

At a meeting of the LICENSING AND REGULATORY COMMITTEE held in the COUNCIL CHAMBER on MONDAY, 28th FEBRUARY, 2022 at 10.00 a.m.

Present:-

Councillor Fletcher in the Chair

Councillors Ali, Crosby, Dodds, P. Gibson, Hartnack, Heron, S. Johnston, D. MacKnight, M. Walker and Wilson

Declarations of Interest

There were no declarations of interest.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Bewick, Leadbitter, D. Snowdon and A. Wood.

Minutes of the Last Meeting of the Committee held on 31st January, 2022 Part I

1. RESOLVED that the minutes of the last meeting of the Committee held on 31st January, 2022, Part I (copy circulated) be confirmed and signed as a correct record.

Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 – Proposed Variation of Hackney Carriage Fares and Other Charges

The Executive Director of Neighbourhoods submitted a report (copy circulated) which requested the Committee's consideration of a request received from the Sunderland Hackney Carriage Operators' Association (SHCOA) for increases to the present scale of hackney carriage fares and other charges in connection with the hire of vehicles, or with the arrangements for the hire of a vehicle.

(For copy report – see original minutes)

Mr Steve Wearing, Principal Licensing Officer, presented the report and advised of the changes that were requested which were set out in Section 4 of the report. He also advised that this was the first proposed change to the fares tariff since January, 2020.

Mr Trevor Hines then spoke on the application on behalf of SHCOA. He advised that there had been an active debate on the proposals and there was a more, or less 100 percent agreement with the proposals from within the trade. He stated there had

been significant cost increases for the trade, including increases in fuel costs, vehicle purchase costs and service costs. Inflationary pressures had been causing difficulties. He stated that it was two years since the last increase in fares and that he felt that the proposed increases were justified.

Members then discussed the application and while all Members were supportive of the increase Councillor S. Johnston did raise concerns about the necessity of Tariff 3. Reference was made to other authorities in the area not operating a Tariff 3. Mr Wearing advised that it was for Members to decide whether it was necessary. He advised that it had been practice for a number of years for there to be a Tariff 3. Mr Hines advised that Tariff 3 was discussed by the trade. While some drivers did feel that some passengers could be put off travelling by the tariff, it was outweighed by the tariff attracting more drivers to work at the time the tariff was operating.

Councillor P. Gibson stated that before the introduction of Tariff 3 it had been difficult to attract drivers to work at Christmas, New Year and Bank Holiday. This had meant that passengers would struggle to get a taxi. There had been an increase in the number of drivers willing to work at these times once the Tariff had been introduced which had improved the service for passengers. He felt that the requested increase was appropriate.

Councillor Ali stated that he agreed with the proposed increase, but felt that Tariff 3 should only apply for Christmas and New Year and not for any other Bank Holidays. He was concerned that passengers could use companies from outside of the area who offered cheaper fares if there was Tariff 3 in place on Bank Holidays. He stated that he often used Blueline Taxis who were based in Peterlee and were cheaper than Station Taxis for airport journeys. Mr Wearing advised that private hire operators were not covered by this tariff, although they generally set their fares to be comparable to the hackney carriage tariff. Hackney carriage drivers could charge less than the Tariff if they wished to do so, as the Tariff was a maximum permitted charge. In the same way they could choose to waive Tariff 3 if they wished. For clarity, Mr Wearing confirmed that both Blueline and Uber were licenced private hire operators in Sunderland.

Mr Hines reiterated that this was the maximum fare that could be charged and that drivers could charge less if they wished. He also referred to the surge pricing model that Uber operated, which saw passengers paying hugely inflated fares during busy periods.

The Committee's Solicitor, Mr Thompson, reminded Members that today they were not being asked to approve the proposed increase, but were instead being asked to approve the advertising of the proposals for consultation so that any objections could be made. Should any objections be received during the consultation period and not be withdrawn, this matter would need to be brought back to the Committee for Members' consideration. Should no objections be received, the proposals would be approved and introduced.

Councillor P. Gibson, seconded by Councillor Heron, moved that the recommendation set out in the report be approved.

Councillor S. Johnston, seconded by Councillor Ali, moved that the recommendation be amended, so that Tariff 3 applied only between 6pm on December 24th to 7am on December 27th and between 6pm on 31st December to 7am on 2nd January, with the other Bank Holiday periods removed from this Tariff.

As there were two motions made they were put to the vote and with:-

8 Members voting for the recommendation set out in the report; and
3 Members voting for the amended recommendation,
it was:-

2. RESOLVED that the following proposed increases be subject to the statutory advertising requirements:-
 - a. An increase in the Tariff 1 charges as set out in Paragraph 4.2;
 - b. An increase in the Tariff 2 charges as set out in Paragraph 4.3;
 - c. An increase in the Tariff 3 charges as set out in Paragraph 4.4; and
 - d. Amendments made to charges for waiting time and other extra charges as set out in Paragraph 4.5

Introduction of Tax Conditionality Checks for all Renewal Hackney Carriage and Private Hire Drivers and Operators and Scrap Metal Dealers

The Executive Director of Neighbourhoods submitted a report (copy circulated) which advised the Committee of new legislation that was introducing a new tax check into the licensing process for some licence applications that would require a change to the application process that was undertaken by Licensing Authorities. The report also informed the Committee about what steps the Licensing Section was taking to inform the trade about these changes, plus the associated changes that needed to be made to the licence application process operated by the Council.

(for copy report – see original minutes)

Mr Steve Wearing, Principal Licensing Officer, presented the report and advised that details of how the tax checks were to be completed were still being finalised by HMRC. The proposals were intended to ensure that applicants were appropriately registered for tax in order to tackle the “hidden economy” that was made up of a minority of individuals and businesses who had sources of income that were hidden from HMRC and which were not disclosed for purposes of taxation.

3. RESOLVED that the report be noted.

Local Government (Access to Information) (Variation) Order 2006

4. RESOLVED that, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during consideration of the remaining business as it was considered likely to include the disclosure of exempt information relating to an individual and the financial or business affairs of a particular person (including the Authority holding that

information). (Local Government Act 1972, Schedule 12A, Part I, Paragraphs 1 and 3).

(Signed) J. Fletcher,
Chairman.

Note:-

The above minutes comprise only those relating to items during which the meeting was open to members of the public.

Additional minutes in respect of further items are included in Part II.