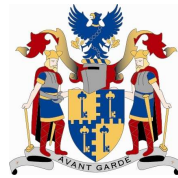


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LICENSING COMMITTEE AGENDA

Membership: Councillor Johnson (Chairman)

Councillors Branson, Brown, Farrow, Gibb-Gray, Hunt, Kennedy (Vice-Chairman), Mackey, Shimbart, Mrs Smallcorn, Smith K, Tarrant and Wilson

Meeting: Licensing Committee

Date: Wednesday 12 June 2013

Time: 5.00 pm

Venue: Hollybank Room, Public Service Plaza, Civic Centre Road,
Havant, Hants PO9 2AX

The business to be transacted is set out below:

Jo Barden-Hernandez
Service Manager – Legal & Democratic Services

4 June 2013

Contact Officer: Penny Milne (023) 9244 6234
Email: penny.milne@havant.gov.uk

Page

PART 1 (Items open for public attendance)

1. Apologies

To receive and record any apologies for absence.

2. Minutes

1 - 4

To confirm the minutes of the meetings of the Licensing Committee held on 31 October 2012 and 8 May 2013 (attached)

3. Matters Arising

To consider any matters arising from the minutes of the last meeting

4. Declarations of Interests

To receive and record any declarations of interests from members present in respect of any of the various matters on the agenda for this meeting.

5. Chairman's Report

The Chairman to report the outcome of meetings attended or other information arising since the last meeting of the Committee

6. Minutes of the Licensing Sub-Committee 5 - 12

To approve the minutes of the meeting of the Licensing Sub-Committee held on 12 April 2013.

7. Proposed Hackney Carriage Fare Increase 13 - 44

PART 2 (Confidential Items)

None

GENERAL INFORMATION

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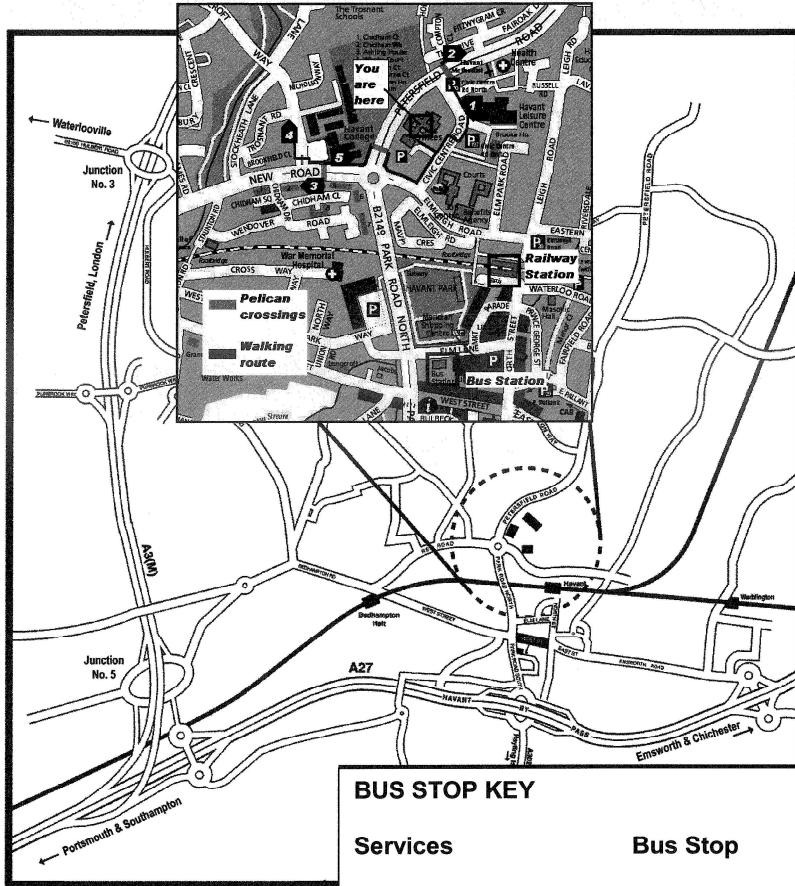
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THE BOROUGH COUNCIL OF HAVANT

At a meeting of the Licensing Committee held on 31 October 2012

Present:

Councillor M Johnson (In the Chair)
Councillors Branson, R Brown, Mrs H Farrow, J Hunt, O Kennedy, G Shimbart,
Mrs M Smallcorn, M Wilson and Wride

13 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Caren Tarrant.

14 MINUTES

RESOLVED that the minutes of the meeting of the Licensing Committee held on 25 September 2012 be approved as a correct record.

15 MATTERS ARISING

There were no matters arising from the minutes of the last meeting.

16 DECLARATIONS OF INTERESTS

There were no declarations of interest from any of the members present.

17 CHAIRMAN'S REPORT

There were no matters the Chairman wished to report.

18 WARD MEMBERS ON LICENSING SUB-COMMITTEES

At the request of the Committee (minute 10/09/2012 refers) the Solicitor to the Committee provided information about Councillors' rights under the legislation to sit on Licensing Sub-Committee when determining applications from premises within their ward.

RESOLVED that members be prohibited from sitting on Licensing Sub-Committees where an application before the Sub-Committee relates to premises situated within the member's ward or in a ward where the member resides.

19 LATE NIGHT LEVY

The Committee received a report setting out details of the new Late Night Levy. The Committee was asked to consider whether to proceed with a consultation on the introduction of the Levy, to charge premises authorised to sell alcohol (on and off

trade) between 12am and 6am, after considering the need for the Levy and the likely income and costs if it is introduced.

The Committee noted that, if it was minded not to introduce the Late Night Levy at the present time, this could be revisited at a later date if necessary.

RESOLVED that the Late Night Levy not be implemented at this time.

The meeting commenced at 5.00 pm and concluded at 5.24 pm

HAVANT BOROUGH COUNCIL

At a meeting of the Licensing Committee held on 8 May 2013

Present

Councillor Johnson (Chairman)

Councillors Branson, Farrow, Gibb-Gray, Shimbart, Mrs Smallcorn and Wilson

1. Apologies

Apologies for absence were received from Councillors J Hunt, O Kennedy, C Mackey, K Smith, C Tarrant and R Brown.

2. Declarations of Interests

There were no declarations of interest from any of the members present.

3. Licensing Act 2003 - Appointment of Licensing Sub-Committee

RESOLVED that:

- (1) functions under the Licensing Act 2003 be delegated to the Licensing Sub-Committee with terms of reference as set out in paragraph 3.3 of the report; and
- (2) the following five Councillors be appointed to stand as Chairmen of the Licensing Sub-Committee on a rotating basis in 2013/14:

Councillors Mrs H Farrow, M Johnson, G Shimbart, K Smith and M Wilson

The meeting commenced at 2.00 pm and concluded at 2.02 pm

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THE BOROUGH COUNCIL OF HAVANT

At a meeting of the Licensing Sub-Committee held on 12 April 2013.

Present:

Councillor M Johnston (in the Chair)
Councillors: B Gibb-Gray and Mrs M Smallcorn

For the Owners:

Mr Patel - Owner
Mrs Patel - Owner
Mr Walsgrove - Solicitor for the Applicant

For the Applicants for the Review:

Mr Worrall - Hampshire County Council Trading Standards
Mr Lawford - Hampshire County Council Trading Standards

Officers:

Hannah Newbury - Senior Solicitor
Hannah Goodman - Senior Goodman
Lorna Read - Licensing Team Leader
Gerry Thorne - Licensing Officer
Mark Gregory - Democratic Services Officer
Tristan Fieldsend - Democratic Services Assistant

1 DECLARATIONS OF INTERESTS

There were no declarations of interests from any of the members present.

INTRODUCTION AND PROCEDURE

Prior to hearing the applications for review the Chairman outlined the procedure for the hearings (Minutes 2 and 3) and confirmed that a permanent record of the proceedings would be kept. The Chairman asked if anyone wished to withdraw their representations. No representations were withdrawn.

Mr Walsgrove confirmed that he wished to address the hearings on behalf of Mr and Mrs Patel.

Mr Worrall and Mr Lawford confirmed that that they wished to address the hearings on behalf of Hampshire County Trading Standards.

All parties agreed to Ms H Goodman, Assistant Solicitor, and Mr T Fieldsend, Democratic Service Assistant, accompanying the Sub Committee when it retired to determine the hearings for observation and training purposes only.

2 APPLICATION FOR REVIEW OF PREMISES LICENCE, SELECT AND SAVE, 126-128 PARK HOUSE WAY, LEIGH PARK

The following documents were submitted to the Sub-Committee:

- (i) A report from the Licensing Officer;
- (ii) Notice of Hearing and enclosures;
- (iii) Application for a Review;
- (iv) Statement submitted by the Police;
- (v) Statement submitted by the Licence Holder; and
- (v) Steps agreed by the licence holder, Hampshire County Council Trading Standards and the Council's Licensing Team.

The Licensing Officer presented his report to the Sub-Committee and gave an outline of the application and the representations received. In response to a question raised by Mr Walsgrove and after receiving clarification from Mr Worall, the Licensing Officer withdrew his comments relating to the continued absence of Mr Patel from the premises.

Both parties were invited to make representations to the Sub-Committee in relation to the application. Both parties responded to members' questions and were given an opportunity to ask questions of each other.

In response to a question raised by Ms Newbury, Mr Walsgrove confirmed that in the event that the Council agreed to the steps set in (v) above, Mr. and Mrs. Patel would undertake to apply for Mrs Patel to replace Mr. Patel as the Premises Licence Holder during the twenty one day appeal period.

3 APPLICATION FOR REVIEW OF PREMISES LICENCE, STOP AND SHOP, 407 MIDDLE PARK WAY, LEIGH PARK

The following documents were submitted to the Sub-Committee:

- (i) A report from the Licensing Officer;
- (ii) Notice of Hearing and enclosures;
- (iii) Application for a Review;
- (iv) Statement submitted by the Police;

- (v) Statement submitted by the Licence Holder; and
- (v) Steps agreed by the licence holder, Hampshire County Council Trading Standards and the Council's Licensing Team.

The Licensing Officer presented his report to the Sub-Committee and gave an outline of the Application and the representations received.

Both parties were invited to make representations to the Sub-Committee in relation to the application. Both parties responded to members' questions and were given an opportunity to ask questions of each other.

In response to a question raised by Ms Newbury, Mr Walsgrove confirmed that in the event that the Council agreed to the steps set in (v) above, Mr. and Mrs. Patel would undertake to apply for Mrs Patel to become the Premises Licence Holder and the Designated Premises Supervisor in place of Mr. Patel during the twenty one day appeal period.

**The Sub-Committee adjourned from 10.22am until 11.06 am
to consider the Application**

RESOLVED that

- (A) having accepted the undertaking by Mr. and Mrs Patel that an application would be submitted by Mrs Patel to become the Premises Licence Holder for Select and Save, 126-128 Park House Farm, and having considered the application for review by Hampshire County Council Trading Standards, the following steps be undertaken in relation to Select and Save:
 - (a) The premises licence be suspended for a period of twenty eight days from the date this decision comes into effect under Section 52(11) of the Licensing Act 2003 (as amended)
 - (b) The premises licence be amended to include the following conditions:
 - (1) Any member of staff who is authorised to sell alcohol at the premises will pass the Level 2 BIIAB Award for personal licence holders course or equivalent course within 3 months of the commencement of their employment, or within such other period of time agreed by Hampshire County Council Trading Standards Department. Thereafter the member of staff will receive refresher training regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication, every 6 months. Records of this training will be kept which should be signed and dated by the member of staff who received that training. All training records will be made available immediately upon the request of Hampshire Constabulary or any other

responsible authority. Training records will be kept on the licensed premises to which they relate for a minimum period of two years.

- (2) The designated premises supervisor will pass the Level 1 BIIAB Designated Premises Supervisor course or equivalent within 3 months of their appointment as the Designated Premises Supervisor.
- (3) A written log shall be kept of all refusals of age restricted products, including refusals to sell alcohol. This log will also record the sale of alcohol where the Challenge 25 policy has been applied and the customer has then produced appropriate identification allowing the sale to conclude. The premises licence holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the designated premises supervisor. The refusal log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any other responsible authority. Records of refusals will be retained for 12 months.
- (4) There will be a challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual who visually appears to be under the age of 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older. Acceptable identification for the purpose of age verification will include a driving licence, passport or photograph bearing the "PASS" logo and the persons date of birth. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person. Challenge 25 posters shall be displayed in prominent positions at the premises.
- (5) The premises shall have sufficient cameras located within the premises to cover all public areas including the outside of the premises covering the entrance and exit.
- (6) The premises shall have a CCTV system which shall include the following features:
 - (i) The system will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside areas.
 - (ii) CCTV warning signs to be fitted in public places. The CCTV system must be operating at all times whilst the premises are open for licensable activity.

- (iii) All equipment shall have a constant and accurate time and date generation.
- (iv) The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
- (v) The premises licence holder must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with i.e. password protected.
- (vi) Viewable copies of CCTV footage will be supplied to the police within 24 hours of their request. Any images recovered must be in a viewable format on either disc or VHS. Footage supplied in a digital format on CD or DVD will also have a copy of the CCTV system software enabled on the disc to allow playback.
- (vii) In the event of a technical failure of the CCTV equipment the premises licence holder or designated premises supervisor must report the failure to the police licensing unit within 24 hours.

The Sub Committee was satisfied that the above steps and additional conditions would adequately address the concerns raised by the Police and Hampshire County Trading and were proportionate.

The Sub Committee was satisfied that the additional conditions were necessary to promote the following licensing objectives:

- (1) crime and disorder;
 - (2) protection of children from harm; and
 - (3) prevention of public nuisance.
- (B) having accepted the undertaking by Mr. and Mrs Patel that an application would be submitted for Mrs Patel to replace Mr. Patel as the Premises Licence Holder and Designated Licence Holder of Stop and Shop, 407 Middle Park Way, and having considered the application for review by Hampshire County Council Trading Standards, the following steps be undertaken in relation to Stop and Shop:
- (a) The premises licence be suspended for a period of twenty eight days from the date this decision comes into effect under Section 52(11) of the Licensing Act 2003 (as amended);
 - (b) The current Designated Premises Supervisor be removed; and

- (c) The premises licence be amended to include the following conditions:
- (1) Any member of staff who is authorised to sell alcohol at the premises will pass the Level 2 BIIAB Award for personal licence holders course or equivalent course within 3 months of the commencement of their employment, or within such other period of time agreed by Hampshire County Council Trading Standards Department. Thereafter the member of staff will receive refresher training regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication, every 6 months. Records of this training will be kept which should be signed and dated by the member of staff who received that training. All training records will be made available immediately upon the request of Hampshire Constabulary or any other responsible authority. Training records will be kept on the licensed premises to which they relate for a minimum period of two years.
 - (2) The designated premises supervisor will pass the Level 1 BIIAB Designated Premises Supervisor course or equivalent within 3 months of their appointment as the Designated Premises Supervisor.
 - (3) A written log shall be kept of all refusals of age restricted products, including refusals to sell alcohol. This log will also record the sale of alcohol where the Challenge 25 policy has been applied and the customer has then produced appropriate identification allowing the sale to conclude. The premises licence holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the designated premises supervisor. The refusal log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any other responsible authority. Records of refusals will be retained for 12 months.
 - (4) There will be a challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual who visually appears to be under the age of 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older. Acceptable identification for the purpose of age verification will include a driving licence, passport or photograph bearing the "PASS" logo and the persons date of birth. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person. Challenge 25 posters shall be displayed in prominent positions at the premises.

- (5) The premises shall have sufficient cameras located within the premises to cover all public areas including the outside of the premises covering the entrance and exit.
- (6) The premises shall have a CCTV system which shall include the following features:
 - (i) The system will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside areas.
 - (ii) CCTV warning signs to be fitted in public places. The CCTV system must be operating at all times whilst the premises are open for licensable activity.
 - (iii) All equipment shall have a constant and accurate time and date generation.
 - (iv) The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
 - (v) The premises licence holder must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with i.e. password protected.
 - (vi) Viewable copies of CCTV footage will be supplied to the police within 24 hours of their request. Any images recovered must be in a viewable format on either disc or VHS. Footage supplied in a digital format on CD or DVD will also have a copy of the CCTV system software enabled on the disc to allow playback.
 - (vii) In the event of a technical failure of the CCTV equipment the premises licence holder or designated premises supervisor must report the failure to the police licensing unit within 24 hours.

The Sub Committee was satisfied that the above steps and additional conditions would adequately address the concerns raised by the Police and Hampshire County Trading and were proportionate.

The Sub Committee was satisfied that the additional conditions were necessary to promote the following licensing objectives:

- (1) crime and disorder;
- (2) protection of children from harm; and

(3) prevention of public nuisance.

(After the decisions had been read to the parties, Mr. Lawford queried the licensing objectives which had been referred to in the decisions, as protection of children from harm, on which the reviews were based, had not been mentioned. Accordingly in the presence of and with the agreement of the parties the Sub-Committee amended reference in both decisions to crime and disorder, protection of children from harm, and prevention of public nuisance. The decisions set out above are the decisions as amended.)

The meeting commenced at 09.00am and concluded at 11.12am

NON EXEMPT

HAVANT BOROUGH COUNCIL

Licensing Committee

12 June 2013

PROPOSED HACKNEY CARRIAGE FARE INCREASE

Report of: The Licensing officer

FOR DECISION YES

Environment and Neighbourhood Quality Portfolio: Councillor Collins

Key Decision: N/A

1.0 Purpose of Report

1.1 The purpose of this report is to consider a possible increase in Hackney Carriage fares.

2.0 Recommendation

2.1 That the Members decide which of options 1 to 5, as set out in paragraphs 4.9 to 4.13, they wish to pursue.

3.0 Summary

3.1 The licensing team was formally approached by a Hackney Carriage driver with a request for an increase in the fares that are charged.

3.2 A consultation of the members of the Hackney Carriage trade was conducted and out of forty possible responses, ten were in favour of an increase and ten were against it. The positive responses received are shown at appendix A and the negative responses at appendix B. The last fare increase was implemented in September 2008.

3.3 Currently a two mile journey in a Hackney Carriage licensed by Havant Borough Council costs a maximum of £5.40. The national average for a two mile Journey at the moment is £5.52 and the average amongst the Hampshire Licensing Authorities is £5.83.

3.4 The options detailed in this report are as follows:

- 1) No fare increase to be implemented.
- 2) 40 pence added to the flag drop for first 171 metres or part thereof and subsequent increments at 190 metres.
- 3) 20 pence added to the flag drop for first 171 metres or part thereof and subsequent increments at 190 metres.
- 4) 40 pence added to the flag drop for first 171 metres or part thereof.
- 5) Not to fix the maximum fare for hackney carriages.

4.0 Subject of Report

- 4.1** Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 states that “a District Council **may** fix the rates or fares within the district as well for time as distance, and all other charges in connection with the hire of a vehicle or with the arrangements for the hire of a vehicle, to be paid in respect of the hire of hackney carriages by means of a table (hereafter in this section referred to as a “table of fares”) made or varied in accordance with the provisions of this section.”)
- 4.2** By ‘fixing’ the fares, the Council is effectively setting the maximum fare that hackney carriages can charge. Legally, hackney carriage drivers may charge less than this rate but may not charge more than this rate. In practice, it is customary for hackney carriage drivers to set the fares at the rate fixed by the Council.
- 4.3** There is no requirement to consult with the trade but it is considered good practice to do so.
- 4.4** A survey of the 40 hackney carriage drivers was carried out but there was no consensus of opinion. Only 20 drivers returned the survey form of which 10 were for a change and 10 against a change.
- 4.5** From the drivers against the fare increase, the consensus of opinion was that the charges made by Hackney Carriages are already more than the fares charged by private hire operators and any further increase would result in further loss of business by further reducing the small amount of customers currently using their services.
- 4.6** The drivers in favour of an increase had the general opinion that there has not been a fare increase for 5 years and other charges, such as licence fees and fuel costs, have increased steadily over that same period.
- 4.7** From those drivers in favour of an increase they were asked for their suggestions for the way the fare should be increased. Three options were suggested and are shown below as options 2, 3 and 4.
- 4.8** The following options should be considered:-
- 4.9 Option 1**
- Leave the fare charges as they are currently due to the low number of responses to the consultation. The Committee may not consider it appropriate to change the current fare maximum given that only 25% of drivers actively support an increase.
- 4.10 Option 2 – (4 out of 10 in favour of this option)**
- The request is for a 40p increase in the ‘flag drop’ from £2.40 to £2.80 which is the charge for the first 171 metres or part thereof.
- Each successive increase in fare of 20p to be charged at 190 metres instead of every 210 metres.
- All other charges to remain the same.

The proposed fare structure is given below with the current figures in ***bold italics***:

<u>Distance</u>	<u>Charge</u>
For the first 171 metres or part thereof (minimum charge)	£2.80 (<i>£2.40</i>)
For each succeeding 190 metres (<i>210 metres</i>) or part thereof	£0.20

Waiting Time and Extra Charges would remain unchanged.

If this option is approved, the increases would be as follows:

Proposed Hackney Carriage fare increase

Fare Comparisons

	<u>Current Fare</u>	<u>Proposed Fare</u>	<u>Increase</u>	<u>% Increase</u>
First 171 mtrs	£2.40	£2.80	£0.40	16.67%
Per mile	£1.60	£1.80	£0.20	12.5%
1 mile	£3.80	£4.40	£0.60	15.8%
2 miles	£5.40	£6.20	£0.80	14.8%

NB: These figures assume taxi is moving at all times and do not take account of any standing time, for which there is no increase applied for. This is charged at £0.20 a minute. Any waiting time during the journey would have the effect of reducing the % increase.

Figures have been rounded to the nearest whole number.

4.11 Option 3 – (2 out of 10 in favour of this option)

The request is for a 20p increase in the ‘flag drop’ from £2.40 to £2.60 which remains at 171 metres or part thereof.

Each successive increase in fare of 20p is then requested at 190 metres instead of every 210 metres.

All other charges to remain the same.

The proposed fare structure is given below with the current figures in ***bold italics***:

<u>Distance</u>	<u>Charge</u>
For the first 171 metres or part thereof	£2.60 (<i>£2.40</i>)

(minimum charge)

For each succeeding 190 metres (**210 metres**) £0.20
or part thereof

Waiting Time and Extra Charges would remain unchanged.

If this option is approved, the increases would be as follows:

Proposed Hackney Carriage fare increase

Fare Comparisons

	<u>Current Fare</u>	<u>Proposed Fare</u>	<u>Increase</u>	<u>% Increase</u>
First 171 mtrs	£2.40	£2.60	£0.20	8.33%
Per mile	£1.60	£1.80	£0.20	12.5%
1 mile	£3.80	£4.20	£0.40	10.5%
2 miles	£5.40	£6.00	£0.60	11.1%

NB: These figures assume taxi is moving at all times and do not take account of any standing time charge of £0.20 per 60 seconds, for which there is no increase applied for. Any waiting time would have the effect of reducing the % increase.

Figures have been rounded to the nearest whole number.

4.12 Option 4 – (4 out of 10 in favour of this option)

The request is for a 40p increase in the ‘flag drop’ from £2.40 to £2.80 which remains at 171 metres or part thereof.

Each successive increase in fare of 20p would remain at each 210 metres.

All other charges to remain the same.

The proposed fare structure is given below with the current figures in ***bold italics***:

<u>Distance</u>	<u>Charge</u>
For the first 171 metres or part thereof (minimum charge)	£2.80 (£2.40)
For each succeeding 210 metres or part thereof	£0.20

Waiting Time and Extra Charges would remain unchanged.

If this option is approved, the increases would be as follows:

Proposed Hackney Carriage fare increase

Fare Comparisons

	<u>Current Fare</u>	<u>Proposed Fare</u>	<u>Increase</u>	<u>% Increase</u>
First 171 mtrs	£2.40	£2.80	£0.40	16.67%
Per mile	£1.60	£1.60	£0.00	0%
1 mile	£3.80	£4.20	£0.40	10.5%
2 miles	£5.40	£5.80	£0.40	7.4%

NB: These figures assume taxi is moving at all times and do not take account of any standing time, for which there is no increase applied for. Any waiting time would have the effect of reducing the % increase.

Figures have been rounded to the nearest whole number.

4.13 Option 5

This option would involve removing the current maximum fares that have formally been applied. This would leave the hackney carriage proprietors free to set their own level of charges unconstrained by a maximum rate.

They would have to produce a fare card which would have to be permanently displayed and adhered to. They would continue to have their meters tested as they do currently.

The possibility of deregulating the fares was not part of the driver consultation however it is an option

Local Authorities are not obliged to fix the maximum fare but all have chosen to do so.

Should the members choose to not fix the fares it would be left to the hackney carriage proprietor / driver to set their own fare table. They would also have the option of changing the charges as and when they see fit. This would create confusion for customers and on the ranks as people look for the cheapest fare. For each change, the meter would have to be rechecked by a Council Officer in order to ensure that the correct fare is being charged in accordance with the fare tables. This could create a large increase in officer time spent testing meters.

4.14 If the Members decide not to implement a fare increase then no further action needs to be taken.

4.15 Should the Members be minded to authorise one of options 2 to 5 then the following procedure will be initiated:

1. The Solicitor to the Council be instructed to initiate the necessary statutory procedure to lead to the variation in the rate of fares as

proposed above.

2. Any objections to the above proposals following the newspaper advertisement be considered by this Committee at its next meeting.
3. If there are no objections within 28 days of the advertisement being published then the increase can be implemented at a date to be set by this Committee.

4.16 It should be noted that the meters must be calibrated to the maximum fare and the maximum fare must be displayed. However, technically a driver may still choose to charge less than that shown on the meter, by providing a discounted fare, if he wishes. It is not customary for drivers to choose to follow this course as it risks causing friction in the trade.

5.0 Implications

5.1 Resources:

HBC will have to pay approximately one hundred pounds to advertise the proposed fare change.

Subsequently, if the proposed fare change goes ahead, proprietors will have to pay for recalibration of the hackney carriage meters by a specialist at a cost of £20.00 each.

HBC Staff will be required to carry out tests to ensure that Hackney Carriage meters have been calibrated correctly to reflect any changes in the fares charged. This is about 8 officer hours.

5.2 Legal:

A statutory notice displaying any proposed increase is required to be placed in a local newspaper.

Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 provides the powers for local authorities to set maximum fares for hackney carriages.

5.3 Strategy:

The principles in the HBC corporate strategy state that:

‘Our services will be affordable for customers and sustainable for the council’ and

‘We will seek to fulfil our regulatory responsibilities with fairness and sensitivity to the needs of local businesses in a joined-up way’

5.4 Risks:

None

5.5 Communications:

Members / drivers of the Hackney Carriage trade were consulted and asked whether they wanted a fare increase. Responses are shown at appendices A and B.

5.6 For the Community:

None

5.7 The Integrated Impact Assessment (IIA) has been completed and concluded the following:

An increase in the fare charges could affect customer access to this service for economic reasons. (IIA shown at Appendix C)

5.8 Consultation

Members / drivers of the Hackney Carriage trade were consulted and asked whether they wanted a fare increase. Responses are shown at appendices A and B.

Appendix A – Copies of positive responses to the consultation.

Appendix B – Copies of negative responses to the consultation.

Appendix C – Integrated Impact Assessment

Agreed and signed off by:

Legal Services: 01/05/2013

Executive Head of Governance & Logistics: 13/05/2013

Relevant Executive Head: 13/05/2013

Portfolio Holder: N/A

Contact Officer: Steve Abolins
Job Title: Licensing Officer
Telephone: 02392 446657
E-Mail: stephen.abolins@havant.gov.uk

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CONSULTATION

Do you agree that the Hackney Carriage fares should be increased?

YES / ~~NO~~

If Yes, please indicate what increase you would prefer:

1) 20p increase on the flag drop only.

~~YES~~ / NO

2) 40p increase to the flag drop only.

YES / ~~NO~~

3) Any other suggestions:

Stop Andicars nitting on the pick-up zone or a do nothing about it.

None of them have a if any have a full UK driving licence. Due to this they can do what they bloody well want.

You idiot's let them become into a job that says they're a fit & proper person & what a crack of crap!

They are exploited & used for profit.

They can run people over & cannot get points - parking tickets etc etc. A Joke. Laure of You.

HAVANT BOROUGH
COUNCIL
27 MAR 2013
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CONSULTATION

Do you agree that the Hackney Carriage fares should be increased?

YES / ~~NO~~ YES UP TO 9.9%

If Yes, please indicate what increase you would prefer:

1) 20p increase on the flag drop only. ~~REDUCE~~ Mts.

YES / ~~NO~~

2) 40p increase to the flag drop only.

YES / ~~NO~~

3) Any other suggestions:

My suggestion is: A 10% RISE OVERALL (APPROX)

MADE UP BY 20P ON FLAG DROP AS ABOVE

PUS A REDUCTION FROM 210 MTS TO 190 MTS

THESE ARE BOTH SLIGHTLY LESS THAN 10%

TO THE FLAG DROP AND THE ROLLING CHARGE

THUS GIVING AN OVERALL INCREASE JUST UNDER 10% WHICH I BELIEVE WOULD BE ACCEPTABLE TO THE MARKET.

(10% IN 5 YRS = APPROX $\lt 2\%$ P/ANNUM. (LESS COMPOUNDING))

ANY INCREASE IS APPROVED BY ME UP TO 10% MAX.

CONSULTATION

Do you agree that the Hackney Carriage fares should be increased?

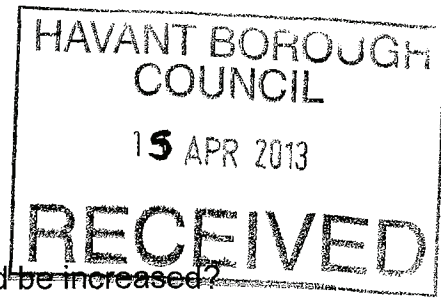
YES NO

If Yes, please indicate what increase you would prefer:

- 1) 20p increase on the flag drop only. YES / NO
- 2) 40p increase to the flag drop only. YES / NO
- 3) Any other suggestions:

FLAG DROP. TO BE INCREASED BY
40p TO 2.80 AND A RISE OF 20p
190 MTRS

WE NEED MORE WORKABLE RANKS
STOP PRIVATE HIRE SITTING ON EVERY
STREET CORNER. AND INTERCEPTING OUR
FLAG DOWNS AND EVEN OUR WALK UPS
I.E HAVANT BUS STATION, AND HAVANT
TOWN CENTRE, ST GEORGE WALK WATERLOO
AND MANY OTHER PLACES. BECAUSE THEY
ARE PICKING UP ILLEGALLY AND HAVE GREAT
PLEASURE IN TELLING YOU THEY PICKUP.



CONSULTATION

Do you agree that the Hackney Carriage fares should be increased?

YES / ~~NO~~

If Yes, please indicate what increase you would prefer:

1) 20p increase on the flag drop only.

YES / NO

2) 40p increase to the flag drop only.

YES / ~~NO~~

3) Any other suggestions:

CONSULTATION

Do you agree that the Hackney Carriage fares should be increased?

YES / NO

If Yes, please indicate what increase you would prefer:

1) 20p increase on the flag drop only.

YES / NO

2) 40p increase to the flag drop only.

YES / NO

3) Any other suggestions:

FLAG DROP TO BE INCREASED BY 40P TO 2-80 AND
A RISE OF 20P 190MTRS.

WE NEED MORE WORKABLE RANKS. NOT ONES WHERE
YOU SIT FOR MORE THAN 30MINS TO GET A JOB OR EVEN MORE
STOP PRIVATE HIRE SITTING EVERYWHERE AND TAKING AWAY
FLAG DOWNS AND EVEN WALK UPS.

IE HOWANT BUS STATION, HOWANT TOWN CENTRE
OUTSIDE ST GEORGES QUAY HOTEL/CAVUE

CONSULTATION

Do you agree that the Hackney Carriage fares should be increased?

YES NO

If Yes, please indicate what increase you would prefer:

1) 20p increase on the flag drop only.

YES / NO

2) 40p increase to the flag drop only.

YES NO

3) Any other suggestions:



CONSULTATION

Do you agree that the Hackney Carriage fares should be increased?

YES / ~~NO~~

If Yes, please indicate what increase you would prefer:

1) 20p increase on the flag drop only.

~~YES~~ / NO

2) 40p increase to the flag drop only.

YES / ~~NO~~

3) Any other suggestions:



CONSULTATION

Do you agree that the Hackney Carriage fares should be increased?

YES / NO ✓

If Yes, please indicate what increase you would prefer:

1) ~~20p increase on the flag drop only.~~

~~YES / NO~~

2) 40p increase to the flag drop only.

YES / NO ✓

3) Any other suggestions:

FOR EVERY 190 METRES 20P / NOT 210 METRES

CONSULTATION

Do you agree that the Hackney Carriage fares should be increased?

YES / ~~NO~~

If Yes, please indicate what increase you would prefer:

1) ~~20p increase on the flag drop only.~~ YES / NO

2) 40p increase to the flag drop only. YES / ~~NO~~ ✓

3) Any other suggestions: 171 metres £2.80

190 metres 20p

or
very

CONSULTATION



Do you agree that the Hackney Carriage fares should be increased?

YES / NO

If Yes, please indicate what increase you would prefer:

1) 20p increase on the flag drop ~~only~~

YES / NO

2) 40p increase to the flag drop only.

YES / NO

3) Any other suggestions:

I accept the 20p increase

But would suggest a drop of
20 meters off the mileage

If this is not acceptable

I would like a straight
40p increase on the flag drop.

22 MAR 2013

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CONSULTATION

Do you agree that the Hackney Carriage fares should be increased?

YES / NO

If Yes, please indicate what increase you would prefer:

1) 20p increase on the flag drop only.

YES / NO

2) 40p increase to the flag drop only.

YES / NO

3) Any other suggestions:

14. Some. ~~Free~~ THEY NEED MORE INCOME - MAYBE A
20p ~~flag~~ SURCHARGE PUT ON AS AN EXTRA AT THE START
OF EACH JOURNEY. MAY DO. - ALL THIS WOULD NEED A
SIGN FROM YOURSERVES. TO PUT ON DASHBOARD - SAVING
YOU & US TIME & MONEY HAVING THE METER CHANGED.

ALSO 14 SOME WERE MORE FRIENDLY WITH ALL
CUSTOMERS THEY MAY FIND ONE EXTRA JOB A DAY
WILL BE MORE THAN ANY PAY RISE !!!

I WOULD ALSO SUPPORT THE FLAG DROP
AFTER MIDNIGHT BEING REDUCED TO DAY RATE AS
SOMETIMES SEEING £3.60 FLAG DROP CAN BE A BAD
START TO SOME JOURNEY.

CONSULTATION

Do you agree that the Hackney Carriage fares should be increased?

~~YES~~ / NO

No

If Yes, please indicate what increase you would prefer:

1) 20p increase on the flag drop only.

YES / NO

2) 40p increase to the flag drop only.

YES / NO

3) Any other suggestions:

CONSULTATION

Do you agree that the Hackney Carriage fares should be increased?

/ NO

If Yes, please indicate what increase you would prefer:

1) 20p increase on the flag drop only. YES / NO

2) 40p increase to the flag drop only. YES / NO

3) Any other suggestions:

A change of cabs perhaps?

comment

CONSULTATION

Do you agree that the Hackney Carriage fares should be increased?

YES NO



If Yes, please indicate what increase you would prefer:

1) 20p increase on the flag drop only.

YES / NO

2) 40p increase to the flag drop only.

YES / NO

3) Any other suggestions:

Though as for all drivers I would have a increase. But I am sure any increase will be of overall detriment to the rank and reduce driver income. we can only increase rates after an increase from the main private hire co's

CONSULTATION

HAVANT BOROUGH
COUNCIL

25 MAR 2013

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Do you agree that the Hackney Carriage fares should be increased?

~~YES~~ / NO

If Yes, please indicate what increase you would prefer:

1) 20p increase on the flag drop only.

YES / NO

2) 40p increase to the flag drop only.

YES / NO

3) Any other suggestions:

CONSULTATION

HAVANT BOROUGH
COUNCIL

19 MAR 2013

RECEIVED

Do you agree that the Hackney Carriage fares should be increased?

YES / NO

If Yes, please indicate what increase you would prefer:

1) 20p increase on the flag drop only.

YES / NO

2) 40p increase to the flag drop only.

YES / NO

3) Any other suggestions:

Quite happy with current rates -
we are still much more expensive
than private hire and any further hike
will widen the gap further

CONSULTATION

Do you agree that the Hackney Carriage fares should be increased?

~~YES~~ / NO

If Yes, please indicate what increase you would prefer:

1) 20p increase on the flag drop only.

~~YES~~ / NO

2) 40p increase to the flag drop only.

~~YES~~ / NO

3) Any other suggestions:

Prefer 20p on mile

CONSULTATION

Do you agree that the Hackney Carriage fares should be increased?

~~YES~~ / NO

If Yes, please indicate what increase you would prefer:

1) 20p increase on the flag drop only.

~~YES~~ / NO

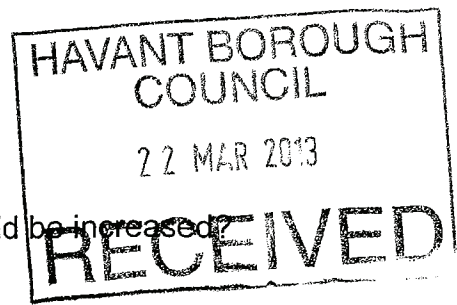
2) 40p increase to the flag drop only.

~~YES~~ / NO

3) Any other suggestions: PUBLIC AWARENESS THAT WE
ARE AT THE STATION.

PREFER 20p ON THE MILE

CONSULTATION



Do you agree that the Hackney Carriage fares should be increased?

~~YES~~ / NO

If Yes, please indicate what increase you would prefer:

1) 20p increase on the flag drop only.

YES / NO

2) 40p increase to the flag drop only.

YES / NO

3) Any other suggestions:

From:
Sent: 09 April 2013 14:53
To:
Subject: Re: Hi

Hi Penny,

Thanks for your email, that's fine.

Before I went away I forgot to put my completed form in the post that Steve sent me about a possible tariff change. With that in mind I would like you to take this email as my vote , If that's OK with you.

I would like to keep the current charges the same as any increase in the rates will only encourage people away from using hackneys and onto private hire.

Kind Regards,

Integrated Impact Assessment

In exploring options for service design and alternative methods, managers should consider the need to ensure that the Council is meeting its legal duties in respect of community safety, equalities, health & safety, safeguarding children & vulnerable adults. In addition they should consider council commitments toward sustainability, economic impact and consideration of the impact of changes on people living in both rural and urban areas.

Lead Assessor	Date	Who else involved	What is the Service/function/project/strategy?	Why/how is it changing?
Stephen Abolins	30/04/2013	N/A	Environmental Health/Taxi Licensing/Fare Increase	Proposed increase in Hackney Carriage Fare charges

Service Delivery	Yes	No	Explanation
1. Is this service provided elsewhere locally?		X	
2. Could this service be provided by the voluntary/community sector?		X	Statutory local authority function

Can this service be changed in ways that it:

Issue	+ve	-ve	Neutral	Explanation
Customer, Community & Equality				
3. Protects or improves the Health & Wellbeing of any section of the community			X	
4. Promotes community safety including reducing crime & anti social behaviour ¹			X	
5. Ensures it does not disadvantage any individuals on the basis of age, disability, gender reassignment, marriage/civil partnership, maternity/pregnancy, race, religion/belief, sex or sexual orientation ²			X	
6. Advances equality of opportunity between those who share the characteristics in Q5 and those who do not			X	
7. Promotes a vibrant, inclusive and cohesive community by: enabling and encouraging everyone to engage with the council and its partners and take part in community/voluntary activities			X	
8. Retains or improves access to use, local shops, services, facilities and leisure/recreation services		X		Increase in fare charges could reduce affordability
9. Is designed to reduce the inequalities of outcome which result from socio-economic disadvantage		X		Increase in fare charges could reduce affordability

10. Does not disadvantage current or former armed service personnel, their families or veterans ³			X	
11. Contributes positively to perceptions of Place, eg, affordable and resource/energy efficient housing needs that meets everyone's needs			X	
Economic				
12. Provides or supports local employment opportunities			X	
13. Provides opportunities for, supports and develops local Third Sector (voluntary and not-for-profit) organisations and/or SME's?			X	
14. creates, improves or supports local education, training or work experience opportunities			X	
Health & Safety				
15. Impacts on the Health & Safety of employees, contractors, service users or the public			X	
16. Improves the H&S of employees, contractors, service users or the public			X	
Rural Communities				
17. Supports or enhances access to transport, public services, educational, leisure or recreational opportunities in rural areas		X		Increase in fare charges could reduce affordability
18. Sustains, develops or improves rural infrastructure including: buildings, transport (including foot and cycle paths), energy and electronic infrastructure			X	
19. Protects or develops land-based and other rural businesses and sustain or create jobs in rural areas			X	
20. Supports or develops the capacity and capabilities of rural organisations in all sectors to deliver services, work in partnership and support community activities			X	
Safeguarding Children & Vulnerable Adults				
21. Promotes and complies with the safeguarding policy & procedures			X	
22. Prevents or reduces the risk of children or adults becoming victims of domestic abuse ⁴			X	
Sustainability				
23. Impacts on the carbon footprint of the Borough/District, i.e. energy and transport use			X	
24. Supports the ability to adapt to a changing climate or be resilient to its longer term impacts i.e. hotter summers, extreme weather events, flooding and sea level rise			X	

25. Promotes sustainable use of resources i.e. using resources such as water, land and minerals efficiently, minimising pollution, promoting re-use and recycling, and encouraging sustainable consumption or production			X	
26. Conserves the natural environment by protecting and enhancing: biodiversity, species, natural habitats and green space, and landscapes			X	
Assessment Conclusion		Explanation		
27. Can any negative impacts be mitigated?	No. Any increase in fares reduces affordability			
28. Can any positive impacts be enhanced?	N/A			
29. Do you need to seek more information to conclude?	No			
30. Do you need to carry out a further assessment, such as a health & Safety or Customer & Equality Impact Assessment? If so please state why.	No			
31. Assessment Summary (this can be copied onto your committee report template). Ensure decision makers are fully aware of the potential impact of their decisions. Should the committee approve options that allow for an increase in fares this will have an impact upon affordability that could impact on local transport, access and have an economic impact upon users.	Head of Service sign off (title)..... Date.....			

¹ Section 17 of the Crime and Disorder Act requires all local authorities, including joint authorities and police authorities, to consider crime and disorder reduction while exercising all their duties

² These are the “protected characteristics” identified in the Equality Act 2010 which came into force on 1st October 2010 and replaced earlier equality legislation. The council has legal duties to:

- Eliminate discrimination
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

N.B. Services may lawfully treat individuals or groups differently if that is necessary to meet their different needs.

³ Those associated with the armed forces may experience isolation. Some families have a parent away from the area for long periods of time. Can single person discounts apply? How are you communicating the benefits of what you are assessing to people associated with the armed forces? Did you know we have a web page that could help?

⁴ A vulnerable adult is a person who is aged 18 years or older and:

- is living in residential accommodation, such as a care home or a residential special school;
- is living in sheltered housing;
- is receiving domiciliary care in his or her own home;
- is receiving any form of health care;
- is detained in a prison, remand centre, young offender institution, secure training centre or attendance centre or under the powers of the Immigration and Asylum Act 1999;
- is in contact with probation services;
- is receiving a welfare service of a description to be prescribed in regulations;
- is receiving a service or participating in an activity which is specifically targeted at people with age-related needs, disabilities or prescribed physical or mental health conditions. (age-related needs includes needs associated with frailty, illness, disability or mental capacity)
- is an expectant or nursing mothers living in residential care
- is receiving direct payments from a local authority/HSS body in lieu of social care services;
- requires assistance in the conduct of his or her own affairs

Whilst the majority of adult domestic abuse victims are women, men are also subject to domestic abuse in both same sex and different sex relationships. The government defines domestic violence as: 'any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults, aged 18 and over, who are, or have been, intimate partners or family members, regardless of gender and sexuality.'

Family members are defined as: mother, father, son, daughter, brother, sister or grandparents. These may be direct relatives, in-laws or step-family.

This definition is also used by the Association of Chief Police Officers and the Crown Prosecution Service. Where the victim of the abuse is less than 18 years of age the abuse will normally be treated as child abuse.