

Regulatory Committee Agenda

9 July 2020 at 7.15pm (or upon the rising of
the Licensing Committee, whichever is the
later)

Remote Meeting

Membership

Councillor L.A. Mascot (Chair)
Councillor D.G Jones (Vice Chair)

and Councillors

R.H. Ambor, L. Ashley, D.J.R. Clark, A.E. Davidson, J.A. Frascona,
P.V. Hughes, A.M. John, G.B.R. Knight, R.J. Lee, L.A. Millane, S.
Rajesh, I.C. Roberts and T.E. Roper

Local people are welcome to attend this meeting, where your elected Councillors take decisions affecting YOU and your City. There will also be an opportunity to ask your Councillors questions or make a statement. These have to be submitted in advance and details are on the agenda page. If you would like to find out more, please telephone Daniel Bird in the Democracy Team on Chelmsford (01245) 606523 email Daniel.bird@chelmsford.gov.uk

Regulatory Committee

9 July 2020

AGENDA

1. Apologies for Absence

2. Minutes

To consider the minutes of the meeting held on 11 June 2020

3. Declaration of Interests

All Members are reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

4. Public Question Time

Any member of the public may ask a question or make a statement at this point in the meeting. Each person has two minutes and a maximum of 15 minutes is allotted to public questions/statements, which must be about matters for which the Committee is responsible.

The Chair may disallow a question if it is offensive, substantially the same as another question or requires disclosure of exempt or confidential information. If the question cannot be answered at the meeting a written response will be provided after the meeting.

Any member of the public who wishes to submit a question or statement to this meeting should email it to committees@chelmsford.gov.uk 24 hours before the start time of the meeting. All valid questions and statements will be published with the agenda on the website at least six hours before the start time and will be responded to at the meeting. Those who have submitted a valid question or statement will be entitled to put it in person at the meeting, provided they have indicated that they wish to do so and have submitted an email address to which an invitation to join the meeting and participate in it can be sent.

5. Application for an increase in the fares charged by Hackney Carriage Vehicles

6. Urgent Business

To consider any other matter which, in the opinion of the Chair, should be considered by reason of special circumstances (to be specified) as a matter of urgency.

Part II (Exempt Items)

To consider whether the public (including the press) should be excluded from the meeting during consideration of the following agenda items on the grounds that they involve the likely disclosure of exempt information specified in the appropriate paragraph or paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972 indicated in the Agenda item

7. Review of a Hackney Carriage/Private Hire Dual Drivers Licence

Category: Paragraph 1 of part 1 of Schedule 12A to the Local Government Act 1972

(Information relating to any individual)

Public interest statement: It is not in the public interest to disclose the content of this report because the information in it concerns the interests and circumstances of an individual who has an expectation that such information would not normally be released to the public. To do otherwise would establish a precedent for the future treatment of personal information.

8. Review of a Hackney Carriage/Private Hire Dual Drivers Licence

Category: Paragraph 1 of part 1 of Schedule 12A to the Local Government Act 1972

(Information relating to any individual)

Public interest statement: It is not in the public interest to disclose the content of this report because the information in it concerns the interests and circumstances of an individual who has an expectation that such information would not normally be released to the public. To do otherwise would establish a precedent for the future treatment of personal information.

MINUTES

of the

REGULATORY COMMITTEE

held on 11 June 2020 at 7pm

Present:

Councillor L. Mascot (Chair)
Councillors D.G. Jones (Vice-Chair)

Councillors R.H. Ambor, L. Ashley, D.J.R. Clark, A.E. Davidson, J.A. Frasca, A.M. John, R.J. Lee,
L.A. Millane and S. Rajesh

1. Apologies for Absence

Apologies for absence were received from Councillors Hughes and Roberts.

2. Minutes

The minutes of the meeting held on 13 February 2020 were agreed as a correct record and signed by the Chair.

3. Declaration of Interests

All Members were reminded to declare any Disclosable Pecuniary interests or other registerable interests where appropriate in any items of business on the meeting's agenda. None were made.

4. Public Question Time

No questions were asked or statements made.

5. Urgent Business

There were no matters of urgent business

Exclusion of the Public

Resolved that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for Item 7 on the grounds that it involved the likely disclosure of exempt information falling within paragraph 1 of Part 1 of Schedule 12A to the Act.

6. Review of a Hackney Carriage/Private Hire Dual Drivers Licence

This item was adjourned before the meeting.

7. Application for a Private Hire Vehicle Licence

Public interest statement: It is not in the public interest to disclose the content of the report because the information in it concerns the interests and circumstances of an individual who has an expectation that such information would not normally be released to the public. To do otherwise would establish a precedent for the future treatment of personal information.

The Committee considered a request from Mrs A to licence a vehicle as a Private Hire Vehicle, where the specification did not meet with the pre-licensing criteria. The Committee was informed that the vehicle failed to meet the conditions due to it being over 12 years old. The Committee also heard that the vehicle had been granted a licence by Committee in 2016 and it had recently passed its mechanical inspection at Freightier House.

Mrs A spoke to the Committee and informed them that the vehicle was in extremely good condition, had passed its MOT, mechanical inspection and was serviced regularly. Mrs A stated that the vehicle provided a valuable service to disabled residents as it had a rear loading tail lift and room for four wheelchairs. This meant that it was safer to use than a side loading vehicle when moving wheelchairs for example. Mrs A also informed the Committee that there was no similar transport nearby and losing the licence for this vehicle would affect many vulnerable adults in the area.

The Committee noted that the vehicle would be providing a valuable service to residents, had passed its mechanical inspection and were therefore happy to grant the licence for one year.

RESOLVED that the Private Hire Vehicle licence be granted for a period of one year.

(7.10pm to 7.29pm)

The meeting closed at 7.29pm.

Chair



Chelmsford City Council Regulatory Committee

Thursday 9th July 2020

Application for an increase in the fares charged by Hackney Carriage Vehicles

Report by:

Director of Public Places

Officer Contact:

Lead Licensing Officer, Nigel DERMOTT, Email: nigel.dermott@chelmsford.gov.uk Tel: 01245 606341

Purpose

To consider a request submitted by Mr Terry Michel for an increase in the Hackney Carriage Fares.

Recommendations

It is recommended that the requested fare increase be considered and Members determine whether or not to approve the fares and tariffs in **Appendix B**.

- a) Should the fares and tariffs be approved, the Director of Public Places be authorised to take the necessary steps to implement the changes with effect from 9th July 2020, provided that no objections to the proposal are received; or

- b) If any objections are received to the proposed changes following the consultation period, that the decision be referred to the next meeting of this Committee on 10th September 2020.
 - c) Members are also asked to consider that during the recalibration process (if agreed) they adopt a policy to have Hackney Carriage meters changed to 'calendar' meters to avoid changing tariff mid-journey and accept a certificate from the calibration engineer in lieu of the current method of a manual check by licensing officers following installation or change of vehicle.
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1. Background and Introduction

- 1.1 The Council is the licensing authority for hackney carriage vehicles under Section 65 (1) of the Local Government (Miscellaneous Provisions) Act 1976; the Council may fix the fares and all other charges for the hire of a Hackney Carriage.
- 1.2 On 9th February 2020 Mr Terry Michel submitted an emailed request for an increase in the Hackney Carriage fares. The application, together with supporting documents, is attached at Appendix A. The existing scale of charges was approved by the Licensing and Regulatory Committee on 7th July 2016, and was implemented on 5th August 2016. The existing fares together with the proposed increases are set out at Appendix B.

2. Survey of National and Local Fares.

- 2.1 The changes to the motoring retail prices indices that have occurred in December 2018 and December 2019 to March 2016 are shown in **Appendix C**.
- 2.2 The "Table of fares for England", published by Private Hire and Taxi Monthly magazine in their February 2020 edition shows that based on a two mile fare, the Tariff 1 charge varied from; £11.40 (Heathrow) to £4.40 (Pendle, Lancashire), with the Essex area average being £6.10 (See **Appendix D1** along with a graphic depiction of fares spread across the county and a selection of regional fares in neighbouring counties) and the National average £5.98. Based on the same calculation the current Chelmsford fare is £6.70. The proposed changes would increase this to £7.10. The table is shown in **Appendix D**.
- 2.3 Prior to the consideration of this proposal Chelmsford was placed 49 out of 363 nationally in the table of fares published in the February 2020 edition of the Private Hire and Taxi Monthly magazine. If the proposals are agreed, Chelmsford would move to position 20 in the table of fares. (This does assume that since the table was published there have been no other fare changes by other local authorities).

3. Comments on proposals

- 3.1 In establishing the proposal for the requested tariff increase this year, Chelmsford Taxi Association Ltd have been mindful of Members previous comments and have canvassed members of the taxi trade to determine the level of support for the proposal. A petition completed by members of the trade was submitted with the supporting information provided by Mr Terry Michel, and of the 70 signatures obtained, all are in support of the proposal with the exception of one who felt that they could not agree with the increase at Tariff 2. A number of these signatures are from the same proprietor, who operates several hackney carriages in Chelmsford.
- 3.2 Members will note the retail price indices issued by the National Statistics Office to cover the period December 2018 to December 2019, and appended to this report (**Appendix C**), show that overall motoring expenditure did not increase during this period. General motoring expenditure costs fell slightly by -0.10%, together with the cost of new vehicles (-1.5%) however, petrol and oil costs rose by 0.4%, as did ongoing maintenance costs rose by 2.7% as well as tax and insurance by a significant increase of 12.8%. Although these figures are provided as a guide, it should be noted that they do not relate specifically to the taxi trade, and ongoing insurance and maintenance costs will be higher than the average vehicle when applied to a taxi fleet. Factored into the proposal account is also taken of the average earnings increase since 2016.
- 3.3 If Members agree to approve the increase in fares and changes to the tariff bands, the proposed tariff will need to be published in a notice in a local newspaper, for a minimum period of fourteen (14) days, to allow objections to be received. It is proposed that the advert be placed in the Essex Chronicle following any agreement by Members. A copy of the notice will also be available at the Council offices for inspection (free of charge) at all reasonable hours. Any objections or relevant recommendations received during the 14 day period may be submitted for further consideration at a further meeting or if approved by members and unopposed that officers oversee the necessary arrangements.
- 3.4 During this time frame there are a number of taxi meters that would be unable to be calibrated and required to be changed. It is estimated about 30-40 will be affected and need replacement.
- 3.5 Members are also requested to consider a policy change requiring all meters to be calibrated against the calendar. Most current meters can be adjusted with a few that will need replacement. No further charges will be made of vehicles affected by any tariff increase if their meter has been upgraded.
- 3.6 Modern meters are calibrated and cannot be tampered with other than by authorised engineers. The practice of licensing officers having to manually check and seal meters can be dispensed with as a time saving policy that can be replaced through the production of an approved certificate. Members are requested to consider this change to working practice.

- 3.7 Members are advised that this year, the proposed changes have once again been presented in yards and not metres as in previous years. This is because the taxi meters are actually calibrated in yards and not metres, which has the potential to lead to very minor inaccuracies when the fares are set. Using yards as the primary unit of distance will avoid this issue. The difference in distance of previous years is to enable the tariff card to reflect prices in 'round figures'. **Appendix F** shows the proposed tariff card to be displayed in hackney carriage vehicles.

4 Options

- 4.1 In determining this application Members are advised that the following options are available to them:

- a) If supported, to grant the application in full for an increase in the Hackney Carriage fares and changes to the Tariffs as applied for;
- b) If not supported to refuse the application for an increase in the Hackney Carriage fares and/or any amendments to the Tariffs;
- c) If the application is supported, to allow the Director of Public Places to agree a commencement date for meters to be replaced/recalibrated and a suitable date established for implementation of any revised tariff.
- d) To inform the applicant that Members would consider receiving an amended application;

Whether the tariff increase is supported or not, to additionally consider:

- 1) A change to policy in having all taximeters set to 'calendar' or replaced to allow for meters to be set to 'calendar'.
- 2) A change to policy allowing certificates to be submitted by the meter calibration engineer as evidence of conformity and remove the need for officers to test the meter manually along an identified route.

Appendices:

Appendix A – Tariff Request

Appendix B – Proposed v Previous fares

Appendix C – Motoring Prices Index

Appendix D – Essex Comparison

Appendix E – National Fares Table

Appendix F – Proposal (in yards)

Background papers:

Attached proposed guidance/policy

Corporate Implications

Legal/Constitutional: None

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

Consultees: None

Relevant Policies and Strategies: General Policy in respect of licensed hackney Carriages and Private Hire Vehicles

To Chelmsford City Council, Licensing Committee.

Please accept the attached as a Formal Request to review and raise Taxi Fares within the Borough of Chelmsford in accordance with the data supplied. This format has been used for the past 10 years or so now so we should all be singing from the same sheet. Any problems, just let me know.

There has been no review or increase in Hackney Carriage Fares in the Chelmsford District since 2016, almost 4 years ago now.

Although Fuel at today's price (120.9p) has not changed massively there have been fluctuations in the past years seeing the Pump Price exceed 139.9p per litre. Needless to say, Fuel rarely gets any cheaper.

Insurance Costs as ever have increased steadily along with Replacement Vehicle Costs and Servicing Charges.

This Tariff increase if granted will move us up from 49th up to joint 16th in the PHTM league table of Council Taxi Rates, out of 365 Councils. This league table only compares the Tariff 1 cost of a 2-mile journey with no waiting time. Many other variables involved.

We have as we have done for many years now canvassed the trade asking as many proprietors as possible if they "Support" or "Oppose" an increase in the Tariffs. The consensus was a resounding vote to Support an increase, a scanned copy of the signatures gathered is attached.

Regards

Terry Michel

HC No 9.

Proposed Hackney Carriage Fare Increase January 2020

APP B

Tariff 1

06:00 to 23:00 Monday to Saturday (excluding public holidays)

Miles	2016	2020 Proposed	Actual Increase	% Increase
Start	£3.10	£3.30	£0.20	6.45%
Actual Cost Per Mile	£2.160	£2.289	£0.129	5.98%
1	£4.50	£4.80	£0.30	6.67%
2	£6.70	£7.10	£0.40	5.97%
5	£13.20	£14.00	£0.80	6.06%
10	£24.00	£25.40	£1.40	5.83%
20	£45.60	£48.30	£2.70	5.92%
Waiting Cost Per Minute	£0.2985	£0.3158	£0.0173	5.79%

Tariff 2

23:00 to 06:00 daily and anytime on public holidays (all day). 6.00pm to 10pm on Christmas and New Years Eve.

Miles	2016	2020 Proposed	Actual Increase	% Increase
Start	£4.30	£4.50	£0.20	4.65%
Actual Cost Per Mile	£3.143	£3.277	£0.13	4.28%
1	£6.10	£6.40	£0.30	4.92%
2	£9.30	£9.70	£0.40	4.30%
5	£18.70	£19.60	£0.90	4.81%
10	£34.40	£35.90	£1.50	4.36%
20	£65.90	£68.70	£2.80	4.25%
Waiting Cost Per Minute	£0.3834	£0.4013	£0.0180	4.68%

Tariff 3

06:00 to 23:00 Sundays

Miles	2016	2020 Proposed	Actual Increase	% Increase
Start	£4.10	£4.40	£0.30	7.32%
Actual Cost Per Mile	£2.133	£2.274	£0.141	6.59%
1	£5.70	£6.10	£0.40	7.02%
2	£7.90	£8.40	£0.50	6.33%
5	£14.30	£15.20	£0.90	6.29%
10	£24.90	£26.60	£1.70	6.83%
20	£46.30	£49.30	£3.00	6.48%
Waiting Cost Per Minute	£0.4478	£0.4762	£0.0284	6.35%

Tariff 4

For hiring's begun between 22:00 24th December and 06:00 27th December and between 22:00 on 31st December and midnight on 1st January (no extras)

Miles	2016	2020 Proposed	Actual Increase	% Increase
Start	£5.20	£5.40	£0.20	3.85%
Actual Cost Per Mile	£3.868	£3.964	£0.096	2.48%
1	£8.00	£8.20	£0.20	2.50%
2	£11.80	£12.20	£0.40	3.39%
5	£23.40	£24.20	£0.80	3.42%
10	£42.80	£44.00	£1.20	2.80%
20	£81.60	£83.60	£2.00	2.45%
Waiting Cost Per Minute	£0.5634	£0.5797	£0.0163	2.90%

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YARDS

	Last Rise 2016		Proposed 2020	Clicks Per Mile	% Rise Per Mile	
Initial Distance	620		610			
Pull Off	£3.10		£3.30			150.715
Click Distance	81.5	21.60	76.9	22.89		
Click Amount	£0.10	£2.160	£0.10	£2.289	5.98%	
Waitng tme	20.10		19.00			
Time Per	£0.10		£0.10			

Initial Distance	755		740			
Pull Off	£4.30		£4.50			206.015
Click Distance	56	31.43	53.7	32.77		T1 - T2
Click Amount	£0.10	£3.143	£0.10	£3.277	4.28%	43.20%
Waitng tme	15.65		14.95			
Time Per	£0.10		£0.10			

Initial Distance	450		485			
Pull Off	£4.10		£4.40			78.9535
Click Distance	82.5	21.33	77.4	22.74		
Click Amount	£0.10	£2.133	£0.10	£2.274	6.59%	
Waitng tme	13.40		12.60			
Time Per	£0.10		£0.10			

Initial Distance	520		540			
Pull Off	£5.20		£5.40			125.878
Click Distance	91	19.34	88.8	19.82		T1 - T4
Click Amount	£0.20	£3.868	£0.20	£3.964	2.48%	73.20%
Waitng tme	21.30		20.70			
Time Per	£0.20		£0.20			

Appendix C

Motoring type Retail Prices period Dec'18 and Dec '19

RPI Table 40	Dec 2018	Dec 2019
Motoring expenditure	2.2%	2.1%
Purchase of motor vehicles	3.5%	-1.5%
Maintenance of motor vehicles	3.6%	2.7%
Petrol and Oil	4.0%	0.4%
Vehicle tax and insurance	-2.6%	12.8%

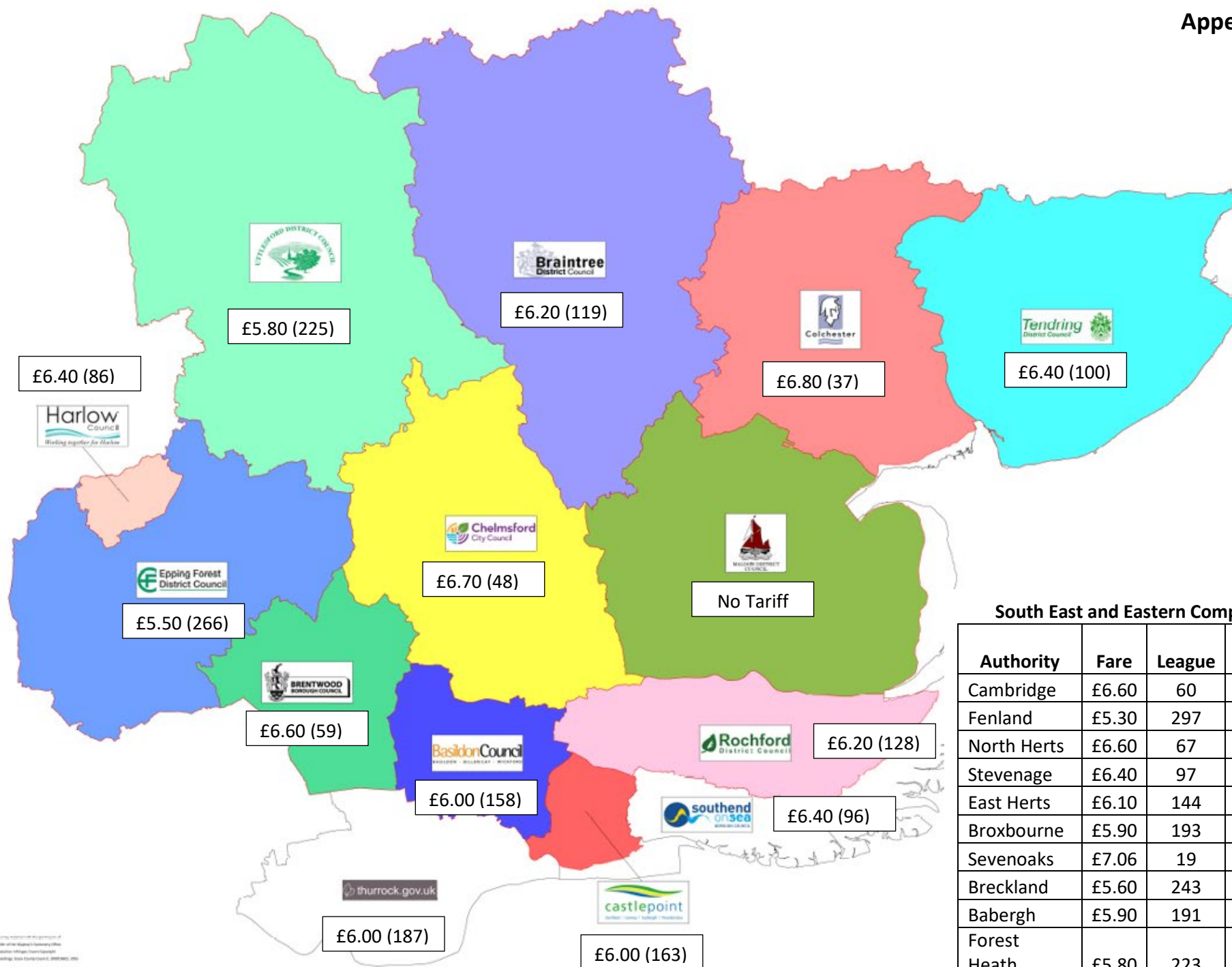
Above data is taken from the National Statistics Office - Monthly Digest of statistics

Average earnings increase 2019	1.8%
Average earnings increase 2018	3.5%
Average earnings increase 2017	3.45%

Essex Local Authority Taxi Tariffs

<u>Area</u>	<u>2-mile fare</u>	<u>National position</u>	Last updated
Chelmsford	£6.70	48	2016
Epping	£5.50	266	2014
Harlow	£6.40	86	2014
Uttlesford	£5.80	225	2012
Braintree	£6.20	119	2018
Colchester	£6.80	37	2016
Tendring	£6.40	100	2018
Maldon	No tariff		
Rochford	£6.20	128	2017
Southend	£6.40	96	2020
Castlepoint	£6.00	163	2011
Basildon	£6.00	158	2019
Thurrock	£6.00	187	2012
Brentwood	£6.60	59	2016
Average fare	<u>£6.22</u>		

Appendix D1



South East and Eastern Comparison

Authority	Fare	League	Last Review
Cambridge	£6.60	60	2017
Fenland	£5.30	297	2019
North Herts	£6.60	67	2018
Stevenage	£6.40	97	2017
East Herts	£6.10	144	2018
Broxbourne	£5.90	193	2018
Sevenoaks	£7.06	19	2019
Breckland	£5.60	243	2015
Babergh	£5.90	191	2016
Forest Heath	£5.80	223	2019

Chelmsford Hackney Carriage Fares Proposal 2020

Hackney Carriage Fares (YARDS)

Tariff 1:

06:00 to 23:00 Monday to Saturday (excluding public holidays)

First 610 yards or 2 minutes and 31 seconds.	£3.30
Each subsequent 76.9 yards. (Equates to £2.289 per mile after 610 yards).	£0.10
Waiting time per 19.0 seconds	£0.10

Tariff 2:

23:00 to 06:00 daily and anytime on public holidays (all day) 18:00 to 22:00 Christmas Eve and New Years eve.

First 740 yards or 3 minutes and 27 seconds.	£4.50
Each subsequent 53.7 yards. (Equates to £3.277 per mile. After 740 yards).	£0.10
Waiting time per 14.95 seconds	£0.10

Tariff 3:

06:00 to 23:00 Sundays

First 485 yards or 1 minute and 19 seconds.	£4.40
Each subsequent 77.4 yards. (Equates to £2.274 per mile after 485 yards).	£0.10
Waiting time 12.60 seconds	£0.10

Tariff 4:

For hiring's begun between 22:00 24th December and 06:00 27th December and between 22:00 on 31st December and midnight on 1st January (no extras)

First 540 yards or 2 minutes and 6 seconds.	£5.40
Each subsequent 88.8 yards. (Equates to £3.964 per mile after 540 yards).	£0.20
Waiting time 20.7 seconds	£0.20

Miscellaneous extras:

For each additional passenger above one per journey	£0.30
For items carried outside the passenger compartment	£0.20
Each bicycle, push chair or perambulator	£0.20
Each other parcel or item of luggage	£0.20
Soiling charge - a reasonable charge may be levied to a maximum of:	£65.00