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The Chair and Members of Appeals
and Regulatory Committee

11 January 2023

Dear Councillor,

Please attend a meeting of the APPEALS AND REGULATORY COMMITTEE to be held on WEDNESDAY, 18 JANUARY 2023 at 10.00 am in Committee Room 1 Town Hall Chesterfield, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

1. Declarations of Members' and Officers' Interests relating to items on the agenda
2. Apologies for Absence
3. Minutes (Pages 3 - 4)
4. Hackney Carriage Tariff Increase 2023 (Pages 5 - 10)
5. Charges for Safeguarding Course 2023 (Pages 11 - 18)

Yours sincerely,

A handwritten signature in black ink, appearing to be "Randy".

Head of Regulatory Law and Monitoring Officer

APPEALS AND REGULATORY COMMITTEE**Wednesday, 14th December, 2022**

Present:-

Councillor A Murphy (Chair)

Councillors Thornton
Bellamy

Councillors Rayner

*Matters dealt with under the Delegation Scheme

**46 DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS
RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

47 APOLOGIES FOR ABSENCE

Apologies for absence was received from Councillors T Murphy, Perry, Rogers, S Niblock, P Niblock and Redihough.

48 MINUTES**RESOLVED**

That the minutes of the meeting of the Appeals and Regulatory Committee held on 15 December, 2021 be approved as a correct record and signed by the Chair.

49 REVIEW OF LICENCE AND REGISTRATION FEES 2023/24

The Licensing Officer presented a report to seek approval for revised licence and registration fees for 2023/24.

In accordance with the Council's financial regulations it was necessary For all fees to be annually reviewed.

The services related to the regulation, control and administration of the following areas:

- Gambling Act 2005
- Sexual Entertainment Venues – Local Government (Miscellaneous Provisions) Act 1982

A summary of proposed fees was provided at Appendix A of the officer's report, which set out the fees and charges that were agreed in 2022/23 and the proposed increase.

***RESOLVED –**

That the increase in fees and charges, from 1 April 2023, be approved.

For publication

**APPLICATION TO INCREASE THE HACKNEY CARRIAGE TABLE
OF FARES (TARIFF)**

Meeting: APPEALS AND REGULATORY COMMITTEE

Date: 18 JANUARY 2023

Cabinet Portfolio: HEALTH AND WELLBEING

Report by: LICENSING MANAGER

For publication

1.0 PURPOSE OF REPORT

1.1 To propose an increase in the tariff charged by the council's Hackney Carriage Table of Fares ; this follows a request by representatives from the hackney carriage trade.

2.0 BACKGROUND

2.1 A local authority may fix the fares for Hackney Carriages within its area for time as well as distance under Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 Part II.

2.2 A local authority has no power to set the fares charged by private hire drivers or operators.

2.3 Hackney fares were last increased in April 2022 when they went up by 10% to compensate for no increases in the preceding five years.

2.4 This request follows the committee's decision on 14 December 2022 to increase taxi fees and charges, effectively by 10%, from 1 April 2023.

2.5 Should an increase in fares be approved it would be subject to consultation, giving a period of 14 days for objections. If any objections are made, then

the committee will consider them at a further meeting. If no objections are received the increase can be implemented straight away.

- 2.6 A proposed New Table of Fares is attached at Appendix A and a chart showing the impact of the fare increase over journeys of 3, 5 and 10 miles is at Appendix B.
- 2.7 If possible, the hackney trade would like the new tariffs to be in place by April 2023.

3.0 ATTENDANCE BY APPLICANT

- 3.1 A representative who speaks on behalf of the hackney trade has been invited to attend this meeting in support of the application.

4.0 CRITERIA FOR DETERMINING THE APPLICATION

- 4.1 The proposal that has been made is to ensure that licensed Hackney Carriage owners, proprietors and drivers are able to support their businesses and to maintain vehicles to a roadworthy and acceptable standard but at the same time could result in fewer members of the public being able to afford to travel in a Hackney Carriage and opt for cheaper alternatives.

4 RECOMMENDATION.

- 4.1 The proposed increase in the hackney tariff is approved.

For more information on this report please contact the author,

Trevor Durham on 01246 345203, trevor.durham@chesterfield.gov.uk

Hackney Carriage Table of Fares

Applies to all journeys within the Borough Boundary and to journeys outside the Borough Boundary unless agreed otherwise between driver and hirer prior to the hiring

Sheffield Clean air Zone

For a hiring that at any point enters the area covered by the Sheffield City Council clean air zone. This charge is in addition to the metered fare. **£10.00**

TARIFF 1

For hiring commenced between the hours 06.00-22.59 daily

For the first 1/8 mile, 220 yards or 4 minutes **£2.81**

For each succeeding 1/8 mile, 220 yards or 50 seconds thereafter or a combination of both. **£0.29**

TARIFF 2

For hiring commenced between 23.00-05.59 daily, Sundays, Statutory Holidays and Bank Holidays excluding Christmas and New Year as in Tariff 3

For the first 1/8 mile, 220 yards or 4 minutes **£3.39**

For each succeeding 1/8 mile, 220 yards or 50 seconds thereafter or a combination of both. **£0.34**

TARIFF 3

For hiring commenced between the hours 18.00 on 24 December to 05.59 on 26 December and 18.00 on 31 December to 05.59 on 2 January

For the first 1/8 mile, 220 yards or 4 minutes **£4.60**

For each succeeding 1/8 mile, 220 yards or 50 seconds thereafter or a combination of both **£0.46**

SOILING CHARGE

To cover cleaning and loss of income, where the interior of the vehicle is soiled (at the discretion of the driver) not exceeding

£70.00

UP-FRONT PAYMENTS

Drivers may ask you to pay an estimated fare/deposit up-front if you do not agree you may be refused carriage.

COMPLAINTS

In case of complaint, please contact the Licensing Section, Customer Service Centre, 85 New Square, Chesterfield, (**Telephone: 345230**) giving the number of the Hackney Carriage Licence and full details.

January 2023

Proposed Hackney Tariff

Over three, five and ten miles

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	Tariff 1 06.00 – 22.59 daily		Tariff 2 23.00 – 05.59 daily		Tariff 3 18.00 on 24 December – 05.59 on 26 December; then 18.00 on new years eve to 05.59 on 2 January.	
	Current 1 st 1/8 mile £2.55 Subsequent 1/8 £0.26	Proposed 1 st 1/8 mile £2.81 Subsequent 1/8 £0.29	Current 1 st 1/8 mile £3.08 Subsequent 1/8 £0.31	Proposed 1 st 1/8 mile £3.39 Subsequent 1/8 £0.34	Current 1 st 1/8 mile £4.18 Subsequent 1/8 £0.42	Proposed 1 st 1/8 mile £4.60 Subsequent 1/8 £0.46
3 miles	8.53	9.48	10.21	11.21	13.84	15.18
5 miles	12.69	14.12	15.17	16.65	20.56	22.54
10 miles	23.09	25.72	27.57	30.25	37.36	40.94

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For publication

Hackney Carriage and Private Hire Licensing Policy -

Meeting: Appeals and Regulatory Committee

Date: 18 January 2023

Cabinet portfolio: Health and Wellbeing

Report by: Licensing Manager

Policy Amendments

For publication

1 PURPOSE OF REPORT

- 1.1 To consider an amendment to the Hackney Carriage and Private Hire Licensing Policy in relation to charging for safeguarding courses required of applicants for taxi licences.

2.0 RECOMMENDATION

- 2.1 That the council introduces a financial charge of £25 for the safeguarding course required of every applicant for a taxi drivers' licence.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 To recover the costs associated with the administration and delivery of this course.

4.0 BACKGROUND

- 4.1 In the interests of public safety, the council has been running safeguarding courses on the exploitation of children, young people, and vulnerable people since 2016.
- 4.2 The course highlights a variety of subjects and encourages drivers to report anything they are concerned about. This has resulted in several safeguarding referrals.
- 4.3 Attendance at a safeguarding course is a requirement of policy before the applicant can be licensed.
- 4.4 The training is delivered in-house by members of the council's licensing team, who up to now have absorbed the costs of administration, preparation, and delivery.
- 4.5 That situation is becoming more problematic with the financial pressures faced by the council and an influx of drivers from neighbouring districts. For example, we are now operating two courses a month instead of one.
- 4.6 Making a charge would cover costs even when a person fails to attend without good reason.
- 4.7 Most councils now deliver safeguarding training for this purpose with our closest neighbour, Bolsover/NEDDC, outsourcing delivery to the 'Blue Lamp Trust' who charge £25 per person for an online course.
- 4.8 It is estimated that we will receive 160 applications for a taxi licence this year. At £25 per person that would recover £4,000.

5.0 EQUALITIES IMPACT ASSESSMENT

- 5.1 A preliminary equalities impact assessment has been conducted and is attached at Appendix A. The conclusion was that a full assessment was not required.

6.0 RISK MANAGEMENT

- 6.1 A full risk management assessment has not been completed but this measure will not endanger public safety.

7.0 RECOMMENDATION

- 7.1 That the council introduces a financial charge of £25 for the safeguarding course required of every applicant for a taxi drivers' licence.

For more information on this report please contact Trevor Durham
trevor.durham@chesterfield.gov.uk

Chesterfield Borough Council Equality Impact Assessment – Preliminary Assessment Form

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<i>Title of the policy, project, service, function or strategy:</i>	Private Hire and Hackney Carriage Licensing Policy
<i>Service Area:</i>	Health & Wellbeing
<i>Section:</i>	Licensing
<i>Lead Officer:</i>	Trevor Durham
<i>Date of assessment</i>	04/01/2023
<i>Is the policy, project, service, function or strategy either:</i> - Existing - Changed - New / Proposed	Amendment to current policy.

Section 1 – Clear aims and objectives

1. What is the aim of the policy, project, service, function or strategy?
To make a financial charge for the safeguarding course required of all applicants for a taxi drivers' licence. The course is delivered in-house by members of the licensing team and takes up to two hours.

2. Who is intended to benefit from the policy and how?

The council will recover the costs of preparing, administering, and delivering the training.

3. What outcomes do you want to achieve?

To make a charge of £25 for the training.

Section 2 – What is the impact?

4. Summary of anticipated impacts. *Please tick at least one option per protected characteristic. Think about barriers people may experience in accessing services, how the policy is likely to affect the promotion of equality, knowledge of customer experiences to date. You may need to think about sub-groups within categories eg. older people, younger people, people with hearing impairment etc.*

	Potentially positive impact	Potentially negative impact	No disproportionate impact
Age			✓
Disability and long term conditions			✓
Gender and gender reassignment			✓
Marriage and civil partnership			✓
Pregnant women and people on parental leave			✓
Sexual orientation			✓
Ethnicity			✓
Religion and belief			✓

Section 3 – Recommendations and monitoring

If you have answered that the policy, project, service, function or strategy could potentially have a negative impact on any of the above characteristics then a full EIA will be required.

5. Should a full EIA be completed for this policy, project, service, function or strategy?
No
<i>Please explain the reasons for this decision:</i>
Making this charge will not have a negative impact on any of the above characteristics.

Section 6 – Knowledge management and publication

Please note the draft EIA should be reviewed by the appropriate Service Manager and the Policy Service **before** WBR, Lead Member, Cabinet, Council reports are produced.

Reviewed by Head of Service/Service Manager

Head of Service/Service Manager name:	Trevor Durham
Date:	04/01/2023

Reviewed by Policy Service

Head of Service/Service Manager name:	Allison Potter
Date:	05/01/2023

Final version of the EIA sent to Policy Service

Yes or no:	
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Decision information sent to Policy Service

Yes or no:	
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