

At an extraordinary meeting of the LICENSING AND REGULATORY COMMITTEE held in the COUNCIL CHAMBER on MONDAY, 25th APRIL, 2022 at 10.00 a.m.

Present:-

Councillor Fletcher in the Chair

Councillors Ali, Crosby, Dodds, P. Gibson, Hartnack, Heron, D. Snowdon, M. Walker, Wilson and A. Wood

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, S. Johnston, Leadbitter and D. MacKnight.

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

The Executive Director of City Development submitted a Report, (copy circulated), for the Committee to consider and then determine the proposed variations to the Table of Fares for Hackney Carriages and Other Charges that were to apply following the receipt of an objection to the proposals that were subject to the statutory advertisement requirements under Section 65 of the Local Government (Miscellaneous Provisions) Act 1976.

(For copy Report – see original minutes)

Mr Steve Wearing, Principal Licensing Officer, presented the report and advised that the proposals were advertised in the Sunderland Echo on 4th March 2022, (with a copy also displayed on the Council's website), and the period for the receipt of objections ran until 4.45pm on 25th March 2022. A copy of the notice had also been shared with members of the Committee via e-mail. On 21st March 2022 an objection was received by the Principal Licensing Officer from a person who wished to remain anonymous, with clarification being subsequently provided that enhancements should only apply on Christmas Day and New Year's Day. A copy of the objection email was shown in Appendix 2, with subsequent correspondence shown in Appendices 3 and 4.

The original Table of Fares as advertised was set out in Appendix 1, while an amended version had been prepared to show the proposed variations under the submitted objection, which was shown in Appendix 5 of the Report.

The options open to the Members was to either accept the objection, which would mean that the Table of Fares would be amended to reflect that set out in Appendix 5 or to agree that the proposed Table of Fares as set out in Appendix 1, i.e. as originally published. Whichever of the two options were agreed the new fares and other charges would come into effect from no later than 20th May 2022.

Other authorities were also going through the process of reviewing the Hackney Carriage fares, with increases being proposed in all of these authority areas. The current fare in Sunderland for a 2.5 mile journey was £9.20 in Band 1. The proposals would see this journey costing £9.60. North Tyneside Borough Council had just approved changes, so that the fare for this journey in their area was £9.65. Gateshead Borough Council were considering an increase of around 10-11%.

Mr Trevor Hines addressed the Committee on behalf of the Sunderland Hackney Carriage Operators Association. He advised that he had recently attended a Meeting with his counterparts in Durham and they were proposing an increase in the fares. North Tyneside did not have a Tariff 3 and their Tariff 2 was equivalent to Sunderland's Tariff 3. It did however remain in place for the entire period between Christmas and New Year. The region traditionally had lower fares than elsewhere in the country and there were more substantial increases being proposed elsewhere in the country. Mr Hines understood the concerns of the objector. However, it was important to consider that the trade was suffering due to the increases in costs and Tariff 3 was wanted for all bank holidays by the trade. Efforts had been made to keep the increases as low as possible.

Councillor P. Gibson referred to the objection which stated that the implementation of Tariff 3 on all bank holidays would impact on people travelling to hospital. However, he questioned whether these journeys would be minimal as there would not be treatments scheduled for bank holidays. If Tariff 3 was not in place on bank holidays then people may struggle to travel to hospital anyway due to a lack of availability of taxis. It was important to consider that there was only one objection received out of over 280,000 residents of the City.

Councillor Hartnack responded that there were a lot of people who would visit patients at hospital on bank holidays.

Councillor Wilson stated that it used to be notoriously difficult to get a taxi on bank holidays. He explained he was a regular taxi user and the drivers he had asked were supportive of the fare increases.

Councillor Heron stated that many people who worked bank holidays received an enhanced rate of pay and that there was a Sunday bus service on bank holidays which provided another option for travel. There were increased costs for running cars with fuel prices having increased significantly.

Councillor Ali stated that he understood the points raised. However, there was a need to look at everyone's needs and there needed to be a compromise. A lot of

people needed to travel to work on bank holidays and if there was an increased fare for taxis on these days then this could result in other businesses being short staffed as people may not be able to afford to get to work.

Councillor Hartnack commented that while fuel costs had increased they were not further increased on bank holidays and the choice of whether to work on a bank holiday was a separate issue. A lot of jobs, such as those in retail, did not give enhanced rates of pay for bank holidays. The public were facing cost of living increases and he felt that compromise was necessary. He also stated that retail workers did not normally get an enhanced rate of pay for working bank holidays. Councillor M. Walker interjected that he worked in a retail environment and it was his experience that staff working on bank holidays got a days leave in lieu of enhanced pay.

With the permission of Councillor Fletcher, Mr David Thompson provided legal advice to the Committee. He advised that when the matter had originally been considered by the Committee a vote had been taken and the outcome of the vote had then been used to form the basis of the Schedule of Fares and Charges that had been advertised in the public notice on 4th March 2022. The Committee was being asked to either agree the Schedule as advertised, or to agree the Schedule as modified following the receipt of the objection. There had only been one objection which had to be considered by the Committee. The objection had been made on a narrow basis, ie. there was concern relating to the times that Tariff 3 was to apply. In summary, the original proposal was for it to cover Christmas, New Year and all bank holidays. However, the objector wished for Tariff 3 to only apply on Christmas Day and New Year's Day. Mr Thompson advised that Members were not legally permitted to put forward any alternate proposals at this time.

Mr Hines then stated that Tariff 3 had been in existence for many years and that in previous years there had been no objection to this Tariff. Due to the uplift for Tariff 3 over Tariff 2 being a flat £1.00 there was a large percentage increase in cost for short journeys. However, this percentage reduced for longer journeys. The aim of this Tariff was to encourage drivers to work on bank holidays, which would improve the service on offer. He felt that the Tariff was reasonable. It was difficult to recruit drivers and to encourage drivers to work antisocial hours.

Councillor Ali commented that all businesses were struggling to recruit staff and that this should not be used as a justification to increase fares.

In response to Councillor M. Walker Mr Hines advised that there was approximately half of drivers would work bank holidays compared with the number working on a normal day. The majority of drivers were older, with the average age being around 54. Traditionally, drivers had worked very long hours. However, drivers now were wanting a better work-life balance, so would tend to work shorter hours.

Councillor Walker commented that he remembered when it used to be extremely difficult to get a taxi on bank holidays before Tariff 3 was introduced. He felt that it was disgraceful that there were workers who did not get enhanced rates of pay for working on bank holidays. He referred to Councillor Ali's statement that there was a need to look after residents. He felt that Tariff 3 did that, as it was important to consider that taxi drivers were also residents.

Councillor Ali stated that there were recruitment issues for all businesses. There were a lot of residents who worked bank holidays who had stated that they could not afford to get to work on bank holidays. He accepted that there was a need for an increase in fares, but felt that there needed to be a compromise which he felt that having the Tariff 3 on Christmas and New Year's days only would provide.

The Chair commented that it could be difficult to get a taxis at weekends and that there needed to be incentives for drivers to work anti-social hours. The main concern needed to be keeping people moving.

Mr Hines agreed that it could be difficult to get people to work some hours. Saturday nights could be an issue, as there were fewer people willing to work then. There were vehicles available, although sat idle with no driver available.

Councillor P. Gibson, seconded by Councillor Heron, moved that the originally advertised proposal, as set out in Appendix 1 of the Report, be approved. Councillor Ali, seconded by Councillor Hartnack, moved that the amended Schedule, in accordance with the objection, be approved. With two proposals being moved the proposals were put to the vote and with:-

8 Members voting for the advertised Schedule; and
3 Members voting for the Schedule put forward by the objector

it was agreed that the originally advertised fares and other charges for hackney carriage vehicles be approved.

Mr Hines then asked whether the Committee would give consideration to bringing forward the implementation date for the new fares and charges from the originally proposed date of 20th May 2022.

Mr Thompson advised that the advertised date of 20th May was a "no later than" date which was intended to give the trade time to alter the meters in the vehicles and to get new documentation produced. He asked what date Mr Hines had in mind.

Mr Hines stated that he did not have a specific date in mind, but that he would like it to come into effect as soon as possible.

Mr Wearing advised that historically, for administrative purposes, there was a time built into the implementation. This allowed new fare cards to be printed as these should be displayed in vehicles when the new fares came into effect. He suggested that a two week period would be reasonable to give time to carry out the administration and to inform the trade.

Councillor Hartnack suggested that the date be set as 9th May 2022 and, with all Members being in agreement with this, it was:-

1. RESOLVED that the proposed fares for hackney carriages and other charges, as advertised and set out in Appendix 1, be implemented without modification and that the date for the new Table of Fares for Hackney Carriages and Other Charges to come into effect by 9th May 2022.

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

2. 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.

