

# **Licensing, Appeals and Complaints Committee**

## **Agenda**

### **Members of the Licensing, Appeals and Complaints Committee:**

Cllr Y Bendle (Chairman)  
Cllr D Burrill  
Cllr L Glover  
Cllr P Hardy  
Cllr J Hornby  
Cllr J Rowe  
Cllr T Spruce  
Cllr J Worley

Cllr W Kemp (Vice Chairman)  
Cllr J Easter  
Cllr J Halls  
Cllr T Holden  
Cllr N Legg  
Cllr J Savage  
Cllr J Wilby

### **Date & Time:**

Monday 21 November 2022  
10.30am

### **Place:**

Council Chamber, Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich, NR7 0DU

### **Contact:**

Jessica Hammond tel (01508) 505298  
Email: [committee.snc@southnorfolkandbroadland.gov.uk](mailto:committee.snc@southnorfolkandbroadland.gov.uk)  
Website: [www.southnorfolkandbroadland.gov.uk](http://www.southnorfolkandbroadland.gov.uk)

### **PUBLIC ATTENDANCE:**

If a member of the public would like to speak on an agenda item, please email your request to [committee.snc@southnorfolkandbroadland.gov.uk](mailto:committee.snc@southnorfolkandbroadland.gov.uk), no later than 5.00pm on Wednesday 16 November 2022.

### **Large print version can be made available**

If you have any special requirements in order to attend this meeting, please let us know in advance.

# AGENDA

1. To report apologies for absence and to identify substitute members;
2. Any items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act, 1972. Urgent business may only be taken if, “by reason of special circumstances” (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency;
3. To receive Declarations of interest from Members;  
(Please see guidance form and flow chart attached – page 3)
4. To confirm the minutes of the meeting of the Licensing, Appeals and Complaints Committee held on Wednesday 24 November 2021;  
(attached – page 5)
5. Local Government (Miscellaneous Provisions) Act 1976 Town Police Clauses Act 1847. Taximeter Tariff (Table of Fares) Consultation Responses;  
(report attached – page 10)

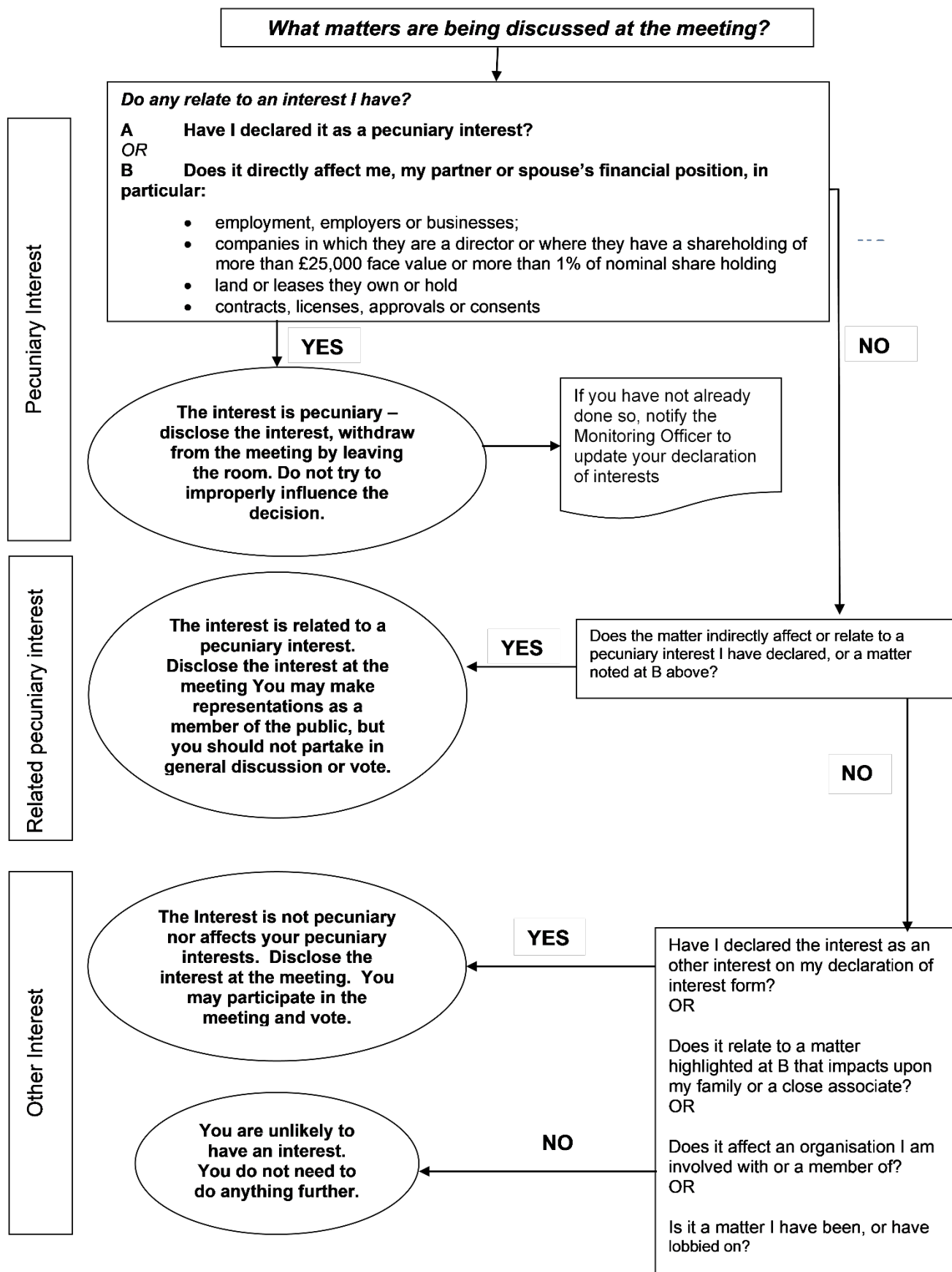
## DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

<p>Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.</p>
<p>Does the interest directly:</p> <ol style="list-style-type: none"> <li>1. affect yours, or your spouse / partner's financial position?</li> <li>2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?</li> <li>3. Relate to a contract you, or your spouse / partner have with the Council</li> <li>4. Affect land you or your spouse / partner own</li> <li>5. Affect a company that you or your partner own, or have a shareholding in</li> </ol> <p>If the answer is "yes" to any of the above, it is likely to be pecuniary.</p> <p>Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.</p>
<p>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</p> <p>If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but you should not partake in general discussion or vote.</p>
<p>Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.</p>
<p>Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.</p>

**FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.  
PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST  
INSTANCE**

## DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



**Agenda Item: 4**

## **LICENSING APPEALS AND COMPLAINTS COMMITTEE**

**Minutes of a meeting of the Licensing Appeals and Complaints Committee of South Norfolk District Council held on 24 November 2021 at 10.00am.**

**Committee Members Present:** Councillors: W Kemp (Vice Chairman, Chairing the meeting), J Easter, J Halls, T Holden, N Legg and J Savage

**Apologies:** Y Bendle, L Glover, P Hardy and J Wilby

**Officers in Attendance:** The Assistant Director for Regulatory (N Howard), the Licensing and Enforcement Team Leader (S Harris) and the Licensing and Enforcement Officer (R Setford)

**Also in Attendance:** The Legal Adviser to the Committee (J Gowland) and 2 additional officers from Birketts

### **648 DECLARATIONS OF INTEREST**

Cllr W Kemp declared that he worked for Birketts, the provider of the Council's legal services who were providing legal advice at the meeting. He had not discussed the item with them.

### **649 MINUTES**

The minutes of the meeting of the Licensing, Appeals and Complaints Committee held 25 August 2021 were confirmed as a correct record.

### **650 REVIEW OF THE COUNCIL'S HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE POLICY AND CONDITIONS**

The Licensing and Enforcement Team Leader introduced the report, which detailed a review of the Authority's Hackney Carriage and Private Hire Vehicle Policy and Conditions document. The draft document had been consulted upon and the results of the consultation were set out in the report. With regard to the consultation responses, these had, where stated, been included in the

revised policy, denoted by tracked changes. She summarised the key concerns raised by relevant stakeholders as part of the consultation, which included:

- The installation of Taxi Meter, and who they would be funded by.
- Electric Vehicles – including limited range, cost to purchase and the limited availability of charging points.
- Introduction of vehicle age limits, both the maximum age of the vehicle and the age at the time of first application – the Licensing and Enforcement Team Leader explained that a five-year lead-in time had been proposed.
- Costs associated with the implementation of the six-monthly criminal records checks – in response to the concerns raised officers suggested a three-year lead-in time, which would reduce the burden on drivers and officers.

One member suggested that, in light of the concerns raised by the stakeholders, the review process be postponed so the burden on drivers could be investigated further. The Licensing and Enforcement Team Leader informed members that there was a statutory requirement for the Council to complete the review before 31 December 2021. The Chairman added that the policy had to be reviewed every five-years, and so it was likely that the policy would be reviewed before a number of the lead-in times lapsed.

Conversation turned to the benefits for residents, businesses and officers, in aligning the Council's policy with that of Broadland District Council. The Licensing and Enforcement Team Leader outlined the changes to the policy made by Broadland District Council's Licensing and Regulatory Committee on 17 November 2021 (attached at Appendix A of the minutes), after discussion, the Committee felt that all of the changes should included in South Norfolk Council's Hackney Carriage and Private Hire Vehicle Policy and Conditions.

After further discussion, it was unanimously,

## **RESOLVED**

To recommend to Council that it adopts the Hackney Carriage and Private Hire Vehicle Policy and Conditions, as amended.

(The meeting concluded at 10.39am)

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Chairman

## APPENDIX A

Policy page / paragraph no:	Proposed change
New page	A glossary of terms, acronyms and abbreviations be included at the beginning of the policy
Page 7 para 10	After the words “agrees to comply with the conditions of their licence” add “which include the byelaws and conditions relating to Hackney Carriages and Private Hire Driver Licences”
Page 10 para 4	Replace short with shortest
Page 13 penultimate paragraph	Delete paragraph and replace with the definition taken directly from the Department of Transport – Statutory Taxi and Private Hire Vehicle Standards published July 2020 : <i>Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of the day or night?.</i>
Page 13/14	Remove last paragraph on page 13 (including 2 lines on page 14) and first full paragraph on page 14.  <i>The reasons for the removal of these paragraphs related to concerns raised about the implications of potentially revisiting criminal convictions/non convictions and having heard legal advice at the meeting suggesting that adequate discretion and guidance was given by the wording of other paragraphs on page 13 and the deleted paragraphs were not required.</i>
Page 16 para 3	Delete the second sentence and replace with “The contents of the basic DBS check will be taken into account when deciding if they are a safe and suitable person to hold a vehicle licence”.
Page 28 para 4	Insert full stop after “moving”, remove “and”, add “The driver will ...”
Page 29 para 2	Remove the list of examples of models and replace with “The vehicle must be an executive or prestige type vehicle and may be licensed on request and at the Licensing Officer’s discretion”.
Page 40 para 22	Remove words “this is a legal requirement”
Page 47	Update paragraph numbers
Page 47 para 11(b)	Change “sale of the vehicle” to “sale of any licensed vehicle”

Page 59 (row 5)	Delete “more than one conviction including” and replace with “any conviction or”
Page 60 (motoring convictions) middle paragraph	<p>Deleted “It is accepted that offences can be committed unintentionally, and”. Replace “would” with “may”. Add “A” before “single occurrence”</p> <p>Members had concerns about other wording in this section but noted and accepted that it was based on standardised wording promoted by the Institute of Licensing and used by licensing authorities throughout the Country to encourage a degree of standardisation of approach.</p>
Page 61	<p>Delete whole paragraph in the right hand column for “Other motoring offences” and replace with:</p> <p>“A minor traffic or vehicle related offence is one which</p> <ul style="list-style-type: none"> <li>• does not involve loss of life or</li> <li>• does not involve driving under the influence of drink or drugs,</li> </ul> <p>and has not resulted in injury to any person or damage to any property (including vehicles).</p> <p>Where an applicant has 7 or more points on their DVLA licence for minor traffic or similar offences, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed.</p> <p>A major traffic or vehicle related offence is one which is not covered above and also any offence which resulted in injury to any person or damage to any property (including vehicles). It also includes driving without insurance or any offence connected with motor insurance.</p> <p>Where an applicant has a conviction for a major traffic offence or similar offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.</p>
Page 62	<p>Members had concerns about wording in this section. Officers explained that again it was based on standardised wording promoted by the Institute of Licensing and it related to the handling of sensitive data by drivers/operators and staff and the need to ensure this was done sensitively by all. Members felt this was not clear from the information on the page nor the heading and delegated authority to the officers, in consultation with the Chairman to amend the Heading and wording on this page.</p> <p>“More than one” conviction to be amended to remove the requirement for more than one conviction.</p>

Page 64 (last section)	Remove the third bullet point relating to the administration of medication
Page 65 (last section)	Heading to be amended to “Action to be taken if a Driver has concerns”. First bullet point: change “your” to “a Driver’s” Second bullet: point change “you” to “a Driver is” and delete “but is not of an urgent matter” Third bullet point: change “you” to “a Driver” and delete “on a non urgent matter”.
All	Reference be made to Prevent training
	Check use of apostrophes – in particular ..... driver’s
	Ensure consistent and appropriate use of singular and plural references (in particular page 62)
	References to V5 be included in the glossary and changed to V5 registration document

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**  
**TOWN POLICE CLAUSES ACT 1847**  
**TAXIMETER TARIFF (TABLE OF FARES) CONSULTATION RESPONSES**

**Report Author(s):** Sarah Harris  
Licensing Team Leader  
01603 430524  
sarah.harris@southnorfolkandbroadland.gov.uk

**Portfolio:** Clean and Safe Environment

**Ward(s) Affected:** All

**Purpose of the Report:**

This report details the results of a consultation exercise in respect of a proposed table of fares which will be applicable to any licensed hackney carriages from 1 April 2023. The draft table of fares and associated consultation responses are presented for Licensing, Appeals and Complaints Committee's consideration before referral to Council for adoption.

**Recommendations:**

The Committee is **RECOMMENDED** to:

1. Consider the draft table of fares document.
2. Consider the responses received to the consultation exercise, and any consequent proposed amendments to the draft table of fares.
3. Refer the agreed amended document to Council with a recommendation for adoption with a view to the agreed fares taking effect from 1 April 2023.

## **1. Summary**

- 1.1 The Authority currently has in place a Hackney Carriage and Private Hire Vehicle Policy and Conditions document. This document was reviewed and consulted upon during 2021, with the final agreed Policy and Conditions taking effect from 1 April 2022.
- 1.2 A condition contained within the new document requires all licensed hackney carriage vehicles to be fitted with a taximeter:  
  
“From 1 April 2023 the vehicle must be fitted with a taximeter and it shall not be used for hire unless such taximeter has been tested and approved by the Council or their authorised agents.”
- 1.3 The byelaws adopted by the Authority state the following:  
  
“When the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by distance in pursuance of the byelaw in that behalf;” (Byelaw 4(c)).
- 1.4 South Norfolk Council therefore proposes the introduction of a table of fares to ensure compliance with previously adopted policy, vehicle licence conditions and byelaws.
- 1.5 Committee is requested to consider the draft table of fares document and the responses received to the consultation process.

## **2. Background**

- 2.1 Local authorities are required to have in place a taxi licensing policy to enable the Authority to carry out its functions relating to the licensing of Hackney Carriage and Private Hire Drivers, Vehicles and Operators. The current Policy and Conditions document took effect from 1 April 2022.
- 2.2 Legislation allows South Norfolk Council to fix the rates or fares for time, distance and all other charges to be paid in respect of the hire of hackney carriages (a table of fares). The table of fares would be the maximum chargeable for the hire of the vehicle and drivers/proprietors would therefore not be prevented from charging less than the fare fixed by the Council.
- 2.3 There are no rates or fares fixed by South Norfolk Council in respect of the hire of hackney carriages at present.
- 2.4 In practice, the overwhelming majority of the country’s licensing authorities have adopted a table of fares with a view to creating consistency and a level playing field for their local hackney carriage trade and to provide the public with protection from unscrupulous charging practices.

- 2.5 The two main elements within a table of fares are the charges set for the hire of a vehicle by time or distance or a combination of both. These charges, or the distance travelled / time elapsed, can be varied to account for hirings that take place on certain days or at certain times. For example, the charges for a hiring on a Sunday or at night may be higher than those on a weekday or during the day.
- 2.6 Any table of fares adopted must be displayed within a hackney carriage in accordance with South Norfolk Council hackney carriage byelaw number sixteen.

### **3. Current position/findings**

- 3.1 By 1 April 2023 should there be any hackney carriages licensed by South Norfolk Council they will need to comply with the following policy regarding taximeters:
- “All Hackney Carriage vehicles require a calendar controlled and sealed tariff taximeter capable of complying with relevant legislation. Taximeters will be connected to the roof sign. Once the meter is started, the roof sign ‘For Hire’ notice will extinguish.”
- 3.2 The purpose of a sealed calendar controlled taximeter is that the charges contained in the table of fares for time and distance on specific days and times of day, can all be pre-programmed within the meter by the meter manufacturer or their authorised agent. This means that a driver only need switch from ‘for hire’ to ‘hired’ and the taximeter will automatically select the correct rate for the hire of the hackney carriage based upon the day or time of day of the hiring.
- 3.3 Using this type of taximeter removes any potential errors of incorrect tariff selection by the driver.
- 3.4 It should also be noted that taximeters must comply with the South Norfolk Council hackney carriage byelaws, specifically byelaw number four on their construction, attachment and maintenance. The full text of the Dual Hackney Carriage & Private Hire Driver Licence Conditions and Byelaws, can be found in the recently adopted Hackney Carriage and Private Hire Vehicle Policy and Conditions (accessible on the Council’s website at <https://www.southnorfolkandbroadland.gov.uk/policies/taxi-private-hire>).

#### Review Process

- 3.5 To ensure that the charges for the hire of future South Norfolk Council hackney carriages remain relevant, it is proposed that a system of reviewing fares should be adopted. Reviews can be instigated by the Licensing Authority. However, they are usually initiated by the hackney carriage trade and could take place annually.
- 3.6 The basis for a review would usually be to compare charges that have a direct impact upon the hackney carriage trade. For example, these could include:
- purchase of motor vehicles
  - motor insurance

- maintenance of motor vehicles
- petrol and oil
- vehicle excise licences
- radio rental
- taximeters
- rents
- wages
- council tax
- licence fees

- 3.7 The percentage increase change across these headings from the date of the last table of fares review would be used as the basis for considering changes to the existing charges.
- 3.8 The recent escalation in fuel prices highlight the importance of there being in place a mechanism to review fares based upon those costs that directly affect the hackney carriage trade. South Norfolk Council is aware of the global situation in relation to oil, petrol and electricity prices and the impact nationally of these increases together with other cost of living rises. The proposed fares have largely been based on the charges set by other similar local licensing authorities with a view to achieving consistency regionally and to ensure that both hackney carriage drivers and their customers are not disadvantaged by virtue of their location.
- 3.9 Both Breckland District Council and Great Yarmouth Borough Council have recently reviewed their fare tables and the charges adopted by each are similar to those proposed within this report.
- 3.10 Seven responses were received to the consultation. Three of these were received from current South Norfolk Council licence holders, one response from a Parish Council, one response from a charitable organisation and two responses were received from taximeter manufacturers.

#### **4. Proposed action**

- 4.1 The proposed table of fares for adoption is attached at Appendix One of this report.
- 4.2 The Licensing, Appeals and Complaints Committee is requested to thoroughly review and consider both Appendix One and Appendix Two which details the responses to the consultation process.

#### **5. Other options**

- 5.1 Provision was made within the revised Hackney Carriage and Private Hire Vehicle Policy and Conditions for the installation of taximeters within hackney carriages. The implementation date for this was set at 1 April 2023. If Committee determines not to set a table of fares, it may prove necessary to review the Policy and Conditions document to ensure continued compliance.

## 6. Issues and risks

- 6.1 **Resource implications** – The introduction of taximeters and a table of fares will require additional resources. Additional tasks will include liaison with meter manufacturers and their agents, with licence holders to ensure that relevant vehicles are fitted with approved meters, potential increase in complaints regarding over-charging, particularly during the early transitional period and ongoing enforcement to ensure compliance with the byelaws and conditions. The lead-in development costs for the introduction of taximeters and a table of fares have already been resourced by way of a temporary contractor working with the Licensing Team. This has been funded until 31 March 2023. The costs of the additional tasks will be calculated and included in the on-going review of licence fees.
- 6.2 **Legal implications** – Local authorities are required to have in place a taxi licensing policy to enable the Authority to carry out its functions relating to the licensing of Hackney Carriage and Private Hire Drivers, Vehicles and Operators. The current policy in place requires hackney carriage vehicles to be fitted with a taximeter and for an approved table of fares to be charged.
- 6.3 **Equality implications** – An Equality and Communities Impact Assessment has been completed. There are no human rights issues specific to the Policy and Conditions providing the Authority can demonstrate best practice and compliance with national guidance in the production of the table of fares.
- 6.4 **Environmental impact** – It is not anticipated that there will be any environmental impacts as a result of the introduction of taximeters and a table of fares.
- 6.5 **Crime and disorder** – The introduction of taximeters and an approved table of fares ensures that there is a consistency of approach in terms of the fees charged for journeys in hackney carriage vehicles.
- 6.6 **Risks** – There may be an additional financial burden placed on current licence holders to ensure that they meet the new proposed standards. If a table of fares were to be adopted, the costs to hackney carriage proprietors and drivers would include purchase of a taximeter, calibration and a possible reduction in income if the fares are set at a lower level than that currently charged. Possible benefits would be; an increase in income if the table of fares is set at a higher level than that currently charged; a 'level playing field' for drivers as charges for the hire of vehicles would be identical; the ability to review these charges on an annual basis; and a clear charging regime for hirers, which could reduce complaints of overcharging.

## 7. Conclusion

- 7.1 South Norfolk Council's current taxi licensing policy requires licensed hackney carriages from 1 April 2023 to be fitted with an approved taximeter which must, in accordance with adopted byelaws, display a fare that has been fixed by the council.

- 7.2 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 gives licensing authorities the power to determine a 'table of fares' in respect of the hire of hackney carriages.
- 7.3 A draft table of fares was consulted upon with interested parties and the comments received have been appraised, with a subsequent recommendation made in respect of the draft fares (Appendix Two).
- 7.4 Legislation requires any table of fares made by the Council to be published by notice in a local newspaper, setting out how objections can be made, for a period that must not be less than fourteen days. Any objections received must be considered and a table of fares (with or without modifications) shall come into force not later than two months from when the table was first made.

## **8. Recommendations**

- 7.1 The Committee is **RECOMMENDED** to:
1. Consider the draft table of fares document.
  2. Consider the responses received to the consultation exercise, and any consequent proposed amendments to the draft table of fares.
  3. Refer the agreed amended document to Council with a recommendation for adoption with a view to the agreed fares taking effect from 1 April 2023.

## **Appendices**

1. Proposed table of fares
2. Appraised responses to the consultation

## Appendix One

### SOUTH NORFOLK COUNCIL PROPOSED TABLE OF FARES

Tariffs	Initial hiring charge	Distance / waiting time for initial charge	Subsequent distance / waiting time charge	Extra charges
Tariff 1 <b>(Mon–Sat 0600 – 2300)</b>	<b>T1: £5.00</b>	For the first mile or 600 seconds or part thereof or a combination of parts of such distance and time	For each subsequent 176 yards or one minute or part thereof or a combination of parts of such distance and time <b>25p</b>	For cleaning following the soiling of the interior of the vehicle, a charge not exceeding <b>£80.00</b>
Tariff 2 <b>(Mon–Sun 2300 – 0600)</b>	<b>T2: £6.50</b>	For the first mile or 600 seconds or part thereof or a combination of parts of such distance and time	For each subsequent 176 yards or one minute or part thereof or a combination of parts of such distance and time <b>30p</b>	For cleaning following the soiling of the interior of the vehicle, a charge not exceeding <b>£80.00</b>
Tariff 3 <b>(Sunday 0600 – 2300 and public holidays)</b>	<b>T3: £5.50</b>	For the first mile or 660 seconds or part thereof or a combination of parts of such distance and time	For each subsequent 160 yards or one minute or part thereof or a combination of parts of such distance and time <b>25p</b>	For cleaning following the soiling of the interior of the vehicle, a charge not exceeding <b>£80.00</b>

## Appendix Two

Date	Name	Occupation	Consultation Comment(s)	Response to comments
22/07/2022	1. Gary Wilson	Hackney carriage Operator	<p>Could I please propose these rates are inline with Breckland council rates as we do cover rural areas same as Breckland.</p> <p>(The current Breckland DC hackney carriage fares were attached to Mr Wilson's response)</p>	When considering what rates of fare would be the subject of the consultation exercise, SNC looked at the level of charges applied by a number of neighbouring authorities. The majority of these authorities cover rural areas and rather than just mirroring one council's rates of fare, a more holistic approach was taken when looking at the proposed rates for SNC.
25/07/2022	2. Robin Loxton	Hackney carriage proprietor / driver	<p>Dear Sirs,</p> <p>I have read your plans and feel I must bring the following to your attention.</p> <p>Firstly, I may agree with some of your reasons for the introduction of Taxi Meters, but on the current proposals would not work or be viable within the area that I work.</p> <p>I work in the DISS area which is a small market town. We also have many smaller villages that surround Diss, majority of inhabitants are elderly. As we have no or very little Public Transport to talk about, Taxi are a life blood to these people and villagers.</p>	<p><b>Charges/costs in Diss area:</b></p> <p>The overriding response to the points raised is that the proposed fares are the maximum chargeable – there is nothing to prevent a lower price (such as those currently levied) being charged. Whatever rates of fare are adopted there is no mandatory requirement for the full amount to be charged – the only necessity being that the adopted fares are not exceeded.</p>

Date	Name	Occupation	Consultation Comment(s)	Response to comments
			<p>The current rate proposed would double (at Least) the cost to the villagers. As many of these villagers are on pensions or benefits doubling the cost would stop the villagers using a taxi and in the wider sense would cause more isolation and more costs for the council and the health services in the long run.</p> <p>Also, you have mentioned, that current Hackney carriage drivers can change there license to Private Hire before the 1st April 2023.</p> <p>On discussions with many Hackney carriage drivers in the Diss area, this is what they will be doing. There are many reasons but the main one is the costs.</p> <p>For Example: Currently the cost of a Taxi Journey from Diss to anywhere in Diss is between £5.00 and £5.50. If you then look at your proposed rates, the same journey could cost £7.50 as a minimum, plus getting along Victoria road (which is like a Car Park) most days, the cost could reach upto £9 or £10.00.</p> <p>Most taxi drivers will be going Private Hire so they can keep the current level of charges.</p>	<p><b>Transfer hackney carriage (taxi) vehicle licence to private hire vehicle licence:</b> Licensed taxis can ply for hire, i.e. hailed in the street or hired from a rank, within the district (SNC) for which they are licensed. The maximum charge for this type of hiring will be the proposed table of fares, with the charge commencing from when the passenger hires the vehicle.</p> <p>Taxis can also be pre-booked by telephone, like a private hire vehicle. Again, the maximum charge for this type of hiring will be contained in the proposed table of fares, although the charge has to be calculated from the point at which the hirer commences their journey.</p> <p>Although it is unclear from the response as to how the hirings referred to are made, (i.e. ply for hire or pre-booked),</p>

Date	Name	Occupation	Consultation Comment(s)	Response to comments
			<p>Therefore your proposed schedule locally within Diss or to and from the surrounding villages is not viable.</p> <p>Also, as a taxi driver, if everyone else goes to Private Hire, to keep there current charges, why should I or anyone stay as Hackney Carriage, lose business because the charges are too high.</p> <p>My suggestion would be as follows:  1 Mile £3.50  2 Mile £ 4.50  3 Mile £6.50  5 Mile £10.00  10 Mile £21.00</p> <p>I think the council which is similar to our area is West Suffolk, so the charges should be close to them.</p> <p>I agree with Soiling Charges listed  I agree with the timings listed.</p> <p>What is the proposed cost of the Taxi Meter?  What type of meter are you thinking about, a Solid one fixed to the dash board or an interior mirror version?  Concerning the downloading of the information from the Taxi Meter. Why is this to be done? Who will see this information?</p>	<p>the “current level of fares” referred to in the response can still be maintained as it appears they are below the maximum contained in the proposed table.</p> <p>SNC has permitted current licensed taxi vehicle proprietors to licence their vehicle for private hire use by taking a flexible view of the vehicle age limits in the current Taxi and Private hire Policy. This enables proprietors and drivers to have the fullest opportunity to decide on the type of hire vehicle they wish to licence.</p> <p><b>Suggested fares:</b>  When considering what rates of fare would be the subject of the consultation exercise, SNC looked at the level of charges applied by a number of neighbouring authorities. The majority of these authorities cover rural areas and rather than just mirroring one council's rates of fare, a more holistic approach was taken when looking at the proposed rates for SNC.</p> <p><b>Taxi meters:</b>  The issue of taximeters was the subject of a previous consultation last year concerning SNC's recently adopted Hackney Carriage and Private Hire</p>

Date	Name	Occupation	Consultation Comment(s)	Response to comments
			<p>I am sure I might have further comments, but I believe these are the important questions at the moment</p> <p>Regards Robin Loxton</p>	<p>Vehicle Policy. There was a proposed phased introduction of the policy requirements in respect of taximeters and fares, with a view to making them compulsory from 1 April 2023. In addition to meeting policy requirements, taximeters must also comply with the SNC hackney carriage byelaws and will need to be capable of being programmed with the charges contained in any adopted table of fares. Taximeters will need to be programmed with the charges contained in any adopted table of fares. This will be carried out by either the meter manufacturers or their authorised agents.</p>
26/07/2022	3. Michelle de Oude	Acting Deputy Senior Advisor Opening Doors (organisation for people with learning disabilities)	<p>Since we are not a licenced hackey cab operator we did not feel we needed to answer all the questions that were in the document, but we thought it would be useful to mention a couple of points from the perspective of an organisation that uses taxis regularly for the people who use our services.</p> <p>There are three key points we want to make;</p> <p>a. Hackey Cabs all need to be accessible to wheelchair users, we find it very difficult to find enough taxis that will take larger powered wheelchairs where the person remains seated in</p>	<p>The responses to the three key points made are:</p> <p>(a) The current consultation is in respect of hackney carriage (taxi) fares, although the issue of licensing wheelchair accessible vehicles (WAVs) is noted. In accordance with the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022, (effective 28 June 2022), SNC and BDC publish on their website a list of WAVs. Some of these WAVs will take a larger wheelchair than the 'reference wheelchair standard' contained in Department for Transport</p>

Date	Name	Occupation	Consultation Comment(s)	Response to comments
			<p>their chair due to their disability. Hackney cabs can also be difficult to get and out of if you have a mobility impairment, so again we would want to see more licencing of accessible taxis.</p> <p>b. Taxi drivers should have training on disability access issues as part of the conditions of their licence. We have seen some bad practice including where disabled people have not been treated with dignity or respect by drivers.</p> <p>c. The big current issue is that moving to a metered system means that people who use our service are having to pay a lot more to do the same journey. We would like to see some fixed price tariffs remained for standard journeys, otherwise this disadvantages disabled people who have no other choice but to use a taxi, and whose care costs (if they get any) often don't reflect the actual market cost of taxi fares, hence they end up not being about to go out and live their lives.</p> <p>We hope you will find these points useful and would be happy to discuss them further. Michelle</p>	<p>(Dft) guidance to licensing authorities when designating WAVs. The DfT guidance is under review and may include updated guidance on the licensing and designation of WAVs.</p> <p>(b) All licensed SNC taxi drivers have to undergo Safeguarding and Disability Awareness Training before obtaining a licence. Existing legislation requires drivers of designated wheelchair accessible vehicles to provide wheelchair users with reasonable mobility assistance, and refrain from charging them more than other passengers.</p> <p>From 28 June 2022, all taxi and private hire vehicle (PHV) drivers and operators – regardless of whether the vehicle is wheelchair accessible – will be subject to duties under the Equality Act. The main changes are that taxi and PHV drivers will be required to:</p> <ul style="list-style-type: none"> <li>• Accept the carriage of any disabled person, provide them with reasonable mobility assistance, and carry their mobility aids, all without charging any more than they would for a non-disabled passenger.</li> </ul>

Date	Name	Occupation	Consultation Comment(s)	Response to comments
				<ul style="list-style-type: none"> <li>• Provide any disabled passenger who requests it with assistance to identify the vehicle, at no extra charge.</li> </ul> <p>PHV operators will be required to:</p> <ul style="list-style-type: none"> <li>• Accept bookings for or on behalf of any disabled person, if they have a suitable vehicle available.</li> </ul> <p>(c) Under existing arrangements, there is no control over the fares chargeable by SNC licensed taxis. The adoption of a table of fares provides a level of protection for taxi users as it sets the maximum amount that can be charged. Taxi proprietors and drivers are not bound to charge the maximum amounts and can agree to accept a fare less than that shown on the meter. The rates contained in the table of fares are a balance between the cost to the customer and the viability of the driver to cover their costs and earn a living.</p> <p>If booked in advance, for example by telephone, hirers can agree a fare for their journey, which offers the hirer the opportunity to negotiate the cost of the fare. To assist with their negotiations hirers can compare the cost of the fare against the charges levied by private hire vehicle operators. Any agreement</p>

Date	Name	Occupation	Consultation Comment(s)	Response to comments
				reached cannot be more than the table of fares provides.
02/08/2022	4. Andrew Marshall-Brown	Hackney carriage proprietor /driver	<p>With reference to the proposed Taximeter Table of Fares I have the following questions and observations based on them.</p> <p>Overall I believe the proposed rates and fare and competitive and strike a good balance between operating costs and not pricing users out of the market.</p> <p>That said I'm concerned that the remote areas will not receive service based on the fact there seems to be no provision for a pick up charge only the rate from when the customer enters to the point of alighting the vehicle.</p> <p>I operate mainly in the Diss area.</p> <p>If I were to be called to collect a client from Tivitshall St Mary and go two miles with the proposed pricing I would spend more in fuel alone travelling from Diss to the job and back than I would make in the whole job.</p> <p>Therefore it would be impractical and I'll advised on a business viability basses to do the job.</p> <p>Being such a rural county with generally poor public transport services, Taxi's are often the only means of transport for some people.</p> <p>This lack of a pick up charge would remove that option and needs to be looked at.</p>	<p><b>Pick up charge:</b> By their very nature, i.e. being allowed to ply for hire either on a rank or being hailed in the street, taxis provide a unique link in the overall public transportation system and the relevant charges reflect their exclusive rights in this area.</p> <p>Legislation states that when a taxi is pre-booked (i.e. other than by being hired from a rank or plying for hire in the district), the fare or charge can only be calculated from the point at which the hirer commences their journey.</p> <p>The proposed table of fares seeks to balance the cost to the consumer against a reasonable income for the taxi driver. It would be difficult to quantify when a booking charge would be applicable and the costs involved. This type of additional cost may not be of benefit to the consumer and the example provided by the respondent could be fulfilled by a licensed private hire vehicle, who would be able to charge for the full distance as there is no legislation in place to control the costs of hiring a private hire vehicle.</p>

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			<p>At the very least it needs to cover the additional fuel costs but in this example should be around £10 on top of the metered fee.</p> <p>Secondly, what meter will be acceptable ? I already have a meter fitted to my cab as it's a purpose built vehicle and the meter is manufactured by Sigma Will existing meters be accepted or will they have to be changed ?</p> <p>And lastly, will the meters be set to automatically adjust the rate as per the schedule or will the driver manually adjust the rate on the meter, giving them a level of control to reduce the charge for example using the day rate at night to help someone who is struggling with the cost of living ?</p> <p>I look forward to your replies and the outcome of the consultation</p>	<p><b>Taximeter</b></p> <p>The issue of taximeters was the subject of a previous consultation last year concerning SNC's recently adopted Hackney Carriage and Private Hire Vehicle Policy. There was a proposed phased introduction of the policy requirements in respect of taximeters and fares, with a view to making them compulsory from 1 April 2023.</p> <p>In addition to meeting policy requirements, taximeters must also comply with the SNC hackney carriage byelaws and will need to be capable of being programmed with the charges contained in any adopted table of fares. The revised policy requires all licensed hackney carriages to be fitted with a sealed calendar controlled taximeter. This in effect means that there will be no manual selection by the driver as the correct rate of fare, dependent on the day or time of the hiring, will automatically be selected by the meter. As previously indicated, any table of fares is the maximum chargeable, there is nothing preventing a lesser fare being charged, such as the example given by the respondent.</p>
06/09/22	5. Hayley Goldson	Clerk, Chedgrave	Chedgrave Parish Council considered this matter at its meeting of 1st September	Part of the table of fares consultation process included a section on

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		Parish Council	<p>2022. The council agreed that any 'table of fares' would need to be set in light of current volatility of fuel prices so that taxi firms are not unduly penalised by fixed price fares in the event that fuel costs increase even further.</p> <p>I hope this makes sense but please get back to me if you require any further information.</p>	forthcoming reviews of any charges set. Fluctuations in fuel prices was proposed to be included in any calculations when reviewing fares in the future.
10/08/22	6. Steve Laidler	<p>Technical Director Digitax Electronics UK (Ltd)</p> <p>(taximeter manufacturer / supplier)</p>	<p>Sorry I just have not had time to do this earlier.</p> <p>So, the speed cross over point is not a fixed speed it is the speed at which the driver is earning more on time below that speed and more on distance above. Also, the way the initial w/t is calculated is simply keep the same ratio between the initial time and distance as the following time and distance. For example, in your proposed tariff you have the initial distance as 1760 yards then following 176 yards which is a very simple 10/1. So, if the following w/t is 60 seconds then the initial should be 10x that at 600seconds. The speed crossover point is easy to calculate in your case 176 yards or 60 seconds yards divided by seconds gives 2.933 y/s to get MPH multiply by a constant of 2.04545 6 MPH</p>	<p>Taximeters charge by time or distance and the final fare is a combination of both. The point at which the meter changes from charging by time to distance or from distance to time is known as the 'speed cross over point'. This is the speed at which the driver is earning more on the time charge element when below that speed and more on the distance charge element when above that speed.</p> <p>When setting the table of fares for consultation, it was thought that the speed cross over point could be fixed, but, further to a conversation with the respondent, when programming the meter there is a calculation to determine this point. As a result, the initial waiting time of 60 seconds in the proposed table of fares in respect of tariffs one and two will have to be</p>

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			<p>If the initial w/t is not corrected <math>1760y/60s \times 2.04545 = 60MPH</math> which would mean it would never happen where anyone was charged for distance. The correct w/t has to be in the same ratio so it should be 600 seconds not 60.</p> <p>The speed crossover is not a fixed speed it is completely dependent on the ratio between time and distance. Around the UK you will find it normally works out about 8 to 12 mph but that's only an average.</p> <p>If I can be of any further help please do not hesitate to give me a ring.</p>	<p>amended to 600 seconds and from 60 seconds to 660 seconds in respect of tariff 3 to ensure that the same ratio is used for both the initial time and distance as the following time and distance.</p> <p><b>Recommendation:</b> In the “<b>Distance / waiting time for initial charge</b>” column in respect of <b>tariffs 1 and 2</b> of the proposed table of fares, replace the wording “<b>one minute</b>” with ‘<b>600 seconds</b>’ and in respect of <b>tariff 3</b> replace the wording “<b>one minute</b>” with ‘<b>660 seconds</b>’.</p>
12/08/22	7. Tony Kirton	<p>Managing Director Viking Electronics Ltd</p> <p>(taximeter manufacturer / supplier)</p>	<p>I design &amp; made my first taximeters (Kirto taximeter) in 1982 and been manufacturing taximeter since and since 2010 have been of MID approved types.</p> <p>I attach a PDF with some council tariff sheets you can look at, the Buckinghamshire one, the table that goes into our Viking taximeters is below.</p> <p>Taximeter work that waiting time is commutes to distance, the initial £5.00 charge for a mile is fine, but the 60 second for £5.00 is a lot, it will go to £5.20 will before the mile.</p>	See comments in respect of respondent 6 above.

Date	Name	Occupation	Consultation Comment(s)	Response to comments
			<p>our taximeter will take 176 yards away from mile start every 60 second, so it will after ten minutes go to £5.20.</p> <p>I can send you an excel sheet that work out the timing for above and more, like! put in price-per-mile increment (20p) and it give you the yards same with the waiting time.</p> <p>And Christmas New Year tariff, maybe 100% tariff 1. I am here to help you get it right first time.</p>	

## Equalities and Communities Impact Assessment

**Name of Officer/s completing assessment:**

Sarah Harris

**Date of Assessment: 24/10/2022**

### 1. What is the proposed Policy? (please provide sufficient detail)

For the purposes of the assessment the term 'Policy' relates to any new or revised policies, practices or procedures under consideration.

Local authorities are required to have in place a taxi licensing policy to enable the Authority to carry out its functions relating to the licensing of Hackney Carriage and Private Hire Drivers, Vehicles and Operators. The current Policy and Conditions document was reviewed during 2021 and took effect from 1 April 2022.

A condition contained within the new document requires all licensed hackney carriage vehicles to be fitted with a taximeter:

"From 1 April 2023 the vehicle must be fitted with a taximeter and it shall not be used for hire unless such taximeter has been tested and approved by the Council or their authorised agents."

Legislation allows the Councils to fix the rates or fares for time, distance and all other charges to be paid in respect of the hire of hackney carriages (a table of fares). The table of fares would be the maximum chargeable for the hire of the vehicle and drivers/proprietors would therefore not be prevented from charging less than the fare fixed by the Council.

Between July and September this year the Councils consulted on a proposed table of fares.

### 2. Which protected characteristics under the Equalities Act 2010 does this Policy impact? (indicate whether the impact could be **positive**, **neutral**, or **negative**)

Protected Characteristic	Potential Impact		
	Positive	Neutral	Negative
Age		√	
Disability		√	
Race		√	
Sex		√	
Religion or Belief		√	
Sexual Orientation		√	
Marriage/Civil Partnership		√	
Pregnancy/Maternity		√	
Gender Reassignment		√	

### 3. Which additional Communities characteristics does this policy impact?

Health		√	
Place including Rurality	√		
Low Income and Poverty	√		

#### 4. What do you believe are the potential equalities impacts of this policy?

Please include:

- Partnership organisations worked with in the development of this policy
- Evidence gathered to inform your decision
- Where you have consulted, Who and How this has informed the decision/policy
- Any other groups impacted not detailed above

**Note:** Impacts could be **positive**, **neutral**, or **negative** and impact groups differently

This is a consultation on a table of fares to be set by South Norfolk and Broadland Councils. This table of fares must be charged by licensed Hackney Carriages. Such vehicles must be fitted with an approved taximeter from 1 April 2023 and this taximeter must be calibrated to charge an approved table of fares. The draft table of fares document has undergone an 8 week consultation exercise. During this period, various authorities, agencies, organisations and charities have been consulted, along with licence holders specifically affected by the proposed fares.

#### 5. What do you believe are the potential communities impacts of this policy?

Please include:

- How the policy can meet agreed priorities
- Evidence gathered to inform your decision
- Partnership organisations worked with in the development of this policy
- Where you have consulted, Who and How this has informed the decision/policy
- Any other groups impacted not detailed above

**Note:** Impacts could be **positive**, **neutral**, or **negative** and impact groups differently

Hackney carriage vehicles are often relied upon for transport and their use is proportionately higher amongst low income families. Similarly, individuals living in remote areas, without access to their own car or a regular bus service, may be very reliant on these vehicles for transport. It is important to ensure that the users of these vehicles are charged a fair and consistent rate for their journeys.

To ensure that the charges for the hire of future hackney carriages remain relevant, it is proposed that a system of reviewing fares should be adopted. Reviews can be instigated by the Licensing Authority. However, they are usually initiated by the hackney carriage trade and could take place annually.

The recent escalation in fuel prices highlight the importance of there being in place a mechanism to review fares based upon those costs that directly affect the hackney carriage trade. The Councils are aware of the global situation in relation to oil, petrol and electricity prices and the impact nationally of these increases together with other cost of living rises. The proposed fares have largely been based on the charges set by other similar local licensing authorities with a view to achieving consistency regionally and to ensure that both hackney carriage drivers and their customers are not disadvantaged by virtue of their location.

The table of fares have been widely consulted upon, including with agencies and organisations representing a wide range of interests. Officers also work closely with other local licensing authorities, with the Police, Highways, County Council passenger transport and other relevant bodies. They have each had an opportunity to comment on this table of fares.

**6. How is it proposed that any identified negative impacts are mitigated?**

Please include:

- Steps taken to mitigate, for example, other services that may be available
- If a neutral impact has been identified can a positive impact be achieved?
- If you are unable to resolve the issues highlighted during this assessment, please explain why
- How impacts will be monitored and addressed?
- Could the decision/policy be implemented in a different way?
- What is the impact if the decision/policy is not implemented?

The aim of the proposed table of fares is that it does not impact against any protected characteristic in a negative way.

An overriding consideration in Licensing is the protection of the public. It must therefore be ensured that this is considered in the setting of fares and the associated policy requirements.

**Signed by evaluator:**



**Signed by responsible head of department:**

Please send your completed forms to [equalities@southnorfolkandbroadland.gov.uk](mailto:equalities@southnorfolkandbroadland.gov.uk) to be reviewed and stored in accordance with our legal duty.

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This document was updated March 2022