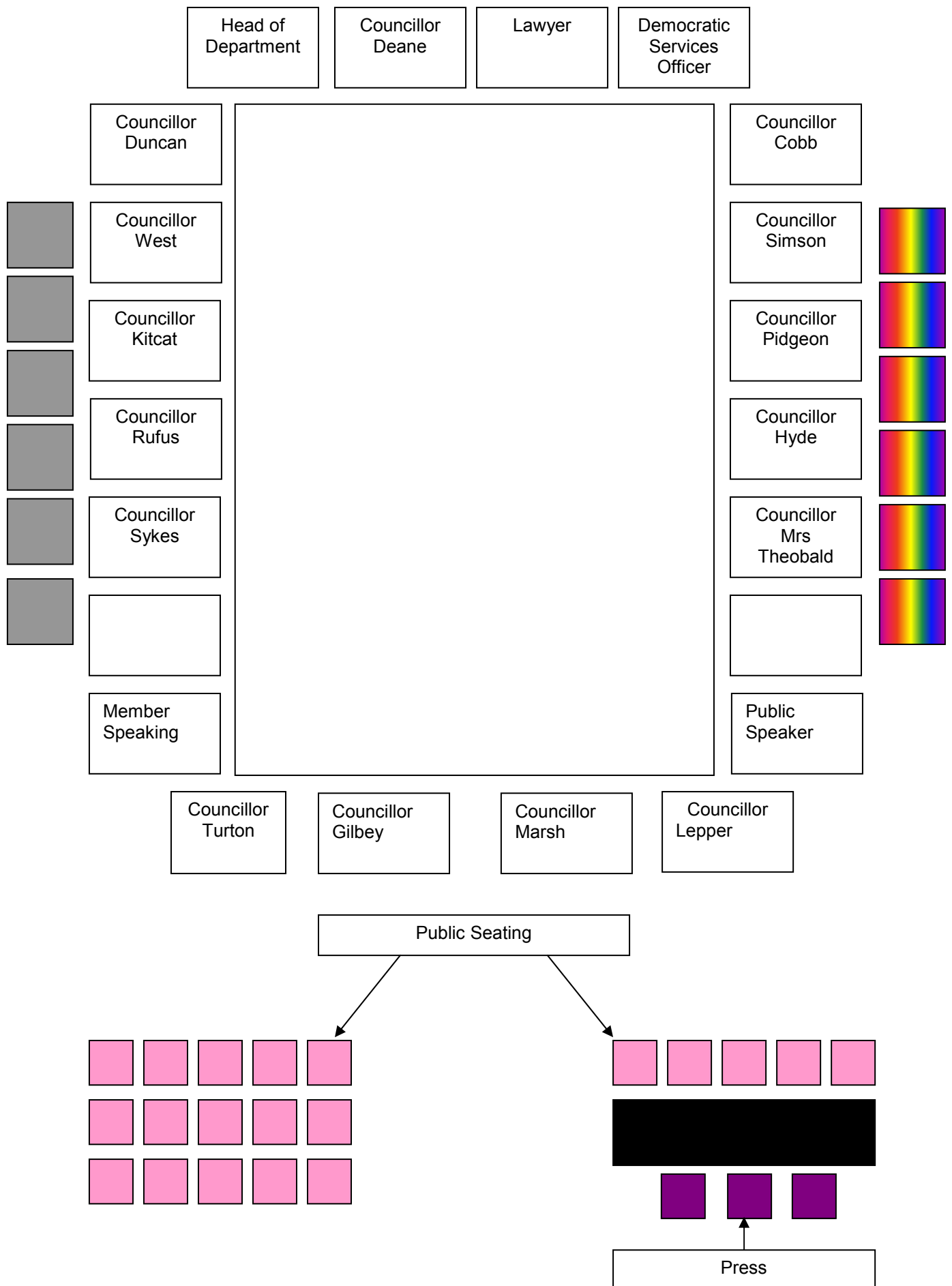
**Brighton & Hove
City Council**

Advisory Committee for Executive Licensing Functions

Title:	Advisory Committee for Executive Licensing Functions
Date:	23 June 2011
Time:	4.30pm or conclusion of Licensing Committee (Non Licensing Act 2003 Functions)
Venue	Council Chamber, Hove Town Hall
Members:	Councillors: Deane (Chair), Cobb, Duncan, Gilbey, Hyde, Kitcat, Lepper, Marsh, Pidgeon, Rufus, Sykes, C Theobald, Turton and West
Contact:	Penny Jennings Democratic Services Officer 01273 291065 penny.jennings@brighton-hove.gov.uk

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	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.
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Democratic Services: Meeting Layout



AGENDA

1. PROCEDURAL BUSINESS

- (a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct
- (b) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

2. MINUTES OF PREVIOUS MEETING

1 - 4

Minutes of the Meeting held on 24 June 2010 (copy attached)

3. CHAIRMAN'S COMMUNICATIONS

4. PUBLIC QUESTIONS

The closing date for receipt of public questions is 16 June 2011)

No public questions have been received as at date of publication.

5. HACKNEY CARRIAGE FARE REVIEW

5 - 16

Report of the Head of Planning and Public Protection (copy attached)

Contact Officer: Martin Seymour

Tel: 296659

Ward Affected: All Wards

ADVISORY COMMITTEE FOR EXECUTIVE LICENSING FUNCTIONS

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact , (01273 291065), email penny.jennings@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication – 15 June 2011

ADVISORY COMMITTEE FOR EXECUTIVE LICENSING FUNCTIONS

Agenda Item 2

Brighton & Hove City Council

BRIGHTON & HOVE CITY COUNCIL

ADVISORY COMMITTEE FOR EXECUTIVE LICENSING FUNCTIONS

4.00pm 24 JUNE 2010

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present : Councillors Cobb (Chairman), Fryer, Hawkes, Kitcat, Lepper (Deputy Chairman), Marsh, Older, Phillips, Pidgeon, Simson, Smart, C Theobald, Watkins, West and Young

Apologies : Councillors Harmer-Strange, Hyde and Wrighton

Officers Present: Tim Nichols, Head of Environmental Health and Licensing; Martin Seymour, Hackney Carriage Officer; Rebecca Sidell, Lawyer and Penny Jennings, Democratic Services Officer

PART ONE

1. PROCEDURAL BUSINESS

1a Declarations of Substitutes

- 1.1 Councillor Fryer declared she was present in substitution for Councillor Wrighton.
- 1.2 Councillor Smart declared that he was present in substitution for Councillor Harmer-Strange.
- 1.3 Councillor Young declared that she was present in substitution for Councillor Hyde.

1b. Declarations of Interest

- 1.4 There were none.

1c. Exclusion of Press and Public

- 1.5 In accordance with Section 100A of the Local Government Act 1972 ("The Act"), the Advisory Committee for Executive Licensing Functions considered whether the press and public should be excluded from the meeting during an item of business on the

grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in Section 100A(3) of the Act) or exempt information (as defined in Section 100(1) of the Act).

1.6 **RESOLVED** – That the press and public be not excluded.

2. CHAIRMAN'S COMMUNICATIONS

2.1 There were none.

3. PUBLIC QUESTIONS

3.1 There were none.

4. HACKNEY CARRIAGE FARE REVIEW

4.1 The Committee considered a report of the Director of Environment seeking authority to advertise the proposed fare increases following the hackney carriage trades request for an increase in fares.

4.2 The Hackney Carriage and Licensing Officer, Mr. Seymour explained the proposed increases by reference to the circulated tables which set out the proposed changes to the existing fare structure.

4.3 Councillor Young sought clarification of the circumstances under which an additional booking charge was made and how this would impact on the level of fees charged.

4.4 Councillor Pidgeon referred to the small print contained within some of the circulated sheets. The Chairman agreed that whilst the Officer's presentation had effectively explained the rationale for the increases clarity might be improved if such information was to be included on overhead slides on another occasion.

4.5 Councillor Smart referred to the proposed levels of increases, he considered that they were high and could deter people from going out or using taxis, and could also result in an increase in drinking and driving. He also enquired whether a specific number of objections to the proposals were required. It was confirmed that any valid objection would need to be considered.

4.6 Councillor Kitcat stated that whilst not unsympathetic to requests by the trade to increase fares he also considered that they were very high and were difficult to justify in the current economic climate and would have the greatest impact on those who were least able to pay.

4.7 Councillor West concurred with the views expressed and whilst noting that these proposed increases were part of a consultation process expressed concern as to whom would be consulted. Any consultation process needed to extend more widely than within the taxi trade itself, customers should be consulted too.

- 4.8 The Head of Environmental Health and Licensing, Mr. Nichols explained that the process was carried out within an agreed legal framework. The consultation process would be carried out in line with the legal statutory process. Fares had not risen since 2008 and the trade had argued that there had been significant rises in fuel and other costs since that time. The trade was seeking increases which they considered the “market could bear” and weight had been given to their intimate knowledge of their own business. The trade could have sought to implement higher fares as they would still have fallen within the agreed policy framework. He stressed that the Committee were being asked to authorise further consultation, any valid objections received would be referred back for their further consideration.
- 4.9 In answer to further questions, the Head of Licensing explained that a statement relating to taxi provision was included within the Local Transport Plan and that it should be considered within the context of the overall plan.
- 4.10 A vote was taken and on a vote of 11 with 4 abstentions the following resolutions were approved.
- 4.11 **RESOLVED** – (1) that the Committee recommends the proposed fare increases and authorizes the relevant Director to advertise the proposed variation in fares and to invite objections in accordance with legal requirements;
- (2) The Committee agrees that if no objections are made or if any objections are made, or if any objections which are made are withdrawn the table of fares will come into force from the date specified in the relevant notice; and
- (3) The Committee will reconsider the matter at the next meeting of the Licensing Committee if valid objections are made and not withdrawn.

Note: Councillors Fryer, Kitcat, Phillips and West abstained from voting in respect of the above matter.

5. ITEMS TO GO FORWARD TO COUNCIL

- 5.1 There were none.

The meeting concluded at 6.00pm

Signed

Chairman

Dated this

day of

ADVISORY COMMITTEE FOR EXECUTIVE LICENSING FUNCTIONS

Agenda Item 5

Brighton & Hove City
Council

Subject: Hackney Carriage Fare Review
Date of Meeting: 23 June 2011
Report of: *Head of Planning and Public Protection*
Contact Officer: Name: *Martin Seymour* Tel: 29-2550
E-mail: Martin.seymour@brighton-hove.gov.uk
Wards Affected: All

1. SUMMARY AND POLICY CONTEXT:

To seek the Committee's recommendation and authority to advertise proposed fare increases following the hackney carriage trade's request for an increase in fares.

2. RECOMMENDATIONS:

- 2.1 That Committee recommends the proposed fare increases and authorises the relevant Director to advertise the proposed variation in fares, and invite any objections in accordance with the legal requirements.
- 2.2 Agree that if no objections are made, or if any objections which are made are withdrawn, the varied table of fares will come into force from date specified in the relevant notice.
- 2.3 Reconsider the matter at the next meeting of the Advisory Committee to the Executive Committee if valid objections are made but not withdrawn. As there are strict legal timescales relating to fare reviews a special meeting of the Advisory Committee may be required.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The council may fix the rates for hackney carriage fares within the district as well as time and distance and all other charges in connection with the hire of a vehicle or with the arrangements for hire of a vehicle to be paid in respect of the hire of a hackney carriage. The council does not have the power to set private hire vehicle fares but historically the local operators follow the hackney carriage tariffs set by the council and meters are sealed

by officers. It is council policy to use a formula to establish the highest rate of basic fares it will consider. The maximum fare that the formula would allow is £2.31 pence per mile. (As of April 2011). Any additions are negotiated separately.

- 3.2 The Cabinet set up an advisory committee to the Executive for the purpose of advising on licensing functions that are the responsibility of the Executive, including setting taxi fares. The Cabinet agreed that membership of the advisory committee should mirror the Licensing Committee membership. The Cabinet has delegated power to the Strategic Director of Place to set taxi fares after considering the recommendations of the advisory committee. The advisory committee also hears representations and objections in the usual way and then makes further recommendations. The final decision can then be made either by Cabinet or an Officer with delegated power. It is proposed that the power to set the tariff should be delegated to the Strategic Director of Place. After considering the advice of the advisory committee if the Director is minded to reject the committee's recommendations, the matter would be expected to be referred to Environment CMM or Cabinet.
- 3.3 Applications for hackney carriage fare increases are made through the Taxi Forum in accordance with the agreed formula approved by the Council. If the general consensus of the trade is in agreement with a fare increase, representatives of the trade will be called to a meeting to discuss any proposals with officers of the Council and the lead councilor of the licensing committee who will then present any proposal agreed by that meeting to the next available meeting of the advisory committee of the Council for their consideration and recommendation to the cabinet member for environment.
- 3.4 The formula is a mixture of independent figures for average earnings, for vehicle standing charges and running costs and for vehicle insurance premiums. The figures for standing charges and running costs are produced annually by the AA. They are based upon engine size and new vehicle costs for petrol cars and diesel cars. An average of the two is used to calculate running costs to reflect the mixed nature of the city's taxi fleet.
- 3.5 Since the last fare review the AA has changed the price banding for new vehicles. For the purposes of the fare formula used for this report the middle price band of £16,000 to £20,000 for petrol cars and £17,000 to £20,000 for diesel cars has been used to ascertain vehicle-running costs.
- 3.6 The last hackney carriage fare increase occurred in August 2010. The hackney carriage trade now seeks a further increase.
- 3.7 Justification by the trade for an increase in fares is that there has been a significant rise in fuel prices.
- 3.8 The proposal from the trade is for no changes to the normal initial fares in all tariffs. However, the initial yardage would be reduced from 800 yards to 640 yards in all tariffs. The initial waiting time in all tariffs would also be

reduced from 3 minutes 20 seconds to 2 minutes 24 seconds. The additional waiting time is reduced from 40 seconds to 36 seconds in all tariffs. The bank / public holiday tariffs would now end at midnight instead of 6am the following morning. The impact to existing fares can be seen in Appendix A.

3.9 Appendix B Current tariff card.

3.10 Appendix C Proposed tariff card.

4. CONSULTATION

4.1 The subject of the fare review is a constant agenda item at the council's hackney carriage and private hire consultation forum where all members of that forum are free to express their opinions. The forum members have delegated negotiations to selected representatives.

4.2 The procedure for presenting the trade's request for a review has been followed. This involves the trade's representatives making representations to the chair of the advisory committee to the Executive and officers. The trade's representatives accept the recommendations as reasonable.

4.3 A meeting with the trade representatives, council officers and the chairman and deputy chairman of the advisory committee was held on the 19th April 2011 where a proposal was agreed in principle to go to the advisory committee.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

The cost of advertising the proposed fare increases will be met from the existing hackney carriage revenue budget. The fare levels are used by the trade, and are not an income stream to the council.

Finance Officer Consulted: Date:

5.2 Legal Implications:

The power to fix fares for hackney carriages comes under Section 65 of the Local Government (Miscellaneous Provisions) Act 1976. The procedure is set out in the body of the report.

Lawyer Consulted: Date:

5.3 Sustainability Implications:

The role of the taxi trade is included in the Local Transport Plan, which identifies it as a key element in providing sustainable transport choices. It creates important links in the transport network to other forms of sustainable transport providing a seamless connection. It will contribute to three of the government's four shared transport priorities – reducing congestion, improving air quality and accessibility. Use of taxis for school transport, licensed vehicles using bus lanes, locating ranks at railway stations and the city coach station, approved use of liquid petroleum gas all contribute to reducing congestion and moving passengers quickly.

5.4 Crime & Disorder Implications:

Sufficient late night transport to reduce public place violent crime is recognised in the community safety, crime reduction and drugs strategy..

5.5 Risk and Opportunity Management Implications:

The transport industry should be safe, profitable and be a positive experience for residents and visitors.

5.6 Corporate / Citywide Implications:

Tourism needs to provide a warm welcome to visitors and the tourism strategy depends upon effective partnership with transport operators particularly to achieve safe late night dispersal for the night time economy.

SUPPORTING DOCUMENTATION

Appendices: A

Appendices: B

CURRENT TARIFF

Name : <input type="text" value="TARIFF 1"/> Date: 18/08/2010 Soiling charge: <input type="text" value="£50.00"/> Wait: <input type="text" value="40"/> (secs) Flag fall: <input type="text" value="£2.60"/> A Initial yardage: <input type="text" value="800"/> B Unit thereafter: <input type="text" value="160"/> C Price unit : <input type="text" value="0.2"/> D Initial Waiting Time (secs): <input type="text" value="200"/>	Name : <input type="text" value="TARIFF2"/> Date: 18/08/2010 Soiling charge: <input type="text" value="£50.00"/> Wait: <input type="text" value="40"/> (secs) Flag fall: <input type="text" value="£3.60"/> A Initial yardage: <input type="text" value="800"/> B Unit thereafter: <input type="text" value="160"/> C Price unit : <input type="text" value="0.2"/> D Initial Waiting Time (secs): <input type="text" value="200"/>	Name : <input type="text" value="TARIFF 3"/> Date: 18/08/2010 Soiling charge: <input type="text" value="£50.00"/> Wait: <input type="text" value="40"/> (secs) Flag fall: <input type="text" value="£4.40"/> A Initial yardage: <input type="text" value="800"/> B Unit thereafter: <input type="text" value="160"/> C Price unit : <input type="text" value="0.2"/> D Initial Waiting Time (secs): <input type="text" value="200"/>
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PROPOSAL / NEW TARIFF /3 amended as per request 2

Name : <input type="text" value="TARIFF 1"/> Wait: <input type="text" value="38"/> (secs) Flag fall: <input type="text" value="£2.60"/> A Initial yardage: <input type="text" value="640"/> B Unit thereafter: <input type="text" value="160"/> C Price unit : <input type="text" value="0.2"/> D Initial Waiting Time (secs): <input type="text" value="144"/>	Name : <input type="text" value="TARIFF 2"/> Wait: <input type="text" value="38"/> (secs) Flag fall: <input type="text" value="£3.60"/> A Initial yardage: <input type="text" value="640"/> B Unit thereafter: <input type="text" value="160"/> C Price unit : <input type="text" value="0.2"/> D Initial Waiting Time (secs): <input type="text" value="144"/>	Name : <input type="text" value="TARIFF 3"/> Wait: <input type="text" value="38"/> (secs) Flag fall: <input type="text" value="£4.40"/> A Initial yardage: <input type="text" value="640"/> B Unit thereafter: <input type="text" value="160"/> C Price unit : <input type="text" value="0.2"/> D Initial Waiting Time (secs): <input type="text" value="144"/>
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Distance (miles)	TARIFF 1			TARIFF 2			TARIFF 3		
	Current	Proposed	% Change	Current	Proposed	% Change	Current	Proposed	% Change
Flag	£2.60	£2.60	0.00%	£3.60	£3.60	0.00%	£4.40	£4.40	0.00%
1	£3.80	£4.00	5.26%	£4.80	£5.00	4.17%	£5.60	£5.80	3.57%
2	£6.00	£6.20	3.33%	£7.00	£7.20	2.86%	£7.80	£8.00	2.56%
3	£8.20	£8.40	2.44%	£9.20	£9.40	2.17%	£10.00	£10.20	2.00%
4	£10.40	£10.60	1.92%	£11.40	£11.60	1.75%	£12.20	£12.40	1.64%
5	£12.60	£12.80	1.59%	£13.60	£13.80	1.47%	£14.40	£14.60	1.39%
6	£14.80	£15.00	1.35%	£15.80	£16.00	1.27%	£16.60	£16.80	1.20%
7	£17.00	£17.20	1.18%	£18.00	£18.20	1.11%	£18.80	£19.00	1.06%
8	£19.20	£19.40	1.04%	£20.20	£20.40	0.99%	£21.00	£21.20	0.95%
9	£21.40	£21.60	0.93%	£22.40	£22.60	0.89%	£23.20	£23.40	0.86%
10	£23.60	£23.80	0.85%	£24.60	£24.80	0.81%	£25.40	£25.60	0.79%

**BRIGHTON & HOVE CITY COUNCIL
MAXIMUM HACKNEY CARRIAGE FARES**

Section 65 of the Local Government (Miscellaneous Provisions) Act 1976

The fares apply to all hiring's within Brighton & Hove City. Journeys ending outside the city area may not exceed the authorised metered maximum fare unless a **prior contract** is made with the driver at the time of hiring.

THE FARE YOU SHOULD PAY ALONG WITH THE RELEVANT TARIFF CODE WILL BE SHOWN AUTOMATICALLY ON THE TAXIMETER.

ONLY EXTRA CHARGES MARKED ** MAY BE ADDED TO THE METER BY THE DRIVER.

CHARGES	TARIFF 1	TARIFF 2	TARIFF 3	TARIFF 4	TARIFF 5
	Normal Fare - Applies to all hiring's except those mentioned in tariffs 2,3,4,5,6,7,8,9 &10	Late Night each day between the hours of 9pm and 6am, other than under tariff 3. Sundays – between the hours of 6am and 9pm. Bank or Public Holiday - to 6am the following day excluding the times covered by Christmas and new year extra charge	Late Night – each Friday Night and Saturday night only between the hours of 12 midnight and 6am the following day	Christmas Day & Boxing Day - between 9pm 24 December and 6am 27 December. New Year - between 6am and 10am 1 st January	New Year - between 9pm 31 December and 6am 1 January
Initial hire not exceeding 800 yards or 3 minutes 20 seconds of waiting time or a combination of both time and distance.	£2.60	£3.60	£4.40	£3.90	£5.20
Each additional 160 yards or part thereof, or 40 seconds of waiting time or part thereof, or a combination of both time and distance.	20p	20p	20p	30p	40p

For Journeys with 5 to 8 passengers the following tariffs may apply

CHARGES	TARIFF 6	TARIFF 7	TARIFF 8	TARIFF 9	TARIFF 10
	Normal Fare - Applies to all hiring's except those mentioned in tariffs, 7,8,9 &10	Late Night each day between the hours of 9pm and 6am, other than under tariff 3. Sundays – between the hours of 6am and 9pm. Bank or Public Holiday - to 6am the following day excluding the times covered by Christmas and new year extra charge	Late Night – each Friday Night and Saturday night only between the hours of 12 midnight and 6am the following day	Christmas Day & Boxing Day – between 9pm 24 December and 6am 27 December. New Year – between 6am and 10am 1 st January	New Year - between 9pm 31 December and 6am 1 January
Initial hire not exceeding 800 yards or 3 minutes 20 seconds of waiting time or a combination of both time and distance.	£3.90	£5.40	£6.60	£5.85	£7.80
Each additional 160 yards or part thereof, or 40 seconds of waiting time or part thereof, or a combination of both time and distance.	30p	30p	30p	45p	60p

Extra Charges – that may be added to the metered fare by the driver	
Fouling Charge **Booking Fee for telephone and pre-booked hiring's **The driver may charge any road charges or toll's where applicable (this must be agreed with the customer before hire commences)	**£50.00 **20p**

The maximum number of persons this vehicle is licensed to carry includes children of any age.
Payment for out of city journeys may be requested by the driver in advance of the journey.
A person who hires this vehicle but makes off without paying the fare in full commits an offence.
An operator's account administration charges, including VAT at the current rate, agreed by prior contract, may be charged separately and if charged will form part of the fare for the purpose of any legislation.

Theses charges cannot be added by the driver to the fare shown on the taximeter.

Any COMPLAINTS should be made in writing and sent to the Hackney Carriage Office, Hove Town Hall, Norton Road, Hove, BN3 3BQ or email to hco@brighton-hove.gov.uk

**BRIGHTON & HOVE CITY COUNCIL
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