

# **LICENSING COMMITTEE AGENDA**

**Wednesday, 17 January 2018 at 7:15 PM**

**Committee Room 1, Braintree District Council, Causeway House,  
Bocking End, Braintree, CM7 9HB**

**THIS MEETING IS OPEN TO THE PUBLIC**  
*(Please note this meeting will be audio recorded)*

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**Members of the Licensing Committee are requested to attend this meeting to transact the business set out in the Agenda.**

**Membership:-**

Councillor Mrs J Allen	Councillor H Johnson
Councillor M Banthorpe (Chairman)	Councillor Mrs J Pell
Councillor P Barlow	Councillor B Rose
Councillor J Baugh (Vice Chairman)	Councillor R van Dulken
Councillor J Elliott	Councillor Mrs L Walters
Councillor J Goodman	Councillor Mrs S Wilson
Councillor A Hensman	

Members unable to attend the meeting are requested to forward their apologies for absence to the Governance and Members Team on 01376 552525 or email [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk) by 3pm on the day of the meeting.

A WRIGHT  
Acting Chief Executive

## **INFORMATION FOR MEMBERS - DECLARATIONS OF INTERESTS**

### **Declarations of Disclosable Pecuniary Interest, Other Pecuniary Interest or Non-Pecuniary Interest**

Any member with a Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest must declare the nature of their interest in accordance with the Code of Conduct. Members must not participate in any discussion of the matter in which they have declared a Disclosable Pecuniary Interest or other Pecuniary Interest or participate in any vote, or further vote, taken on the matter at the meeting. In addition, the Member must withdraw from the chamber where the meeting considering the business is being held unless the Member has received a dispensation from the Monitoring Officer.

### **Question Time**

The Agenda allows for a period of up to 30 minutes when members of the public can speak. Members of the public wishing to speak are requested to register by contacting the Governance and Members Team on 01376 552525 or email [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk) no later than 2 working days prior to the meeting. The Council reserves the right to decline any requests to register to speak if they are received after this time. Members of the public can remain to observe the public session of the meeting.

Please note that there is public Wi-Fi in the Council Chamber, users are required to register in order to access this. There is limited availability of printed agendas.

### **Health and Safety**

Any persons attending meetings in the Council offices are requested to take a few moments to familiarise themselves with the nearest available fire exit, indicated by the fire evacuation signs. In the event of an alarm you must evacuate the building immediately and follow all instructions provided by officers. You will be assisted to the nearest designated assembly point until it is safe to return to the building.

### **Mobile Phones**

Please ensure that your mobile phone is switched to silent during the meeting in order to prevent disturbances.

### **Webcast and Audio Recording**

Please note that this meeting will be audio recorded only.

### **Documents**

Agendas, reports and minutes for all the Council's public meetings can be accessed via [www.braintree.gov.uk](http://www.braintree.gov.uk)

We welcome comments from members of the public to make our services as efficient and effective as possible. If you have any suggestions regarding the meeting you have attended, you can send these via [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk)

## **PUBLIC SESSION**

**Page**

- 1 Apologies for Absence**
- 2 Declarations of Interest**  
To declare the existence and nature of any Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest relating to items on the agenda having regard to the Code of Conduct for Members and having taken appropriate advice where necessary before the meeting.
- 3 Minutes of the Previous Meeting**  
To approve as a correct record the minutes of the meeting of the Licensing Committee held on 15th November 2017 (copy previously circulated).
- 4 Public Question Time**  
(See paragraph above)
- 5 Hackney Carriage Fares - Review** **4 - 9**
- 6 Urgent Business - Public Session**  
To consider any matter which, in the opinion of the Chairman should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.
- 7 Exclusion of the Public and Press**  
To agree the exclusion of the public and press for the consideration of any items for the reasons set out in Part 1 of Schedule 12(A) of the Local Government Act 1972.

*At the time of compiling this agenda there were none.*

## **PRIVATE SESSION**

**Page**

- 8 Urgent Business - Private Session**  
To consider any matter which, in the opinion of the Chairman, should be considered in private by reason of special circumstances (to be specified) as a matter of urgency.

**Review of Hackney Carriage Fares**

**Agenda No: 5**

<b>Portfolio</b>	<b>Environment and Place</b>
<b>Corporate Outcome:</b>	<b>A sustainable environment and a great place to live, work and play</b> <b>Residents live well in healthy and resilient communities where residents feel supported</b>
<b>Report presented by:</b>	<b>John Meddings, Principal Licensing Officer</b>
<b>Report prepared by:</b>	<b>John Meddings, Principal Licensing Officer</b>

**Background Papers:**

1. Email request from Braintree District Taxi Association for hackney carriage fare increase (Appendix 1)
2. Braintree District Council Fare Tariff (2015) (Appendix 2)
3. Proposed Braintree District Council Fare Tariff (2018) (Appendix 3)

**Public Report**

**Key Decision: No**

**Executive Summary:**

To consider a request by the Braintree District Taxi Association for a fare increase with respect to Mileage Tariff One (starting rate) from £3.20 to £3.50 and the waiting time from £18 per hour to £21 per hour. If the Licensing Committee agrees that a proposed variation to the tariff is required a 14 day consultation will be conducted before any changes take effect.

**Recommended Decision:**

To consider the request from Braintree District Taxi Association for an increase in the tariff.

**Purpose of Decision:**

To consider a request by the Braintree District Taxi Association for a fare increase with respect to Mileage Tariff One (starting rate) from £3.20 to £3.50 and the waiting time from £18 per hour to £21 per hour.

Corporate Implications	
<b>Financial:</b>	No issues arising from this report
<b>Legal:</b>	No issues arising from this report
<b>Safeguarding:</b>	No issues arising from this report
<b>Equalities/Diversity:</b>	No issues arising from this report
<b>Customer Impact:</b>	Unknown until the application has been completed
<b>Environment and Climate Change:</b>	No issues arising from this report
<b>Consultation/Community Engagement:</b>	It is proposed to advertise the fare increase in the Braintree & Witham Times, Witham & Braintree Times and Halstead Gazette for no less than 14 days and if, as a result of consultation, objections are received, the matter would be referred back to the Licensing Committee.
<b>Risks:</b>	No issues arising from this report
<b>Officer Contact:</b>	John Meddings
<b>Designation:</b>	Principal Licensing Officer
<b>Ext. No:</b>	2213
<b>E-mail:</b>	<a href="mailto:John.meddings@braintree.gov.uk">John.meddings@braintree.gov.uk</a>

## **1. Background**

- 1.1 Under Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 the Council may fix the rates or fares within a District for time as well as distance and all other charges in connection with the hire of a vehicle or arrangement of the vehicle, to be paid in accordance with the fare card.
- 1.2 In 1997 it was agreed between Members of the Council's then Licensing Sub-Committee and the Hackney Carriage Association that a review of the fares charged for travelling in licensed Hackney Carriages should take place annually by the Association. Should they wish for an increase, this would then be submitted for consideration by the then Licensing Sub-Committee. It was made clear to the Association, by the Committee, that this new annual review was to avoid a request for a high increase after several years, but no guarantee of an annual increase was to be taken by agreement to such a review.
- 1.3 The last request for a fare increase was presented to the Licensing Committee in 2015. The latest request was submitted by the Braintree District Taxi Association on 13 December 2017 for a fare increase on behalf of the Hackney Carriage Association, of which the details are outlined in the attached e-mail (Appendix 1).
- 1.4 The proposed requested increases are as follows;

### **Tariff one**

The charge for the initial distance travelled is to be increased from £3.20 to £3.50.

Waiting time to be increased from £18 per hour to £21 per hour.

- 1.5 No other increases have been requested.

## **2.0 Implications**

- 2.1 Should Members approve the proposed new fare structure (a copy of the proposed fare card is shown in Appendix 3), it must be stated that the implementation date is not able to be determined at this time. Under the Local Government (Miscellaneous Provisions) Act 1976, the proposals must be advertised in at least one local newspaper for no less than 14 days and it is not until the consultation period expires that the new fare cards can be prepared and issued to the trade with an implementation date and instructions to have their meter chip replaced. If, as a result of the consultation objections are received, the matter would be referred back to the Licensing Committee.
- 2.2 There are financial implications in the fare card preparation and officer time, but this would be absorbed by the fees charged to administer the service.

## **Braintree District Taxi Association**

Dear Sir/Madam

At our BDTA meeting it was voted in favour of increasing the start of price from £3.20 to £3.50 and no change on the distance but a change on the waiting time from £18.00 per hour current to £21.00 per hour.

We would like this to be brought up at the next Licencing committee meeting.

Yours Sincerely

Mr Alan Holden

BDTA Charman

# BRAINTREE DISTRICT COUNCIL - FARES FOR DISTANCE

APPENDIX 2

## (1) MILEAGE TARIFF 1

If the distance does not exceed 643.7metres (704 yards or 0.4 mile) for whole distance .....	£3.20
If the distance exceeds 643.7 metres, for the first 643.7 metres (704 yards or 0.4 mile) .....	£3.20
For each subsequent 95.4006 metres (104 yards) or uncompleted part thereof .....	£0.10

(2) WAITING TIME For each period of 1 minute or uncompleted part thereof ..... £0.30

## (3) EXTRA CHARGES

- (a) **MILEAGE TARIFF 2** for hiring's between the hours of 11.00pm and 6am or for any journey commenced on a Sunday or a Public Holiday (excluding those stated at (b) below) a charge equivalent of 50% extra (i.e. one and a half times) the tariff 1 fare will be charged.
- (b) **MILEAGE TARIFF 2** (i) for hiring's between 6pm and 11pm on CHRISTMAS EVE (24<sup>th</sup> December) and NEW YEARS EVE (31<sup>st</sup> December)
- (c) **MILEAGE TARIFF 3** (ii) for hiring's between 11pm on CHRISTMAS EVE & NEW YEARS EVE and 6am on the day succeeding BOXING DAY (27<sup>th</sup> December) & NEW YEARS DAY (2<sup>nd</sup> January) - a charge equivalent to 100% extra (i.e. double) of the tariff 1 charged.
- (d) **SOILING FEE** £30 per occasion vehicle is soiled and is required to be withdrawn from service for valeting.
- (e) **CARRIAGE OF 5 PERSONS OR MORE** - Vehicles licensed to carry 5 or more passengers may charge Tariff 2 for journeys **only** when 5 or more persons are travelling and Tariff 3 for journeys **only** when 5 or more persons are travelling between the hours of 11.00pm and 6am or for any journey commenced on a Sunday or a Public Holiday. Tariff 1 applies when 4 or less passengers travel

**NOTE:** These are the maximum fares allowed. Passengers may negotiate a lesser fare at the discretion of the owner/driver. Hiring covering two tariff periods may be charged proportionately according to time or Distance in each tariff period.

Passenger complaints with respect to this Hackney Carriage and/or its Driver should be made, in writing, to the Licensing Team, Braintree District Council, Causeway House, Bocking End, Braintree, Essex CM7 9HB quoting the Licence number displayed in the front window or on the rear and sides of the vehicle.



# BRAINTREE DISTRICT COUNCIL - FARES FOR DISTANCE

APPENDIX 3

## (1) MILEAGE TARIFF 1

If the distance does not exceed 643.7metres (704 yards or 0.4 mile) for whole distance .....	£3.50
If the distance exceeds 643.7 metres, for the first 643.7 metres (704 yards or 0.4 mile) .....	£3.50
For each subsequent 95.4006 metres (104 yards) or uncompleted part thereof .....	£0.10

(2) WAITING TIME For each period of 1 minute or uncompleted part thereof ..... £0.35

## (3) EXTRA CHARGES

- (a) **MILEAGE TARIFF 2** for hiring's between the hours of 11.00pm and 6am or for any journey commenced on a Sunday or a Public Holiday (excluding those stated at (b) below) a charge equivalent of 50% extra (i.e. one and a half times) the tariff 1 fare will be charged.
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