

LICENSING APPLICATIONS COMMITTEE MEETING MINUTES - 12 JULY 2022

Present: Councillor Woodward (Chair);
Councillors Edwards (Vice-Chair), Carnell, Challenger, Cresswell, Dennis, Ennis, Keane, Kitchingham and Rowland

Apologies: Councillors Mitchell and Page

2. MINUTES

The Minutes of the Licensing Applications Committee meeting held on 1 February were confirmed as correct records and signed by the Chair.

3. POSTPONING THE UNMET DEMAND SURVEY

Further to Minute 3 of the meeting held on 22 June 2021, the Director for Economic Growth and Neighbourhood Services submitted a report asking the Committee to consider whether an Unmet Demand Survey should be carried out during autumn 2022 and whether it would be appropriate to amend the current limiting policy approach to hackney carriage numbers. The following documents were attached to the report:

Appendix i: - Email to and reply from the RTA;
Appendix ii - Email to and replies from drivers;
Appendix iii - Climate Impact Assessment.

The report explained that a moratorium on the issue of new hackney carriage vehicle licences had been implemented in March 2009 and had been maintained ever since, following analysis of unmet demand surveys completed in 2012, 2015 and 2018, each of which confirmed there was no significant underlying unmet demand for hackney carriages in Reading. Officers had been in the process of arranging a new survey in accordance with the Taxi requirements of Section 16 of the Transport Act 1985 and the Department for Transport and Private Hire Vehicle Licensing: Best Practice Guidance 2010 (Sections 45 to 51) when the Covid19 pandemic had caused the country to go into three national lockdowns which had made it impossible to continue with the implementation of a survey.

The report set out guidance that had been produced by the Department for Transport which stated:

“Section 16 of the Transport Act 1985 does not specify the frequency of the unmet demand assessment, but the Department’s Best Practice Guidance issued in 2010 suggested this is conducted every three years. Though the decision as to when an unmet demand survey is conducted remains that for a licensing authority, we are aware that we are in a very unusual situation at present; while this continues it would seem highly unlikely that there would be significant unmet demand for taxis. We would expect unmet demand surveys to be conducted once travel levels return to more normal levels or if concerns are raised by the trade or public.”

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The report noted that if a survey was to be conducted in the current circumstances, it was highly unlikely the results would be a true reflection of the trade in Reading or of levels of demand for hackney carriage vehicles, and therefore proposed that the survey be delayed until such time as a more normal level of usage was apparent.

The report explained that no public consultation had taken place but comments had been requested from the trade organisations. The response from the Reading Taxi Association (RTA) had agreed to delay the Unmet Demand Survey by 12 months and confirmed that, at the moment, there were only an estimated 93 HCVs working the ranks out of the 216 licensed HCVs, and that carrying out a survey now would be unfair on rental drivers. Asif Rashid representing the RTA attended the meeting, addressed the Committee, and confirmed to the Committee that the RTA agreed the survey should be delayed until 2022.

Resolved -

- (1) That the Unmet Demand Survey not be implemented in 2022 due to the current financial hardship that was affecting the Reading Borough Council Hackney Carriage trade and that it be delayed until October 2023 when it was hoped that the current financial difficulties due to the Covid 19 pandemic had eased following the return of business to the trade;**
- (2) That the current policy of not issuing any further hackney carriage licences outside the agreed number of 216, be retained pending a review following the next survey in 2023.**

4. CARAVAN SITE LICENSING: FIT & PROPER PERSON DETERMINATION POLICY AND CARAVAN SITE LICENSING: FIT & PROPER PERSON FEES POLICY

The Executive Director for Economic Growth and Neighbourhood Services submitted a report which gave details of a new Caravan Site Licensing Fit & Proper Person Determination policy and Caravan Site Licensing Fit & Proper Person Fees policy for approval. The following documents were attached to the report:

Appendix RS-1 - Caravan Site Licensing: Fit & Proper Person Determination Policy

Appendix RS-2 - Caravan Site Licensing: Fit & Proper Person Fees Policy

Appendix RS-3 - Climate Impact Assessment

The report explained that The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 required the manager of residential caravan sites (referred to as relevant protected sites) to be a fit and proper person to the satisfaction of the local authority, and made it an offence for an occupier of land to cause or permit any part of their land to be used as a relevant protected site without such a fit and proper person, among other offences. Licence fees for caravan site activities would be set locally and must be applied to the administration and enforcement costs, only.

The report further explained that those applying to be on the register of fit and proper persons were required to show that they were able to secure the proper management of the site; demonstrating, amongst other things, a history of compliance with the site licence, a good history of maintenance of the site, that they had a sufficient level of competence to manage the site and that they had not been convicted of a number of offences the regulations deemed relevant. Following a successful application, a person may be added to the fit and proper register for a period of no longer than five years. The Council might also decide to include a person on the register subject to conditions if it would only be satisfied that the relevant person would meet the fit and proper requirement if the condition(s) were complied with. The Council was required to publish a fees policy if it wished to charge fees for these applications and the Council would be charging a fee to cover the costs incurred in the administration and enforcement of the scheme.

The report noted Caravan site licensing was a very small area of work in Reading, with the Council only having issued four site licences. All site owners had submitted their applications to be on the register of fit and proper persons, which would be determined following agreement of the policy.

Resolved -

That the new Caravan Site Licensing Fit & Proper Person Determination policy and Caravan Site Licensing: Fit & Proper Person Fees policy, as attached to the report at Appendix RS-1 and Appendix RS-2, respectively, be approved for implementation with immediate effect.

5. REVISION OF HACKNEY CARRIAGE FARES FOR THE YEAR 2022/23

The Executive Director for Economic Growth and Neighbourhood Services submitted a report asking the Committee to consider whether to approve and recommend an increase in hackney carriage fares. The following documents were attached to the report:

- Appendix I- Current and proposed table of fares
- Appendix II- Letter from the chair Reading Taxi Association
- Appendix II- National fares table

The report explained that from time to time the hackney carriage trade requested that the Council increase the amount they could charge their customers for transportation to their desired destinations. The most recent request had been considered by the Licensing Applications Sub-Committee 3 at its meeting held on 6 February 2020 (Minute 21 refers), when a reduction in the yardage for daytime fares to 133 yards had been agreed. There had been no increase in fare for the night-time tariff. The report also noted that the current charge available to drivers if a customer soiled the taxi was £40 for the inside and £10 for the exterior. These charges had not changed for many years and did not reflect the clean-up costs and time lost by drivers.

The report added that the chair of the Reading Taxi Association (RTA) had written to the licensing section requesting the fare rise and a change to the cost for cleaning their taxis

when customers had soiled the taxi. The proposal was to increase the flag drop by £1.00 on both daytime and night-time tariffs, an increase from £2.60 to £3.60 for the Day tariff and from £3.60 to £4.60 for the Night-time tariff. The Flag Drop was the standard hire fare a customer would pay before commencing their journey and included the first 300 yards (274.32 meters) or 2 minutes 36 seconds of the journey. The proposal also included an increase in soiling charges to £70 for inside the taxi and £25 for the outside of the taxi.

Asif Rashid, representing the RTA, and drivers Chris Avery, Asad Sheikh and Imran Ali attended the meeting and addressed the Committee on this item. Correspondence from drivers, relating to the proposed increase and the process by which it had been submitted to the Council, had also been circulated to members of the Committee.

Resolved -

- (1) That the Assistant Director of Planning, Transport and Public Protection be recommended to implement an increase of £1 in the flag-drop for both daytime and night-time tariffs, subject to no objections being received as a result of advertising the proposed increase in a local newspaper;**
- (2) That any objections received during the consultation be reported to a future meeting of the Committee for consideration;**
- (3) That the Assistant Director of Planning, Transport and Public Protection be recommended to implement an increase in the soiling charge for cleaning taxis to £70 for inside the taxi and £25 for the outside of the taxi.**

(The meeting closed at 8.12 pm)