

Regulatory Committee

Minutes of a Meeting of the Regulatory Committee held in Committee Room No. 2 (Bad Münstereifel Room), Civic Centre, Tannery Lane, Ashford on the **20th January 2022**.

Present:

Cllr. Webb (Chairman);
Cllr. Krause (Vice-Chairman);

Cllrs. Burgess, Feacey, Ledger, Michael, Pickering, Shorter, Wright.

Apologies:

Cllrs. Buchanan, Rogers, Smith, L Suddards.

Also Present:

Environmental Protection and Licensing Team Leader, Principal Litigator, Member Services Manager.

239 Declarations of Interest

Councillor	Interest	Minute No.
Feacey	Made a 'Voluntary Announcement' as he was on the Management Committee of UK LPG.	241, 242
	Made a 'Voluntary Announcement' as he was Chairman of the Ashford Volunteer Centre.	241, 242
Webb	Made a 'Voluntary Announcement' as a Director of the Ashford Volunteer Centre.	241, 242

240 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 19th January 2021 be approved and confirmed as a correct record.

241 Proposed Fee Levels for 2022/23 Licensing Applications

The Environmental Protection and Licensing Team Leader introduced the report which proposed fees for licences for 2022/23 (excluding those previously proposed by the Licensing Committee). He advised that the setting of licensing fees generally allowed the Licensing Authority to recover the costs of processing licence applications, regulation and back office costs associated with the running of the

licensing regime. The fees could not be set so as to be profit making and failure to set fees appropriately did open the Council up the legal challenge. The report also advised of the continuation of the 'green' taxi incentive scheme and gave a summary of licensing activity in 2021.

The Environmental Protection and Licensing Team Leader then drew attention to the proposed fees contained within the report.

Sex Establishment Fees

The report proposed that the fees be retained at the existing level.

Hackney Carriage and Private Hire Fees

It was proposed that fees be increased generally in line with inflation with the following exceptions.

Scrap Metal Dealers Fees

The report recommended an increase in fees broadly in line with inflation (RPI).

In response to a question, the Environmental Protection and Licensing Team Leader advised that Ashford's fees were benchmarked against other Authorities. Whilst it wasn't an 'exact science' as each Authority had its own inspection regimes and other circumstances, generally Ashford was about mid-range and this felt right. He agreed to include such information in future reports.

Recommended:

That (i) that the sex establishment fees as given below be approved.

RECOMMENDED SEX ESTABLISHMENT LICENCE FEES FOR 2022/23

	CURRENT FEES 2021/22	PROPOSED FEES 2022/23
Grant	£3499	£3499
Transfer	£334	£334
Renewal	£334	£334

(ii) that the Hackney Carriage, Private Hire and Operator applications licence fees as given below be approved for the purposes of public consultation.

**RECOMMENDED HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING FEES
2022/23**

	CURRENT FEES 2021/22	PROPOSED FEES 2022/23
Private Hire & Hackney Carriage Drivers Licence (for 1 year)	£72.00	£74.00
Private Hire & Hackney Carriage Drivers Licence (for 3 years)	£149.00	£153.00
Additional driver's licence (adding a licence)	£31.00	£32.00
Hackney Carriage Knowledge Test & Re-test	£59.00	£61.00
Replacement badge / Licence	£12.50	£13.00
Vehicle Licence - New or Renewal (including vehicle plate) for 1 year	£335 - New £300 - Renewal	£346 - New £305 - Renewal
Vehicle Plate Internal / External	£21.00	£22.00
Transfer of Vehicle Licence (with or without vehicle plate)	£35.00	£38.00
<i>Vehicle Inspection - Test Fee (set by contract)</i>	£32.00	£32.00
<i>Vehicle Inspection - Missed Appointment (set by contract)</i>	No Charge	No Charge
Private Hire Operators Licence - New or Renewal (for 5 years)	1-3 vehicles : £143 4-10 vehicles : £474 11-20 vehicles : £947	1-3 vehicles : £147 4-10 vehicles : £483 11-20 vehicles : £960
To increase number of vehicles licensed during duration of Operators Licence	1-3 : £141.00 4-10 : £328.00 11-20 : £475.00	1-3 : £145.00 4-10 : £334.00 11-20 : £483.00
Fee for Returned (Bounced) Cheques	£17.50	£18.00

(iii) that the scrap metal site and collectors fees as given below be approved.

**RECOMMENDED SCRAP METAL SITE AND COLLECTORS LICENSING FEES
2022/23**

	CURRENT FEES 2021/22	PROPOSED FEES 2022/23
Grant Site Licence	£344	£354
Grant Collectors Licence	£231	£237
Renewal Site Licence	£231	£237
Renewal Collectors Licence	£115	£118
Variation	£87	£89
Replacement Licence	£12.50	£12.50

(iv) that the annual licensing summary, at Appendix D to the report, be received and noted.

242 Review of the Hackney Carriage Fare Scale 2022/23

The Environmental Protection and Licensing Team Leader introduced the report and advised that the Committee were asked to recommend a Hackney Carriage Fare Scale to Full Council, based on the information and evidence available to it. The fare scale was designed to protect the public from excessive fares and act as a maximum fare that could be charged. Drivers/proprietors were free to charge less or offer discounts, and this was actively encouraged. He drew attention to a number of points, namely: -

- A very small percentage of the trade (only five of a potential 551 licences) had responded to the call for evidence. This was despite an open invitation and further reminders to respond.
- An email had been received the previous evening and whilst this was not directly in response to the call for evidence, the comments within in were useful and the Environmental Protection and Licensing Team Leader read it to the Committee.
- In recent years 2017 and 2019 had seen 3% increases to the fare scale and 2019 had also seen a 10 pence increase to the drop rate. In each of the other five years there had been no increases.
- Fuel prices had risen steadily month on month since November 2020 and continue to do so substantially.
- Inflation (RPI) stood at 5.2% over the last 12 months.
- Insurance premiums for general vehicles had dropped an average of 10-16% over the past 12 months, bring car insurance costs to their lowest level in six years..

- The local fare rate had dropped slightly when compared to that nationally and a county level. This was currently 10th in Kent out of the 13 Local Authority areas.

In recommending a fare scale, Officers asked the Committee to consider both a percentage change in the drop rate and yardage rates. The drop rate being the minimum charge and the latter being the ongoing fare per so many yards or seconds. Options open to the Committee were a decrease to the current tariffs (including percentage change), no change, or an increase to the current tariff (including percentage change).

The Chairman said that the low level of responses from the trade continued to be disappointing. Low consultation response figures occurred year on year despite more and more efforts to encourage a greater level of response from the trade and it was in their interests to engage more. Another Member agreed and said that what dismayed him most was the fact that the taxi trade was such an important element of what they were all trying to achieve in the Borough. The Council had done everything to could to get people to come forward with evidence. His feeling and instinct was that given what was happening nationally, there should be an increase, but without any firm evidence from the trade it was difficult to come to that conclusion with any real confidence. As responsible elected Councillors he felt it was their responsibility to give everyone a fair opportunity. They wanted and needed the taxi trade to flourish, whilst still providing a fair deal for residents, so this was a difficult balance.

There was a discussion on the practicalities of low emission vehicles being used as taxis and how this tied in with the Council's wider carbon neutral targets. The Environmental Protection and Licensing Team Leader referred to the Green Taxi Initiative to encourage drivers to move to low emission vehicles by waving licensing fees for three years (a £1000 incentive). This was funded via Section 106 monies and was proposed to continue beyond its original March 2022 end date, subject to funding. There were also additional grants available for this from Central Government and Kent County Council and an upcoming event with the Energy Savings Trust on the 8th February to which the trade would be invited to discuss the benefits of moving to green vehicles and undertaking test drives. It did have to be acknowledged though that at present the practicalities of being a taxi driver in this Borough did not lend themselves well to electric vehicles and they did not expect to see a sudden upsurge in numbers. Members asked if there were any opportunities to assist in making green vehicles more attractive such as introducing a token system to allow charging as an alternative to waiting on a rank, or even more generally to making driving taxis a more attractive job option, and if these could be examined over the next 12 months?

A Member asked if taxi drivers could be considered for any business support grants that may still be available coming out of the pandemic. There were a number of small companies and individuals who were operating in the night time economy and providing a service but were clearly struggling.

On balance, Members considered it probably was the right time was right for a fare increase of 3% but to keep the drop rate as it was. It was noted that if there were significant spikes in costs during the year the Taxi Forum could request the Committee to undertake an interim review mid-year. The Council also reviewed the

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fares annually, which was more often than some Authorities who only did it biennially.

A motion was put forward, and seconded, that there should be a 3% increase to fares but no increase to the drop rate. This was voted upon and there was unanimous agreement.

Recommended:

That the Hackney Carriage fare scale for 2022/23 as given in the table below be approved for the purpose of issuing a public notice.

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PROPOSED FARES FOR 2022/23

(a) Fares for distance or time: Rate 1	£
If the distance does not exceed 601 yards, for the whole distance or for the first 191 seconds of waiting time	2.90
For each subsequent 157 yards or uncompleted part thereof	0.20
Or for each subsequent period of 50 seconds of waiting time or uncompleted part thereof	0.20
(b) Fares for certain times and days: Rate 2	
a) For each hire commenced between 00.00 and 07.00	1½ x Rate 1
b) For each hire undertaken on GOOD FRIDAY, EASTER MONDAY, MAY DAY, SPRING BANK HOLIDAY, SUMMER BANK HOLIDAY or any other specifically declared Bank Holiday only.	1½ x Rate 1
(i) Fares for certain times and days: Rate 3	
c) For each hire undertaken on a CHRISTMAS DAY, BOXING DAY or NEW YEAR'S DAY	2 x Rate 1
When the holiday charge (b) or (c) is payable the Night Charge (a) is NOT payable.	
2 Miles - £6.70	
5 Miles - £13.50	
10 Miles - £24.70	

Extras - up to a maximum of £1.20	
(a) for each person (excluding infants in arms) carried in excess of two persons (two children under 10 years of age count as one person) irrespective of distance.	0.20
Note: For the purposes of counting the number of persons that the vehicle is licensed to carry, children under 10 years of age should each be counted as a person. A babe in arms should not be counted as a person.	
(b) for each article of luggage conveyed outside the passenger compartment of the carriage	0.05
(c) for perambulators	0.05
(d) for dogs	0.10

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