

# CHESHIRE EAST COUNCIL

## Minutes of a meeting of the **Cabinet Member for Localism and Enforcement**

held on Friday, 5th December, 2014 at The Kim Ryley Room - Westfields,  
Middlewich Road Sandbach

### **PRESENT**

Councillor L Gilbert.

### **Officers in attendance:**

Kim Evans Licensing Team Leader

Cherry Foreman – Democratic Services Officer

### **9 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **10 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **11 PUBLIC SPEAKING TIME/OPEN SESSION**

**Darren Carter (Congleton Driver)** requested that adequate publicity be carried out ahead of each stage of the phased introduction of changes to the Table of Fares, in order to alleviate confusion for passengers. In addition he asked for clarification concerning the tariff for the Phase 3 daily rate in Crewe; it was confirmed that this would remain higher than in the other two zones of Congleton and Macclesfield and that it reflected the higher level at which it was currently set.

**Donald Stennett (Wilmslow Driver/Unite Union)** expressed concern at the proposed Phase 1 initial/minimum fare night time tariff in the light of competition from private hire drivers operating in the area but licensed elsewhere. Their initial tariffs were lower and they had already carried out an extensive leafleting campaign in the area. The Licensing officer responded that the charging principles applied in phase 1 had been discussed previously at a meeting with the trade facilitated by David Rutley MP and this had included that the start rate and the first rate should be the same.

**Dave Wilcock (Congleton Driver)** also referred to the difficulty caused by out of town private hire vehicles operating in the area at the weekends when the profits were higher but not during the weekdays when profits were lower and it was more of a service to the community that was being provided.

### **12 VARIATION TO HACKNEY CARRIAGE TABLE OF FARES - CONSULTATION RESPONSES**

The Portfolio Holder welcomed the members of the trade to the meeting and clarified that the decision being requested concerned proposals for a simpler charging system across the Borough and how best to introduce it.

The Licensing Officer introduced the report and gave a little of the history of the Council's proposals concerning hackney carriage fares, which had been considered on a number of previous occasions. In July 2014, the Portfolio Holder had considered objections received in response to Public Notices concerning the harmonisation of fares across the Borough and, at that time, he resolved that the proposals in the May 2014 Notices should not be implemented and that Licensing Officers should draw up proposals for the proposed harmonisation in a number of stages and these had now been drawn up.

The proposals included the first mile and flag rates eventually being the same, and for waiting time to be included in any proposals. There had been a 6 week consultation period on these proposals, which had included a number drop-in sessions, and responses received during the consultation period were reported and included in the written report. In addition the report included information on Section 149 of the Equality Act 2010, the results of an Office for Fair Trading market study on the regulation of licensed taxi and PHV services, and also best practice guidance produced by the DfT on taxi and private hire licensing.

It was reported that the table of fares should be set to enable:

- A sustainable income for drivers; it was important that both the public and trade recognised that the Council sets the maximum fares payable rather than a fixed rate.
- Future investment in vehicles to ensure they remain safe and suitable for use as a working vehicle.
- Clear and simple maximum charges that minimise the opportunity for overcharging or confusion.

The Council had no power to set the fees for private hire vehicles. In addition the table of fares was not applicable to vehicles licensed by other Licensing Authorities but working in the Borough.

The Portfolio Holder said he had taken into account the responses received and the comments made during the consultation and at this meeting, that he would approve the decision as set out, and that the position would be reviewed further after it had been operational for a reasonable period of time.

He reiterated that the Council was not setting the rates to be charged only the maximum that could be charged. The Portfolio Holder also stated that the changes to the fares related to the potential harmonisation of fares across the Borough and not a decision on the removal of hackney carriage zones.

## **RESOLVED**

1. That phase one of the proposal be implemented.
2. That any future proposals for change be subject to full consultation and that the Council be committed to listening to the views of taxi drivers and owners, and local residents.
3. That the Licensing Team Leader be authorised to take all necessary action to implement phase one including writing and advertising the statutory public notices.

4. That In the event of any objections being received following placement the notices a further Portfolio Holder meeting be arranged to consider them.
5. If no objections are received the table of fares for each zone, having been advertised in accordance with the requirements of Section 65 of the Local Government (Miscellaneous Provisions) Act 1976, will automatically come into force on the date specified in the public notices.

The meeting commenced at 1.05 pm and concluded at 1.25 pm