

Unconfirmed



Minutes of a Meeting of the **Licensing Committee** held in the Deben Conference Room, East Suffolk House, on **Monday, 1 August 2022 at 6.30 pm**

Members of the Committee present:

Councillor Paul Ashdown, Councillor Edward Back, Councillor Alison Cackett, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Janet Craig, Councillor John Fisher, Councillor Andree Gee, Councillor Tony Goldson, Councillor Colin Hedgley, Councillor Mark Newton, Councillor Keith Patience, Councillor Keith Robinson, Councillor Steve Wiles

Other Members present:

Councillor Mary Rudd

Officers present: Ben Bix (Democratic Services Officer) and Martin Clarke (Licensing Manager and Housing Lead Lawyer)

1 Apologies for Absence and Substitutions

There were no apologies for absence.

2 Declarations of Interest

There were no Declarations of Interest.

3 Minutes

RESOLVED

That the Minutes of the Meeting held on 11 April 2022 be confirmed as a correct record and signed by the Chairman.

4 Application for Taxi Fare Increase

The Cabinet Member with responsibility for Community Health introduced report **ES/1215** which was a proposal received from a group of licensed Hackney Carriage drivers in the North of the East Suffolk District for an increase to the Hackney Carriage fares tariff for the North of the district. The Licensing Manager and Housing Lead Lawyer explained that the last increase was in September 2012 and summarised the proposal and its effects.

Members questioned:

- How the charges between the North and South of the District compared, and whether there should be an aligned fare structure for the whole District
- How many Hackney Carriage drivers were operating in the District
- Which tariff would apply if a driver picked up a passenger in Lowestoft and dropped them off in Melton
- Whether wheelchairs were considered to be luggage
- Whether the proposal would affect Private Hire Vehicles

The Licensing Manager and Housing Lead Lawyer advised:

- That the matter for decision by Members only related to the North of the District. There was no proposal for an aligned fare structure, but Members observations would be noted
- There were 178 Hackney Carriage drivers, a reduction on the 186 operating in the District in March 2022
- The Hackney Carriage Meter was calibrated according to originating location
- Wheelchairs were not luggage
- The proposal related to Hackney Carriage vehicles only

The Licensing Manager and Housing Lead Lawyer explained that resolution of the Committee would be subject to consultation, the outcome of which would then be presented to a future meeting of the Committee.

Councillor Rudd reminded Members that the proposal had been put to the Committee by the drivers in the North of the district, who had not asked for alignment with the South. Councillor Rudd drew Members attention to the Licensing Committee meeting of 19 April 2021 where it was agreed to continue with the existing arrangement of having two tariff tables in the East Suffolk district; one in the North of the district (the former Waveney District Council area) and one in the South of the district (the former Suffolk Coastal District Council area).

Councillor Robinson observed that due to the significant passing of time since the last review, it may now be appropriate for the trade to be urged to come forward with proposals no more than three years since their last proposal. Councillor Rudd cautioned that the Committee had agreed at its meeting of 19 April 2021 to continue with the existing custom and practice of the trade proposing a new tariff table for the Licensing Authority to approve and formally consult on as and when they considered that an increase was appropriate or necessary.

Councillor Robinson proposed, and Councillor Back seconded an amendment that *“Subject to the removal of the luggage charge, the increase to the hackney carriage fare tariff for the North of the district, be approved for consultation”*. Upon the amendment being put to the vote, by a majority, the amendment was **CARRIED** and became the substantive motion.

Members in support of the substantive motion perceived that the luggage charge was outdated and no longer justifiable, as customers would expect to be able to have their bag carried without incurring a separate charge. It would also partially offset the

overall increase, which would come at a time where cost of living increases were impacting household incomes. Councillor Coulam disagreed and was of the view that it was not feasible to remove the charge completely and cautioned that drivers had asked for an increase.

The Chairman invited any further amendments. Councillor Coulam proposed, and Councillor Craig seconded an amendment that the increase to the hackney carriage fare tariff for the North of the district, subject to the soiling charge being increased from £40 to £80, be approved for consultation. Upon being put to the vote, the amendment was **NOT CARRIED**.

Councillor Wiles moved, and Councillor Ashdown seconded the substantive motion that subject to the removal of the luggage charge, the increase to the hackney carriage fare tariff for the North of the district, be approved for consultation. Upon being put to the vote, it was by a majority

RESOLVED

That subject to the removal of the luggage charge, the increase to the hackney carriage fare tariff for the North of the district, be approved for consultation.

5 Fuel Surcharge for Hackney Carriage Vehicles in the East Suffolk District

The Cabinet Member with responsibility for Community Health introduced report **ES/1216** which presented the outcome of the recent consultation exercise on the proposals from a group of licensed hackney carriage drivers for a fuel surcharge.

At its meeting on 11 April 2022, the Licensing Committee considered a proposal for a fuel surcharge from licensed drivers. The Committee had rejected the proposal and instead proposed a fuel surcharge of 20p per journey for a temporary period of three months. All licensed Hackney Carriage drivers were consulted for 28 days from 16 April to 13 May 2022.

The Licensing Manager and Housing Lead Lawyer explained that one consultation response had been received, which was a counterproposal to introduce a surcharge of 20p for every 4 miles travelled, calculated by the trip meter. The Committee was advised that the counterproposal was unlawful and would not satisfy Section 58 of The Town Police Clauses Act 1847. Therefore, no lawful solution had been forthcoming from licensed drivers in response to the consultation.

There being no questions or debate; Councillor Cooper proposed, Councillor Hedgley seconded, and it was by a majority

RESOLVED

To not introduce a fuel surcharge.

6 Introduction of two new pieces of legislation – The Taxis And Private Hire Vehicles (Disabled Persons) Act 2022, and The Taxis and Private Hire Vehicles (Safeguarding And Road Safety) Act 2022

The Cabinet Member with responsibility for Community Health introduced report **ES/1217** which sought the necessary additions and updates to the Council's Hackney Carriage and Private Hire Licensing Policy consequent to two new pieces of legislation i) The Taxis and Private Hire Vehicles (Disabled Persons) Act 2022; and The Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022.

The Licensing Manager and Housing Lead Lawyer advised that the Council was required to absorb the legislation within its policies and explained that the Acts aimed to ensure that disabled people could use taxi and private hire services with confidence that they would not be discriminated against. From 28 June 2022, all Hackney Carriage and Private Hire drivers and operators, would be subject to duties under the Equality Act 2010, regardless of whether the vehicle was wheelchair accessible.

All drivers would be required to accept the carriage of any disabled person, provide them with reasonable mobility assistance, and carry their mobility aids, without charging any more than they would for a non-disabled passenger. Drivers would also have to provide any disabled passenger on request, with assistance to identify the vehicle available. All private hire operators would be required to accept bookings for or on behalf of any disabled person, if they had a suitable vehicle available.

There being no questions or debate; Councillor Goldson proposed, Councillor Ashdown seconded, and it was unanimously

RESOLVED

That the additions and updates to the Hackney Carriage and Private Hire Licensing Policy, be approved.

7 Issued Licences in East Suffolk and an Overview of the work of the Licensing Sub-Committees April – June 2022

The Cabinet Member with responsibility for Community Health introduced report **ES/1218** which provided Members with information relating to issued licences in East Suffolk and gave an overview of the work of the Licensing Sub-Committees during the period. The Chairman thanked the officers for producing the report and invited questions. There being no questions, Members accepted the report and

RESOLVED

That the overview of the work of the Licensing Team and the Licensing Sub-Committees during the second quarter of 2022 be noted.

The meeting concluded at 7.23 pm

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Chairman