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Ribble Valley
Borough Council

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Dear Councillor

The next meeting of the **LICENSING** Committee will be held at **6.30 pm** on **TUESDAY, 26 MARCH 2024** in the **Council Chamber**.

I do hope you can be there.

Yours sincerely

M. H. Scott

CHIEF EXECUTIVE

AGENDA

1. **APOLOGIES FOR ABSENCE**
2. **TO APPROVE THE MINUTES OF THE PREVIOUS MEETING** (Pages 3 - 6)
3. **DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS**

Members are reminded of their responsibility to declare any disclosable pecuniary, other registrable or non-registrable interest in respect of matters contained in the agenda.

4. **PUBLIC PARTICIPATION**

ITEMS FOR DECISION

5. **HACKNEY FARES** (Pages 7 - 16)
Report of the Chief Executive enclosed
6. **ANNUAL MEETING FOR PREMISES LICENCE HOLDERS** (Pages 17 - 18)
Report of the Chief Executive enclosed
7. **ELAP SEATS AND WHEELCHAIR ACCESSIBLE VEHICLES** (Pages 19 - 26)
Report of the Chief Executive enclosed

ITEMS FOR INFORMATION

8. **HACKNEY CARRIAGE STANDS** (Pages 27 - 28)

Report of the Chief Executive enclosed

9. **MINUTES OF SUB COMMITTEES** (Pages 29 - 32)

Minutes of Sub-Committee on 23 February 2024

Minutes of Sub-Committee on 8 March 2024

10. **REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES**

There are no items under this heading

11. **EXCLUSION OF PRESS AND PUBLIC**

There are no items under this heading.

Electronic agendas sent to members of Licensing – Councillor Stella Brunskill JP, Councillor Ian Brown (Chair), Councillor Steve Farmer, Councillor Gaynor Hibbert, Councillor Richard Newmark, Councillor Simon O'Rourke, Councillor James (Jim) Rogerson, Councillor Gary Scott, Councillor Robin Walsh, Councillor Derek Brocklehurst, Councillor Michael Graveston, Councillor Kieren Spencer, Councillor Malcolm Peplow and Councillor Mark French.

Contact: Democratic Services on 01200 414408 or committee.services@ribblevalley.gov.uk

Minutes of Licensing

Meeting Date: Tuesday, 30 January 2024, starting at 6.30 pm
Present: Councillor I Brown (Chair)

Councillors:

S Brunskill	J Rogerson
R Elms	G Scott
S Farmer	R Walsh
M French	D Brocklehurst
G Hibbert	M Graveston
R Newmark	K Spencer
S O'Rourke	M Peplow

In attendance: Head of Legal and Democratic Services and Solicitor

Also in attendance: Councillor D O'Rourke

652 APOLOGIES FOR ABSENCE

There were no apologies from absence.

653 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 31 October 2023 were approved as a correct record and signed by the Chairman.

654 DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS

There were no declarations of disclosable pecuniary, other registrable or non-registrable interests.

655 PUBLIC PARTICIPATION

There was no public participation.

656 HACKNEY CARRIAGE FARES

The Chief Executive submitted a report seeking Committee's views about whether Hackney Carriage fares should be reviewed.

It was noted that at the annual taxi meeting, Hackney Carriage representatives reported that customers had questioned the level of night-time rates, as they considered that £6.75 for the first mile and £1.05 for each 1/5 mile thereafter was too high. They asked for consideration to be given to a reduction of the night-time uplift.

Committee were advised in general terms of the fare tariffs implemented by other local authorities.

The consensus was that there should be a reduction in the uplift and discussion took place as to what level the night-time fare should be set at.

RESOLVED THAT COMMITTEE:

1. Approve the reduction in the night-time tariff for Hackney Carriages. For the hiring begun between 12 midnight and 6am and between 7pm and 12 midnight on Christmas Eve and New Year's Eve, the fare will be £5.50 for up to one mile, then the standard rate/fare of £0.70 for each 1/5th mile thereafter.
2. Authorise the Head of Legal and Democratic Services to advertise the proposed table of fares as required by legislation.

657

OPERATORS' LICENCE FEES

The Chief Executive submitted a report asking Committee to determine whether there should be any variation in the fees charged for a private hire operator's licence.

It was noted that, at the annual taxi meeting, an operator had requested that the Council review operators' fees, as he considered they were too high and made reference to their role as merely a booking agent.

Officers had carried out a review, which included consideration of operators' responsibilities and a comparison of the Council's current fees against those set by other local authorities (taking into account the particular circumstances particular to the Ribble Valley) and they were felt to be reasonable.

RESOLVED THAT COMMITTEE:

Approve that the fees set for the issue of operators' licences, as set on 31 October 2023, be maintained.

658

ELAP SEATS AND WHEELCHAIR ACCESSIBLE VEHICLES

The Chief Executive submitted a report asking Committee to determine whether there should be consultation on variation of the Council's Licensing Policy in respect of Hackney Carriages, Private Hire vehicles, drivers and operators in respect of provision of wheelchair accessible vehicles and vehicles with ELAP seats.

It was noted that, at the annual taxi meeting, some Hackney Carriage proprietors had requested discontinuance of the requirement for ELAP seats. Members were advised that the Council's view thus far was that if an ELAP seat was to be withdrawn from a vehicle, it should be replaced with a fully wheelchair accessible vehicle.

The issue of disability awareness training for drivers was also highlighted and whether this should be extended to existing drivers and whether it should be renewed periodically.

Councillor O'Rourke outlined his concerns both with ELAP seats and back-loading wheelchair accessible vehicles and explained the difficulties that they can cause. He expressed a preference for side opening wheelchair accessible vehicles.

RESOLVED THAT COMMITTEE:

Authorise the Head of Legal and Democratic Services to consult with the trade and with all interested or affected parties on any proposed amendment to the policy, and to report back to Committee.

659

MAXIMUM AGE FOR HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES

The Chief Executive submitted a report asking Committee to determine whether the Council's Hackney Carriage and Private Hire vehicle licence conditions should be amended to withdraw the requirement for vehicles over 7 years old to be tested and licensed every 4 months.

Prior to the annual taxi meeting, several drivers had requested this amendment and felt that all vehicles over 3 years old should be licensed for 6 months. The Council had given consideration to this, which included carrying out research on the position of neighbouring local authorities. It was noted that where less frequent licensing of older vehicles was required, other restrictions applied including, in some cases, a maximum age limit for vehicles. On balance, the Council's view was that the current system seemed to be working satisfactorily.

RESOLVED THAT COMMITTEE:

Approve the retention of four month licences and make no amendment to Hackney Carriage and Private Hire vehicle licences.

660

HACKNEY CARRIAGE NUMBERS

The Chief Executive submitted a report seeking Committee's approval to a consultation on whether the current restrictions on the number of Hackney Carriages licensed by the Council should be maintained.

It was noted that Ribble Valley Borough Council is one of a minority of Councils which impose a maximum restriction on the number of Hackney Carriage licences issued. Best Practice recently issued was that such restrictions should not be imposed. However, if they are imposed then they need to be reviewed regularly and there should be wide-ranging consultation. If challenged, the Council would need to demonstrate that there was no significant unmet demand. This would normally be done by way of an extensive survey, for which there would be cost implications.

RESOLVED THAT COMMITTEE:

Authorise the Head of Legal and Democratic Services to consult all interested parties on whether the current restriction on the number of Hackney Carriage licences issued by the Council should be maintained, and to obtain costings for a survey of unmet demand.

661

HACKNEY CARRIAGE STANDS

The Chief Executive submitted a report informing Committee of the position with regard to Hackney Carriage stands (ranks) and actions being taken by officers.

It was noted that officers were liaising with LCC in relation to possible stands being situated in the vicinity of Holmes Mill, Clitheroe and to two part-time stands being situated in Whalley. Consideration was also being given to identifying any locations in Longridge for the creation of a taxi stand or stands.

662

TAXI/PRIVATE HIRE LICENSING OPERATIONS

The Chief Executive submitted a report informing Committee of the results of an inspection of licensed private hire and hackney carriage vehicles.

It was noted that in an inspection of six vehicles on 16 November 2023, all were found to be of the required standard.

663 TAXI AND PRIVATE HIRE VEHICLE LICENSING BEST PRACTICE GUIDANCE
UPDATED 17 NOVEMBER 2023

Committee noted the contents of the report submitted by the Chief Executive informing them of the publication of best practice guidance in relation to licensing of Hackney Carriages and Private Hire vehicles, issued by the Department for Transport and the Disabled Persons Transport Advisory Committee on 17 November 2023.

664 TRAINING STANDARD ISSUED BY LOCAL GOVERNMENT ASSOCIATION AND
INSTITUTE OF LICENSING

Committee noted the contents of the report submitted by the Chief Executive informing them of the publication of a training standard by the Local Government Association and the Institute of Licensing.

665 LETTER FROM THE MINISTER OF STATE FOR CRIME, POLICING AND FIRE

The Chief Executive submitted a report to Committee distributing a letter circulated by the Alcohol Policy Team of the Home Office dated 15 January 2023, but which had been circulated on 16 January 2024.

666 MINUTES OF SUB COMMITTEES

The minutes of the Sub-Committees held on 27 October 2023 and 16 November 2023 were noted.

667 MINUTES OF ANNUAL TAXI MEETING ON 28 NOVEMBER 2023

The minutes of the annual taxi meeting on 28 November 2023 were noted.

668 MINUTES OF EVENT SAFETY ADVISORY GROUP MEETINGS

The minutes of the Ribble Valley Event Safety Advisory Group on 30 October 2023 were noted.

669 EXCLUSION OF PRESS AND PUBLIC

There were no items under this heading.

The meeting closed at 7.21 pm

If you have any queries on these minutes please contact the committee clerk, Jenny Martin jenny.martin@ribblevalley.gov.uk.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

meeting date: TUESDAY, 26 MARCH 2024
title: HACKNEY CARRIAGE FARES
submitted by: CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To seek Committee's views on whether Hackney Carriage fares should be varied from the level recommended by Committee on 30 January 2024, and for Committee to set a further date for the introduction of the revised table of fares.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives }
 - Corporate Priorities }
 - Other Considerations }
- Consideration of these issues will promote the Council's aim to be a well managed Council.

2 BACKGROUND

2.1 At the meeting on 30 January 2024, Committee considered a report on the possible review of Hackney Carriage fares. A copy of that report is annexed at Appendix 1. That report explains the procedure required if the level of Hackney Carriage fares is to be reviewed, and the reason for the proposed revision, which had been customer feedback as reported by drivers to the Annual Taxi meeting.

2.2 Committee resolved that the night-time tariff between 12 midnight and 6am (and between 7pm and 12 midnight on Christmas Eve and NewYear's Eve) should be reduced to a maximum of £5.50 for the first mile and £0.70 for each 1/5th mile thereafter.

2.3 This was advertised in the local press and a copy of the advertisement can be found at Appendix 2. The proposed variation was also circulated to the local taxi trade.

3 ISSUES

3.1 Two representations have been received, both from Hackney Carriage driver's licence holders. The objections are in identical terms, as follows:

"Tariff 2 should be £5.50 first mile and £0.90 1/5th mile. Please take this into consideration. That is £1.25 off the first mile and £0.15 less every 1/5th mile".

3.2 Members may recall that they had considered the reduction of fares for the further stages of 1/5th of a mile after the first mile, commenting that running costs do not increase because the journey is after midnight, and therefore reduced the proposed fare for those further stages to the same level as daytime rates at £0.70. Were the objection to be upheld, this would increase the fare from that previously considered by £0.20 per 1/5th mile (ie £1.00 for each full mile completed).

3.3 Section 65(4) of the Local Government (Miscellaneous Provisions) Act 1976 provides that, if an objection is duly made and not withdrawn, the District Council shall set a further date, not later than two months after the first specified date (Monday, 26 February 2024 in this case), on which the table of fares shall come into force with or without modifications as decided by them after consideration of the objections.

3.4 Members will recall that this issue had arisen because Hackney Carriage drivers reported that customers had expressed dissatisfaction at the fares which had been set late in 2022. Although no objection had been received at that time, subsequent customer feedback had led to the request for a reduced night-time fare. No specific proposal had been received from the Hackney trade and Members determined the figures which they considered appropriate.

3.5 In view of the specific representations which have now been received, Members are invited to reconsider the fare for each subsequent 1/5th of a mile after the first mile for journeys at the times stated in paragraph 2.2, and to set a date for introduction of the revised fares.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources }
- Technical, Environmental and Legal } The Council has a duty to provide an effective system of Hackney Carriage licensing and review of the fares contributes to this process. Costs for advertising etc will be met from existing budgets.
- Political }
- Reputation }
- Equality & Diversity }

5 **RECOMMENDED THAT COMMITTEE**

5.1 Resolve that the fare table set on 30 January 2024 be revised to show £0.90 to be the fare for each subsequent 1/5th of a mile or part thereof between 12 midnight and 6am and between 7pm and midnight on Christmas Eve and New Year's Eve.

5.2 Determine that the revised table of fares comes into effect on 16 April 2024 .

STEPHEN BARKER

SOLICITOR

MARSHAL SCOTT

CHIEF EXECUTIVE

BACKGROUND PAPERS

(If any)

For further information please ask for Stephen Barker, extension 3216.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

DECISION

meeting date: TUESDAY, 30 JANUARY 2024
 title: HACKNEY CARRIAGE FARES
 submitted by: CHIEF EXECUTIVE
 principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To seek Committee's views about whether Hackney Carriage fares should be reviewed.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives }
- Corporate Priorities } Consideration of these issues will promote the Council's aim to be a well managed Council.
- Other Considerations }

2 BACKGROUND

- 2.1 Hackney Carriage fares were set by Committee on 6 September 2022 having previously remained static since 2006. The 2006 fares and those proposed and approved in September 2002 are set out in Appendix 1 to this report. The current fares as shown on the Council website are set out in Appendix 2.
- 2.2 The mechanism for setting fares for Hackney Carriages is set out in the Local Government (Miscellaneous Provisions) Act 1976, section 65. This section provides that a district Council may:
- i. fix the rates or fares within its district as well for time as for distance; and
 - ii. fix all other charges in connection with the hire of a vehicle or with the arrangements for the hire of a vehicle.
- 2.3 When a district council wishes to vary the table of fares, it must publish, in at least one local newspaper circulating in the district, a notice setting out the table of fares and the period (which shall not be less than 14 days from the first publication of the notice) within which, and the manner in which, objections to the proposed table of fares can be made. A copy of the notice has to be deposited at the Council offices and available for inspection at all reasonable hours for a period of 14 days from the date of first publication. If no objection is received, or all objections are withdrawn, the new table of fares comes into operation on the date of expiration of the period specified in the notice, or the date of withdrawal of the objection, whichever is the later. In the event that an objection is received, a further report would be brought to Committee, setting out details of the objection.
- 2.4 Once the fares are set, it is an offence under section 58 of the Town Police Clauses Act (TPCA) 1847 to charge more than the fare shown on the meter, plus any legitimate extras.

2.5 Section 54 of the TPCA allows agreement to be made in advance of hiring a Hackney Carriage that a sum less than that shown at the end of the hiring will be paid, and once such an agreement has been made it is an offence for the driver to demand more than was agreed in advance.

3 ISSUES

3.1 At the annual taxi meeting, Hackney Carriage representatives reported that their members were content with the current standard day rates but reported that customers had questioned the level of night-time rates, as they considered that £6.75 for the first mile and £1.05 for each 1/5 of a mile thereafter was too high. These figures were calculated on the basis of the standard day rate plus an uplift of 50%, which was the same formula as had applied from 2006 to 2022. The representatives requested consideration be given to reduction of the uplift, although they did not indicate what level of uplift they considered to be reasonable.

3.2 Officers have endeavoured to establish the position for other local authorities. Fare structures and tariffs vary, and each authority has a different table of fares, depending on its particular circumstances. However, there are certain authorities with a broadly similar structure to that of Ribbles Valley Borough Council, and some of those (eg North Yorkshire, Rossendale and Lancaster) apply a 50% uplift to their daytime rates for the hours where they apply nighttime rates. Others have variable uplifts, including a number which adjust the distance over which a particular fare is calculated for the purpose of night-time rates. Broadly, these authorities appear to have an uplift in the region of 20% to 33% on the daytime rates.

3.3 The issue which has to be considered is the concern expressed by customers to Hackney Carriage drivers. The Hackney Carriage representatives requested that the uplift be reviewed due to this customer concern. Committee is requested to consider the issue and determine whether it will be appropriate to reduce the uplift and, if so, to what rate.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources }
 - Technical, Environmental and Legal }
 - Political }
 - Reputation }
 - Equality & Diversity }
- The Council has a duty to provide an effective system of Hackney Carriage Licensing and review of the fares contributes to the process. Costs for advertising etc will be met from existing budgets.

5 RECOMMENDED THAT COMMITTEE

5.1 Determine whether there should be a reduction in the night-time tariff in the table of fares for Hackney Carriages, and, if so, to set a figure by which the night-time tariff be reduced, by prescribing a new percentage uplift compared to day time fares.

5.2 Authorise the Head of Legal and Democratic Services to advertise the proposed table of fares as required by legislation.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

For further information please ask for Stephen Barker, extension 3216.

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RIBBLE VALLEY BOROUGH COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 s.65

CHANGE TO HACKNEY CARRIAGE FARES

The Council has resolved to amend the fares for hackney carriages in accordance with the table of fares set out below.

Any person objecting to the change in fares must submit their objection in writing to the Head of Legal and Democratic Services, Council Offices, Church Walk, Clitheroe, BB7 2RA, to arrive not later than Monday 26 February 2024.

HACKNEY CARRIAGE TABLE OF FARES

Standard Rate	£
If the distance does not exceed one mile –	
- for the whole distance	4.50
If the distance exceeds one mile –	
- for the first mile	4.50
- for each subsequent 352 yards (1/5 mile) or uncompleted part thereof	0.70

Waiting Time

For each period of one minute or uncompleted part thereof	0.50
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Extra Charges

(a) For hiring begun between 12 midnight and 6am	5.50 up to 1 mile + 0.70 for each 1/5 mile
(b) For hiring begun between 7pm – midnight on Christmas Eve and New Year's Eve	5.50 up to 1 mile + 0.70 for each 1/5 mile
(c) For hiring begun between 12 midnight on Christmas Eve until 6am on 27 December and 12 midnight on New Year's Eve until 6am on 2 January	9.00 up to 1 mile + 1.40 for each 1/5 mile
(d) Valeting fee (fouling of a vehicle)	60.00

MAIR HILL
HEAD OF LEGAL & DEMOCRATIC SERVICES
RIBBLE VALLEY BOROUGH COUNCIL

8th February 2024

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

meeting date: TUESDAY, 26 MARCH 2024
title: ANNUAL MEETING FOR PREMISES LICENCE HOLDERS
submitted by: MARSHAL SCOTT – CHIEF EXECUTIVE
principal author: STEPHEN BARKER – SOLICITOR

1 PURPOSE

1.1 To determine whether a meeting should be arranged for the Committee to meet premises licence holders.

1.2 Relevance to the Council's ambitions and priorities

Community Objectives	}	
Corporate Priorities	}	Consideration of these issues will promote the Council's aim to be a well-managed Council.
Other Considerations	}	

2 BACKGROUND

2.1 A request has been received from Clitheroe Pubwatch for the Council to arrange a meeting of licence holders and managers. Whilst the request does not identify any specific topics for discussion, the meeting would be a useful forum for members of the licensed trade to explain any concerns about current issues.

3 ISSUES

3.1 Such a meeting would accord with the stakeholder engagement processes incorporated in the training standard recently published by the Local Government Association and the Institute of Licensing. The standard encourages Licensing Committee Members to meet with local best practice groups, such as Pubwatch, to understand what the groups do and the benefits they bring to the day and night-time economies, and to meet local licensees to understand the challenges which they face.

3.2 Although the approach from Pubwatch refers to a meeting with licence holders and managers in general, logistically this may be difficult to organise and accommodate. The Premises Licence public register shows 790 premises as having been licensed under the Licencing Act 2003, although some such licences have been cancelled and many entries relate to temporary event notices. Nonetheless, there are potentially several hundred premises licence holders in the Ribble Valley. In view of the fact that the request has been received from Clitheroe Pubwatch, it may be that any invitation is restricted to the schemes which currently apply in Clitheroe, Longridge and Whalley, with the co-ordinators of those schemes circulating any invitation to their members. The Clitheroe and Whalley schemes consist of approximately 40 members. Whilst Longridge is not formally organised, there is a point of contact for communication with town centre licensees.

3.3 Were issues to be brought forward which are of wider significance, arrangements could be made for a more extensive meeting or for consultation.

3.4 Committee may wish to consider extending any invitation to the police and the Council's environmental health department and licensing enforcement staff, who also have general powers in relation to licensed premises.

3.5 For Committee's information, various premises and the Council are engaging with Schemelink which assists with communication between premises and details of which can be seen on the following link:

Schemelink.co.uk

3.6 It should be noted that such a meeting would differ from the annual taxi meeting. The taxi meeting is a valuable resource to assist the Council in listening to the views of the trade and formulating appropriate local policies and procedures. Alcohol licensing policy is set far more on a national basis, although the Council does issue a statement of licensing policy at least every 5 years. The current policy expires on 6 January 2026, so consultation would take place in 2025. (The Whalley CIA runs until April 2025, with any consultation due to commence this year, if appropriate.)

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – No implications identified.
- Technical, Environmental and Legal – No implications identified.
- Political – No implications identified.
- Reputation – No implications identified.
- Equality & Diversity – No implications identified.

5 RECOMMENDED THAT COMMITTEE

5.1 Determine whether a meeting should be held with holders of premises licences issued under the Licensing Act 2003.

5.2 Determine how extensively any invitation should be circulated.

5.3 Advise the Head of Legal and Democratic Services of any matter which Committee might wish to discuss at any meeting, and persons to be invited to assist the Committee at the meeting.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

For further information please ask for Stephen Barker, extension 3216.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

DECISION

meeting date: TUESDAY, 26 MARCH 2024
title: ELAP SEATS AND WHEELCHAIR ACCESS PROVISION
submitted by: CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To inform Committee of the outcome of consultation on provision of Hackney Carriages which are wheelchair accessible; on retention of the requirement for 8 Hackney Carriages to be licensed with a requirement for fitting of an ELAP seat; on any replacement of a vehicle with an ELAP seat to be by a side entry wheelchair accessible vehicle; and on introduction of disability awareness training on renewal of drivers' licence.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives }
 - Corporate Priorities }
 - Other Considerations }
- Consideration of these issues will promote the Council's aim to be a well managed authority supporting all members of the community.

2 BACKGROUND

2.1 At its meeting on 30 January 2024, Committee authorised the Head of Legal and Democratic Services to consult with the trade and all interested or affected parties on proposed amendment to the Council's policy for licensing Hackney Carriage drivers and vehicles. Private Hire operators, drivers and vehicles ("the Policy") in respect of wheelchair accessible and ELAP seat provisions and disability awareness.

2.2 Consultation has taken place with interested parties and the trade by distribution of the questionnaire and supporting material at Appendix 1.

3 ISSUES

3.1 Responses have been received from 8 Hackney Carriage drivers and two Private Hire drivers. There has not been any response from representatives of groups of users. Those responses are set out in Appendix 2. The responses are varied in their tone, but overall:

- Do not consider that ELAP seats are required as they are barely used;
- Do not express a wish for expansion of the side entry wheelchair accessible Hackney fleet by 5 more vehicles, due to a lack of work;
- Do not support the replacement of any ELAP seat vehicles by side entry wheelchair accessible Hackney vehicles;
- Give a mixed reception to the introduction of disability awareness training on licence renewal, varying from full support to outright rejection, with an intermediate view that it is appropriate for drivers of vehicles which have ELAP seats or are wheelchair accessible.

3.2 Although the response is limited, Committee may wish to consider amendment of the current policy and conditions to provide for disability awareness training for all drivers of Hackney Carriages and Private Hire vehicles on the next renewal of their licence and thereafter at 5 yearly intervals (5 years from issue of the first licence for new applicants). Disabled users are not confined to adapted vehicles – many disabilities are not visible or physical and a well-managed fleet should have drivers who are alert to the needs of all users.

3.3 The evidence received does not support the introduction at this stage of more side entry wheelchair accessible vehicles. This should be kept under review on an ongoing basis.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – N/A
- Technical, Environmental and Legal - N/A
- Political - N/A
- Reputation – N/A
- Equality & Diversity – amendment of the policy will demonstrate support for all residents and customers.

5 **RECOMMENDED THAT COMMITTEE**

5.1 Approve amendment of the policy to provide that the conditions for Hackney Carriage and Private Hire drivers shall be extended to include a condition that:

“A driver shall undergo disability awareness training provided by the Blue Lamp Trust on application for their licence, or on first renewal after 1 April 2024, and shall undergo refresher training at 5 year intervals”.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS
(If any)

For further information please ask for Stephen Barker, extension 3216.



RIBBLE VALLEY BOROUGH COUNCIL

Council Offices
Church Walk, Clitheroe
Lancashire BB7 2RA
Tel: 01200 425111
www.ribblevalley.gov.uk

Please ask
for:
direct line:
email:
my ref:
date:

Stephen Barker
01200 413216
Stephen.barker@ribblevalley.gov.uk
SJB

6 February 2024

Dear Sirs

RE: Consultation on ELAP seats, wheelchair access provision and disability awareness training

I write to inform you that the Council's Licensing Committee has recently resolved to consult on whether the current provision of Hackney Carriages with ELAP seats and fully wheelchair accessible vehicles remains appropriate. The Council is also consulting on introduction of a requirement for disability awareness training on renewal of licences for Hackney Carriage and Private hire vehicles. The Council seeks your views.

If you wish to respond with your views on this, please do so in writing using the enclosed form and submitting it to Joanne Steer at the above address or at TaxiLicensing@ribblevalley.gov.uk on or before **Monday 13 March 2024**.

Please contact me or Joanne if you have any queries.

Yours sincerely

STEPHEN BARKER
SOLICITOR
RIBBLE VALLEY BOROUGH COUNCIL

To all private hire drivers, operator's licence holders & all hackney carriage driver licence holders, groups representing disabled people.



Ribble Valley
Borough Council
www.ribblevalley.gov.uk

On 30 January 2024, the Council's Licensing Committee considered a report with regard to ELAP seats and wheelchair access provision in relation to Hackney Carriages and disability awareness training being required on renewal of Hackney Carriage and Private Hire vehicle drivers' licences. The Council's officers were instructed to consult with the trade and with all interested or affected parties on proposed amendment to the Council's Licensing Policy in respect of Hackney Carriages, Private Hire vehicles, operators and drivers.

A copy of that report can be found at the link below:

<https://democracy.ribblevalley.gov.uk/documents/s6581/ELAP%20SEATS%20AND%20WHEELCHAIR%20ACCESS%20PROVISION.pdf>

Consultation is taking place on:-

- Whether there should be an additional 5 Hackney Carriage vehicle licences available for issue by the Council, with a requirement for such vehicles to be fully wheelchair accessible from the side
- Whether the requirement for 8 Hackney Carriages to be licenced with a requirement to be fitted with ELAP seats should be retained
- Whether any replacement of a Hackney Carriage with an ELAP seat should be required to be with a vehicle which is fully wheelchair accessible from the side
- Whether drivers renewing Hackney Carriage or Private Hire vehicle driving licences should be required to undergo disability awareness training and, if so, at what intervals

If you have any difficulty accessing these documents or require any further information, please contact us. Paper copies can be obtained in the Council offices or posted to you if required.

Timetable

The Consultation will run from 7 February 2024 to 13 March 2024 and the results will then be reported to Committee.

If you wish to respond with your views, please do this by completing the enclosed form and submitting it to **Joanne Steer** at the Council Offices on or before **13 March 2024**.



CONSULTATION RESPONSE FORM

Name:
Address:
.....
.....

Capacity of consultee (eg driver, operator, representative of group consulted, other)

Licence No: (if applicable)

Contact details:
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ELAP seats, Wheelchair access provision and disability awareness training

I support/do not support addition of 5 more Hackney carriage vehicle licences, with such vehicles being fully wheelchair accessible from the side

Comments:-
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I support/do not support retention of the requirement for 8 Hackney Carriage vehicle licences to require that an ELAP seat should be fitted to the vehicle

Comments:-
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I support/do not support a requirement for replacement of the licence for any hackney Carriage vehicle which formerly had an ELAP seat to be by a vehicle which is fully wheelchair accessible from the side

Comments:-
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I support the introduction of a requirement for hackney carriage and private hire vehicles drivers to undertake disability awareness training on renewal of their licence

Comments (including any suggested intervals for refresher training).

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Consultation response on ELAP seats, wheelchair accessibility for Hackney Carriages and disability awareness training for existing licencees.

- Hackney Driver
 - I do not support replacement of former ELAP fitted vehicles by a side door wheelchair accessible vehicle.
 - There is not enough rank space or work for more than an additional 5 Hackney Carriage vehicles.
 - I do not support a requirement for drivers to undertake disability awareness training on renewal of their licence.

- Private Hire Drivers x 2 (same responses)
 - I support disabled awareness course to better educate drivers.
 - Side entrance ramps are very expensive; such vehicles are very large, not good on the rank, and unpopular with people who do not have a disability; rear entry disabled access vehicles are better off and look nicer; leave vehicles with ELAP seats or return to 'normal' Hackney Carriages; new Hackney Carriage plates to be issues with rear entry disabled access are preferable.

- Hackney Driver:
 - The existing ELAP seat vehicles are barely used by customers requiring that sort of assistance.
 - There is a lack of work for current wheelchair accessible vehicles.
 - There is a perception that wheelchair access vehicles have a higher tariff or are only for wheelchair users, resulting in the proprietors taking on school contracts or private company contracts to make a living.

- Hackney Driver
 - Do not support 5 more Hackney Carriage vehicle licences as no jobs come on to the ranks requiring wheelchair accessibility from the side, which has forced owners to work LCC contracts or with private firms.
 - I do not support retention of the requirement for 8 Hackney Carriages with ELAP seats as these are rarely used for that purpose.
 - I do not support a requirement for any former ELAP seat vehicle to be replaced by a vehicles fully wheelchair accessible from the side.
 - I support disability awareness training on renewal for drivers, but only those driving wheelchair accessible taxis or ELAP seat Hackneys.

- Hackney Driver
 - Do not support 5 more Hackney Carriage vehicle licences as there is not enough space for more vehicles. There are already 53 Hackneys and only 4 vehicles parking space.
 - I do not support replacement of former ELAP fitted vehicles by a side door wheelchair accessible vehicle.
 - ~~I support a requirement for drivers to undertake disability awareness training on renewal of their licence.~~

- Hackney Driver
 - Do not support 5 more Hackney Carriage vehicle licences as there is not enough space for more vehicles. Not many jobs in Clitheroe that require a fully accessible wheelchair vehicle.
 - I do not support retention of the requirement for 8 Hackney Carriage vehicle licences to require that an ELAP seat should be fitted to the vehicle. Not enough space on the taxi rank.
 - I do not support replacement of former ELAP fitted vehicles by a side door wheelchair accessible vehicle. From personal experience I have driven an ELAP seated vehicle for 18 plus years and no passenger has needed the requirement
 - I support a requirement for drivers to undertake disability awareness training on renewal of their licence.

- Hackney Driver x 3 (same responses)
 - Do not support
 - Do not have customer coming to the rank with disabilities due to being in wheelchair. Depend highly on pre-booked journeys
 - ELAP seat in car for over 8 years and have not used it in 8 years and more than 7 vehicles are operating in Ribble valley with ELAP seats and wheelchair access and I do not feel we need to improve the numbers.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

meeting date: TUESDAY, 26 MARCH 2024
title: HACKNEY CARRIAGE STANDS
submitted by: CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To inform committee of the progress of enquiries in relation to the establishment of further Hackney Carriage stands in the borough.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives }
- Corporate Priorities } Consideration of these issues will promote the Council's aim to be a well-managed authority.
- Other Considerations }

2 BACKGROUND

2.1 Committee will recall the report brought to the meeting on 30 January 2024, setting out the current provision of Hackney Carriage stands in Clitheroe, the lack of such stands in Longridge or Whalley, and the consultation then in place with Lancashire County Council (LCC) and Longridge Town Council (LTC).

3 ISSUES

3.1 LCC have replied on the possible sites which had been suggested as follows:

- a) Wellgate, Clitheroe in the loading bay – *"I would not object to a rank here although I would suggest the timings are matched to the existing restrictions ie Friday – Sunday 7pm to 9am"*.
- b) In the vicinity of Holmes Mill – *"I think a rank on Whalley Road would be abused by the taxis office as they would see it as direct competition. A part time rank on Greenacre Street would be better, perhaps on the garage (north side) on the bridge over the river."*
- c) Whalley Bus Station – *"I wouldn't have an objection to a part time bay here subject to confirmation from the bus services team that it would not interfere with existing public transport provision."*
- d) Loading bay outside Alta (formerly Rendezvous/Rios) *"I wouldn't have an objection to a part time bay here outside of the loading bay hours of operation."*
- e) Outside 41-43 King Street, Whalley (near The Forum) south of the electric vehicle charging point – *"I wouldn't have an objection to a part time bay here. "*

3.2 LCC bus services team have responded with regard to Whalley Bus Station:

"We've never really been in favour of taxis using the bus station formally, even outside core bus times, as it was felt it created an environment where it would be abused during normal operating hours. However,

on saying that in truth if this ever became an issue, we may look at more enforcement, therefore outside core bus times on the bus station in the area suggested would be acceptable.”

3.3 There has been no reply from LTC at the time of preparation of this report. Reminders have been sent but LTC may need time to consider whether there is a need for one or more ranks, and if so, in what location(s).

3.4 Officers will now progress this matter with regard to the stands for which there has been a positive response. This will consist of notification to the police, and preparation of a public notice for publication in a newspaper circulating in the district. Consideration would then need to be given to any objection or representation received within 28 days of publication of the notice.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – There will be expense in advertising, marking out and providing signs for any additional ranks.
- Technical, Environmental and Legal – N/A
- Political – N/A
- Reputation – N/A
- Equality & Diversity – N/A

5 **RECOMMENDED THAT COMMITTEE**

5.1 Recommend that committee note the content of this report.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

(If any)

For further information please ask for Stephen Barker, extension 3216.

Agenda Item 9

Minutes of Sub-Committee of the Licensing Committee

Meeting Date: Friday, 23 February 2024, starting at 10.00 am
Present: Councillor I Brown (Chairman)

Councillors:

S Brunskill

S O'Rourke

In attendance: Solicitor, Administration Assistant (Licencing) and Taxi Enforcement Officer

715 WELCOME

716 APOLOGIES AND RE-CONSTITUTION OF THE COMMITTEE MEMBERSHIP

There were no apologies for absence.

717 DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS

There were no declarations of disclosable pecuniary, other registrable and non-registrable interests

718 EXCLUSION OF PRESS AND PUBLIC

That by virtue of the next item of business being exempt information under paragraph 1 of part 1 of Schedule 12A of the Local Government Act 1972 that press and public be now excluded from the meeting.

719 LICENSING HEARING - TAXI

The Sub-Committee received a report from the Head of Legal and Democratic Services requesting that they determine whether a private hire driver remained a fit and proper person to hold a private hire driver's licence. The driver attended the hearing and made verbal submissions to the Committee. He then responded to questions from the Sub-Committee.

The Sub-Committee determined that the application should be adjourned until 10am on Friday 8 March 2024. This would allow further evidence to be obtained to enable the Sub-Committee to make a proper determination.

The meeting closed at 10.32 am

If you have any queries on these minutes please contact the committee clerk, Jenny Martin jenny.martin@ribblevalley.gov.uk.

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Minutes of Sub-Committee of the Licensing Committee

Meeting Date: Friday, 8 March 2024, starting at 10.00 am
Present: Councillor I Brown (Chair)

Councillors:

S Brunskill

S O'Rourke

In attendance: Solicitor, Administration Assistant (Licencing) and Taxi Enforcement Officer

733 WELCOME

734 APOLOGIES AND RE-CONSTITUTION OF THE COMMITTEE MEMBERSHIP

There were no apologies for absence.

735 DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS

There were no declarations of disclosable pecuniary, other registrable and non-registrable interests.

736 EXCLUSION OF PRESS AND PUBLIC

That by virtue of the next item of business being exempt information under paragraph 1 of part 1 of Schedule 12A of the Local Government Act 1972 that press and public be now excluded from the meeting.

737 LICENSING HEARING - TAXI

On 23 February 2024, the Sub-Committee had previously considered a report from the Head of Legal and Democratic Services requesting that they determine whether a private hire driver remained a fit and proper person to hold a private hire driver's licence. The Sub-Committee had decided that it was appropriate to adjourn the hearing to enable further information to be obtained from the operator.

The evidence had been obtained, and the driver attended the hearing and responded to questions and gave verbal submissions to the Sub-Committee.

The Sub-Committee, having taken account of all the submissions, oral and written, the Council's Infringement Scheme and the Local Government (Miscellaneous Provisions) Act 1976 concluded that it was appropriate to impose a sanction on the Driver. Having reviewed their powers, including possible revocation or suspension of the driver's private hire licence, the Sub-committee determined that it was appropriate to extend the normal 2-year duration of the infringement points by another year so that the 12 infringement points remained valid until 2 January 2027 (3 years from the date of imposition of the points).

The meeting closed at 10.13 am

If you have any queries on these minutes please contact the committee clerk, Rebecca Hodgson rebecca.hodgson@ribblevalley.gov.uk.

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