



REGISTRATION AND LICENSING COMMITTEE

10.00 AM - MONDAY, 15 APRIL 2024

**MULTILOCATION MEETING VIA MICROSOFT TEAMS AND ROOMS
A/B NEATH CIVIC CENTRE**

Webcasting/Hybrid Meetings:

This meeting may be filmed for live or subsequent broadcast via the Council's Internet Site. By participating you are consenting to be filmed and the possible use of those images and sound recordings for webcasting and/or training purposes.

Part 1

1. Chairpersons Announcements
2. Declarations of Interest
3. Minutes of the Previous Meetings 30th October 2023 (amended version) and the 19th February 2024 (*Pages 3 - 6*)

Report of the Head of Legal Services.

4. Hackney Carriage Fare Increase (*Pages 7 - 24*)
5. Urgent Items
Any urgent items at the discretion of the Chairperson pursuant to Section 100BA(6)(b) of the Local Government Act 1972 (as amended).
6. Access to Meetings
That pursuant to Section 100BA (2) and (7) of the Local Government Act 1972, the public be excluded for the following items of business which involved the likely disclosure of exempt

information as defined in Paragraph 12 of Part 4 of Schedule 12A of the above Act.

Part 2

Private Report of the Head of Legal Services

7. Hackney Carriage and Private Hire Driver Licensing - Case 1
(Pages 25 - 28)

K.Jones
Chief Executive

Civic Centre
Port Talbot

Tuesday, 9 April 2024

Committee Membership:

Chairperson: **Councillor A.J.Richards**

Vice **Councillor J.Henton**
Chairperson:

Members: Councillors S.Paddison, D.Whitelock,
W.Carpenter, A.Dacey, H.Davies, D.Lewis,
A.Lodwig, S.Renkes, L.Williams, R.G.Jones,
D.M.Peters, R.W.Wood and A.R.Aubrey

c.c. Superintendent of Police, Neath
Chief Fire Officer, Neath

REGISTRATION AND LICENSING COMMITTEE

(Multi Location Microsoft Teams/Council Chamber)

Amended/Corrected Minutes of the 30th October 2023

Members Present:

Chairperson: Councillor A.J.Richards

Vice Chairperson: Councillor J. Henton

Councillors: S.Paddison, W.Carpenter, A.Dacey, H.Davies, A.Lodwig, S.Renkes, L.Williams, R.G.Jones, D.M.Peters, R.W.Wood and A.R.Aubrey

Officers in Attendance: P.Malough and M.Shaw, L. Thomas and J.Woodman-Ralph

Representing SW Police: N.Bailey

1. Chairpersons Announcements

Councillor A. J. Richards welcomed all to the meeting.

2. Declarations of Interest

The following declaration was made at the commencement of the meeting:

Cllr. H.Davies	Re: Agenda Item 6, Hackney Carriage and Private Driver Hire Licence as he knew the driver and therefore left the meeting in its entirety.
----------------	---

3. Minutes of the Previous Meeting

The minutes of the previous meeting, held on the 2nd of October 2023, were approved as a true and accurate account.

4. **Urgent Items**

There were no urgent items.

5. **Access to Meetings**

Resolved: That pursuant to Section 100BA (2) and (7) of the Local Government Act 1972, the public be excluded for the following items of business which involved the likely disclosure of exempt information as defined in Paragraph 12 and 15 of Part 4 of Schedule 12A of the above Act.

6. **Case 1: Hackney Carriage and Private Driver Hire Licence**

The Senior Regulatory Officer provided the Committee with an overview of the private circulated report.

The driver and their employer were both in attendance.

Resolved: That Members determined that the driver was not deemed a fit a proper person and that the convictions did not comply with the Councils Taxi Policy. The licence was therefore revoked.

REGISTRATION AND LICENSING COMMITTEE

(Multi Location Microsoft Teams/Council Chamber)

Members Present:

19 February 2024

Chairperson: Councillor A.J.Richards

Vice Chairperson Councillor J. Henton

Councillors: S.Paddison, W.Carpenter, A.Dacey, H.Davies, A.Lodwig, L.Williams, R.G.Jones, D.M.Peters, R.W.Wood and A.R.Aubrey

Officers in Attendance: N.Chapple, P.Malough, K. Cody, G.White and S.McCluskie

1. **Chairpersons Announcements**

Councillor A. Richards welcomed all to the meeting.

2. **Declarations of Interest**

There were none.

3. **Minutes of the Previous Meeting**

That the minutes of the previous meeting held on the 27th of November 2023 be approved as a true and accurate record.

4. **Revised Taxi Policy**

Resolved:

Members determined that the policy be approved, with the noted amendments contained within the report.

5. **Urgent Items**

There were none.

6. **Access to Meetings**

Resolved:

Any urgent items at the discretion of the Chairperson pursuant to Section 100BA(6)(b) of the Local Government Act 1972 (as amended)

7. **Item 2 - Case 1**

Resolved:

That the private circulated report be noted for information.

8. **Item 2 - Case 2**

Resolved:

Members determined to **approve** the application. Members also determined to disregard the time lapse of the DBS checks as they were deemed minimal.

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Registration and Licensing Committee

15th April 2024

Report of the Head of Legal and Democratic Services – Mr Craig Griffiths

Matter for Consideration

Wards Affected: All

Hackney Carriage Fare Increase

Purpose of the Report

1. To consider a hackney carriage fare increase prior to a decision report being taken to the Council's Cabinet.

Executive Summary

2. Taxi licensing is generally a non-executive function and as such the responsibility for determining licensing matters is dealt with by the Registration and Licensing Committee.
3. There are however two areas where the Council's Executive has the decision making power, these are: determining whether to adopt hackney carriage stands (ranks), and determining the maximum fare for which a hackney carriage may charge.
4. A number of requests have been received from the hackney carriage trade for an increase to the existing maximum fare for which a hackney carriage may charge.
5. Members are being asked to consider whether any changes are required to be made to the proposal set out at appendix 1, prior to a report for decision being taken to the Council's Cabinet.

Background

6. The Local Government (Miscellaneous Provisions) Act 1976 allows the Council to set a maximum fare for hackney carriages. The fare applies to distance, time and all other charges in connection with the hire of a vehicle.
7. The Council has already set a maximum permitted fare, and has published a fares table which must be displayed in all hackney carriage vehicles. The current fare table was last amended in April 2022.
8. An increase to the hackney carriage fare was on the agenda at a recent meeting between the Council and taxi association representatives. It was agreed that a fare increase would be pursued as soon as possible due to the increasing cost of living and because the fares had not increased since April 2022.
9. The existing and proposed new hackney carriage fare tariff is attached at Appendix 1 and takes account of the following cost factors:
 - Petrol/diesel prices - In April 2022, the average local cost of unleaded petrol and diesel were 157.9p and 159.9p respectively. The current local unleaded petrol and diesel prices are 142.9 and 151.9p respectively. This represents a decrease of 9.5% in the cost of unleaded petrol and a decrease of 5% in the cost of diesel.
 - Insurance costs - Enquiries with a local insurance broker revealed that insurance costs have increased by around 50% since April 2022.
 - Licence fee costs – This Council’s Licence fees payable to the Council in respect of proprietors’ licences i.e. vehicle fees, were increase by 5% in April 2023, however they have not increased further in April 2024.

Consultation

10. A consultation exercise has been carried out with all existing proprietors and drivers. The consultation exercise resulted in 42 responses. A summary of the consultation responses is set out below.

11. Rate Increase
12. In respect of the proposed increase to the rate per mile. 23 respondents agreed that an increase was appropriate, 9 respondents wanted the rate left unchanged and 10 respondents made no mention to the rate increase.
13. Of the 23 respondents wanting an increase 18 agreed with the rate set out in appendix 1 and 5 respondents wanted the increase to be higher.
14. Tariff 2 Start Time
15. In respect of the proposal for tariff 2 to start at 22:00 hours, 38 respondents referred to this proposal.
16. 21 respondents proposed that tariff 2 should start at 21:00 hours, 7 respondents agreed with the 22:00 hours proposal, and 8 requested no change i.e., to remain at 23:00 hours. 2 respondents suggested that tariff 2 should apply all weekend.
17. Passengers in excess of 4
18. There were only 2 respondents that specifically referenced the increase to the rate for passengers in excess of 4. 1 respondent suggested £1 per passenger, the other respondent agreed with the proposal as set out in appendix 1.

Officer Report

19. Following consideration of the consultation responses, it is proposed to proceed with the hackney carriage fare increase as set out at appendix 1, but subject to the following amendment.
20. The tariff 2 start time on Saturday evenings to be at 21:00 hours.
21. In order to implement the proposal to increase the hackney carriage fare, a report will need to be considered by the Council's Cabinet. Following approval, a public notice must be published on one occasion and a period of 14 days allowed for representations to be made.
22. Members of the Registration and Licensing Committee are being asked to consider whether any changes are required to be made to the proposal set out at appendix 1, subject to the amendment to

the tariff 2 start time to 21:00 hours on Saturday evenings, prior to a report for decision being taken to the Council's Cabinet.

Integrated Impact Assessment

23. A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-Being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. An initial first stage impact assessment has been undertaken, as attached at Appendix 2, which has indicated a full in-depth assessment is not required

Legal Impacts

14. The Local Government (Miscellaneous Provisions) Act 1976 allows the Council to set a maximum fare for hackney carriages. The fare applies to distance, time and all other charges in connection with the hire of a vehicle. When a local authority makes or varies a table of fares they shall publish in at least one local newspaper circulating in the area a notice setting out the table of fares or the variation and specifying the period, which shall not be less than fourteen days from the date of the first publication of the notice, within which and the manner in which objections to the table of fares or variation can be made. If no objection to a table of fares or variation is duly made within the period specified in the notice, the table of fares or variation shall come into operation on the date of the expiration of the period specified in the notice.

Risk Management

15. No implications

Consultation

16. Where a decision is taken by Cabinet to increase the maximum fare, the proposed increase must be advertised on one occasion in a local newspaper for a period of at least 14 days; any objections must then be considered before the increase can become effective.

Recommendation

17. It is recommended that having due regard to the Integrated Impact Screening Assessment, that:
18. Members consider whether any changes are required to be made to the proposal set out at appendix 1, subject to the amendment to the tariff 2 start time to 21:00 hours on Saturday evenings, prior to a report for decision being taken to the Council's Cabinet.

Implementation of Decision

19. Following consideration of the proposal, a report will be taken to the Council's Cabinet for decision.

Appendices

20. Appendix 1 – Existing and proposed hackney carriage fare
21. Appendix 2 – Integrated Impact Screening Assessment

List of Background Papers

22. None

Officer Contact

23. Neil Chapple
Legal Regulatory Manager
Tel (01639) 763050
Email: n.chapple@npt.gov.uk

This page is intentionally left blank

Proposed Maximum Hackney Carriage Fare 2024

Tariff 1 - at all times except when either tariff 2 or 3 apply.

	Initial distance	Start Rate	Per Additional 1/10 Mile	1 mile	% Increase	2 mile	% Increase	3 mile	% Increase	5 mile	% Increase	10 mile	% Increase
Existing	1 Mile	£3.40	£0.24	£3.40		£5.80		£8.20		£13.00		£25.00	
Proposal	1 mile	£3.50	£0.26	£3.50	2.94%	£6.10	5.17%	£8.70	6.10%	£13.90	6.92%	£26.90	7.60%

Tariff 2 - 21:00 or 22:00 - 07:00 on any day.

Between 18:00 - 24:00 Christmas Eve, New Year's Eve and Boxing day (where boxing day falls on a Saturday)

	Initial distance	Start Rate	Per Additional 1/10 Mile	1 mile	% Increase	2 mile	% Increase	3 mile	% Increase	5 mile	% Increase	10 mile	% Increase
Existing	1 Mile	£4.40	£0.28	£4.40		£7.20		£10.00		£15.60		£29.60	
Proposal	1 Mile	£4.60	£0.30	£4.60	4.55%	£7.60	5.56%	£10.60	6.00%	£16.60	6.41%	£31.60	6.76%

Tariff 3 - (Xmas day & New Year's day only)

100% surcharge on Tariff 1

Waiting Time

Existing 0.15p per 30 seconds

Extra Charges

Soiling charge maximum £100.00

Each passenger exceeding four **£0.75p**

This page is intentionally left blank

Impact Assessment - First Stage

It is essential that all initiatives undergo a first stage impact assessment to identify relevance to equalities and the Welsh language as well as an evaluation of how the proposal has taken into account the sustainable development principle (the five ways of working); an incorrect assessment could ultimately be open to legal challenge.

The first stage is to carry out a short assessment to help determine the need to undertake a more in-depth analysis (the second stage).

Relevance will depend not only on the number of people/service users affected, but also the significance of the effect on them.

When completing the first step you must have regard to the following:

- Does the initiative relate to an area where important equality issues have been, or are likely to be, raised? (For example, funding for services to assist people who are victims of rape/sexual violence or individuals with particular care need; disabled people's access to public transport; the gender pay gap; racist or homophobic bullying in schools)
- Is there a significant potential for reducing inequalities, or improving outcomes? (For example, increasing recruitment opportunities for disabled people).
- Does the initiative relate to instances where opportunities to use the Welsh language are likely to be affected or where the language is likely to be treated less favourably? (For example, increase the number of Welsh speakers moving from/to a certain area; closing specific Welsh language services or put those services at risk services;
- Does the initiative relate to the improvement of economic, social, environmental and cultural well-being? To what extent does the initiative prevent things getting worse? (For example, funding for services to assist in cultural well-being; changes in policies that promote independence and/or assist carers)

1. Provide a description and summary of the initiative.

Identify which service area and directorate has responsibility for the initiative.

2. Identify who will be affected by the initiative.

If you answer **Yes** to service users, staff or wider community continue with the first stage of the assessment

If you answer **No** to service users, staff or wider community or **Yes** to 'Internal administrative process only', go to **Question 5 – sustainable development principle**.

3. Using relevant and appropriate information and data that is available to you think about what impact there could be on people who share protected characteristics; whether they are service users, staff or the wider community.

Some things to consider include:

- transport issues
- accessibility
- customer service
- cultural sensitivity
- financial implications
- loss of jobs

Definitions of impacts (either positive or negative):

- High – likely to be highly affected by the initiative
- Medium - likely to be affected in some way
- Low - likely to be affected by the initiative in a small way
- Don't know - the potential impact is unknown

You **must** provide reasons, and indicate what evidence you used, in coming to your decision.

4. Using relevant and appropriate information and data that is available, think about what impact there could be on opportunities to use the Welsh language and in treating the language no less favourably than English.

Definitions of impacts are the same as in **Question 3**.

The classification 'Don't Know' should be categorised as 'High Impact' in both questions 3 & 4.

5. Consider how the initiative has embraced the sustainable development principle in accordance with the Section 7c of the Well-being of Future Generations Act 2015.

Give details of the initiative in relation to the 5 ways of working:

- **Long term** - how the initiative supports the long term well-being of people
- **Integration** - how the initiative impacts upon our wellbeing objectives
- **Involvement** - how people have been involved in developing the initiative
- **Collaboration** - how we have worked with other services/organisations to find shared sustainable solutions;
- **Prevention** - how the initiative will prevent problems occurring or getting worse

6. The most appropriate statement must be selected (and the relevant box ticked) based on the first stage of the assessment and an explanation of how you have arrived at this decision must be given.

In addition a summary of the how the initiative has embraced the sustainable development principle must also be included.

Where the first stage of the assessment indicates that a more in-depth analysis is required the second stage of the assessment will need to be completed and this will need to be started immediately.

A first stage assessment must be included as a background paper for all Cabinet/Cabinet Board/ Scrutiny Committee Reports.

Where the first stage assessment is completed by an accountable manager it must be signed off by a Head of Service/Director.

Impact Assessment - First Stage

1. Details of the initiative

Initiative description and summary: Hackney Carriage Maximum Permitted Fare Increase
Service Area: Legal Regulatory Services
Directorate: CeX

2. Does the initiative affect:

	Yes	No
Service users	✓	
Staff	✓	
Wider community	✓	
Internal administrative process only		✓

3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age	✓				M	<p>An increase to the maximum permitted fare for hackney carriages will lead to an increase in the amount it costs to hire a taxi in Neath Port Talbot. It will therefore affect any person that uses taxis, regardless of whether they have a protected characteristic.</p> <p>It is likely however that the most affected would be those that are the most heavily reliant on public transport; the elderly, disabled and potentially other groups such as i.e. parents with young children - The impact on these groups is marked as medium, not high, for several reasons:</p>
Disability	✓				M	

						<ul style="list-style-type: none"> • Although it is proposed to increase the maximum permitted fare, it is not mandatory for all taxi firms to do so. Operators will sometimes charge less than the maximum fare, particularly where the individuals are taking regular journeys with the same operator. • Regular users of taxis who use this mode of transport for various reasons e.g. commuting to work, hospital appointments, shopping etc. will often have a private contract in place with a specific taxi company or driver and would have already agreed a fare. Officers are aware that this is common practice through discussions with the taxi association representatives and taxi operators. • Low cost community transport is provided by not for profit companies operating within Neath Port Talbot, designed to meet the needs of older people and people with disabilities. There are various organisations offering these services within Neath Port Talbot which are advertised online. • The proposed increase to the maximum permitted fare would add 10p to a 1 mile journey and 30p to a 2 mile journey.
Gender Reassignment		✓				<p>An increase to the maximum permitted fare will not specifically impact on persons because of their protected group. The impact will be the same for all users of taxis regardless of the protected group that they belong to. The level of impact will be dictated by a person's ability to pay a higher fare for taxi journeys.</p>
Marriage/Civil Partnership		✓				
Pregnancy/Maternity		✓				
Race		✓				
Religion/Belief		✓				
Sex		✓				

Sexual orientation		✓				
--------------------	--	---	--	--	--	--

4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language		✓				These are not impacted by the fact that a taxi user needs to pay more for a journey. The Welsh language is not impacted by this proposal.
Treating the Welsh language no less favourably than English		✓				

5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity		✓				This is not impacted by the fact that a taxi user needs to pay more for a journey.
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment,			✓			The increase to the maximum permitted fare is quite low, but it is possible that if a taxi driver has an increase in pay, then it could lead to the driver purchasing a newer, more environmentally friendly vehicle.

such as air quality, flood alleviation, etc.						
--	--	--	--	--	--	--

6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
Long term - how the initiative supports the long term well-being of people	✓		The last increase to the maximum permitted fare was in April 2022. This means that taxi drivers have not had a pay increase for 2 years. The maximum permitted fare increase proposed attempts to strike a balance between ensuring that taxi drivers can earn a sufficient salary, whilst protecting those that are reliant on the use of taxis.
Integration - how the initiative impacts upon our wellbeing objectives	✓		<p>Taxi drivers build up experience and have training to identify and report safeguarding concerns (children and adults) and offer assistance to vulnerable people particularly those who are disabled and / or elderly.</p> <p>Taxi drivers also play an important role in ensuring a safe night time economy, providing an essential service for people to get home safely.</p> <p>Where taxi drivers are able to make a good living from driving taxis it will ensure that professional experienced drivers are retained with the service, taxi standards at kept high and ensure the availability of an efficient service that the public can rely on.</p>

Involvement - how people have been involved in developing the initiative	✓		Meetings have taken place between the licensing authority and the taxi associations and unions. If the proposed increase is approved, then a public notice must be published that allows the public to make comments in respect of the proposal. Any comments received would then need to be considered prior to implementation.
Collaboration - how we have worked with other services/organisations to find shared sustainable solutions	✓		Meetings have taken place between the licensing authority and the taxi associations and unions to try and agree an appropriate increase to maximum permitted fare.
Prevention - how the initiative will prevent problems occurring or getting worse	✓		<p>An increase to the maximum permitted fare for hackney carriages will lead to an increase in the amount it costs to hire a taxi in Neath Port Talbot. It will therefore affect any person that uses taxis, regardless of whether they have a protected characteristic.</p> <p>Taxis play an important role in an integrated transport network, and are often an essential mode of transport for enabling people to access local services and health care. In addition, a vibrant day and night time economy relies on taxis to ensure that people are transported safely to and from venues.</p> <p>Where taxi drivers are able to make a good living from driving taxis it will ensure that professional experienced drivers are retained with the service, taxi standards at kept high and ensure the availability of an efficient service that the public can rely on.</p>

7. Declaration - based on above assessment (tick as appropriate):

A full impact assessment (second stage) is not required	✓
Reasons for this conclusion	

There doesn't appear to be any studies / research carried out in relation to taxi usage which can be referenced when making some of the assumptions in this assessment. The proposal strikes a fair balance between an appropriate increase to pay for taxi drivers, whilst ensuring that those who most rely on taxi services are not overly affected. It is anticipated that an increase in the cost of using taxis would most impact those who have less mobility e.g. the elderly, disabled, but would also impact those that rely on taxis and have low incomes. It is considered however, a full impact assessment is not necessary in this instance, as the increase to the maximum permitted fare proposed in the report is consistent with the increases in the cost of living, particularly since there has been no increase to the maximum permitted fare since April 2022.

A full impact assessment (second stage) is required	
Reasons for this conclusion	

	Name	Position	Signature	Date
Completed by	Neil Chapple	Legal Regulatory Manager	Neil Chapple	9/4/24
Signed off by	Craig Griffiths	Head of Service/Director	Craig Griffiths	9/4/24

This page is intentionally left blank

By virtue of paragraph(s) 12 of Part 4 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank