

E-mail: comsec@teignbridge.gov.uk

25 February 2020

REGULATORY & APPEALS COMMITTEE

A meeting of the **Regulatory & Appeals Committee** will be held on **Wednesday, 4th March, 2020** in the **Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX** at **10.00 am**

PHIL SHEARS
Managing Director

Membership:

Councillors J Petherick (Chairman), Hayes (Vice-Chairman), Austen, Evans, Kerswell and Russell

Please Note: Filming is permitted during Committee meeting with the exception where there are confidential or exempt items, which may need to be considered in the absence of the press and public. By entering the Council Chamber you are consenting to being filmed.

A G E N D A

Part I

1. **Apologies for absence**
2. **Minutes** (Pages 3 - 4)
To approve and sign the minutes of the meeting held on 28 January, 2020.
3. **Declarations of Interest.**
4. **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

RECOMMENDED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of item 12

on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act.

5. **Matters of urgency/matters of report especially brought forward with the permission of the Chairman.**
6. **Private Hire Vehicle Extension LF05 YMZ** (Pages 5 - 10)
7. **Private Hire Vehicle Extension YR58 MJX** (Pages 11 - 16)
8. **Hackney Carriage Vehicle Extension ML59 LHK** (Pages 17 - 22)
9. **Hackney Carriage Vehicle Extension WJ07 WXY** (Pages 23 - 28)
10. **Request for Tariff Increase for Hackney Carriages** (Pages 29 - 42)
11. **Staff Appeals Procedure** (Pages 43 - 48)

Part II: Items suggested for discussion with the press and public excluded

12. **Combined Hackney Carriage/Private Hire Drivers Licence** (Pages 49 - 60)

If you would like this information in another format, please telephone 01626 361101 or e-mail info@teignbridge.gov.uk

REGULATORY & APPEALS COMMITTEE

28 JANUARY 2020

Present:

Councillors J Petherick (Chairman), Hayes (Vice-Chairman), Austen and Kerswell

Apologies:

Councillors Evans and Russell

Officers in Attendance:

Debbie Rosenveldt, Licensing Officer

Trish Corns, Democratic Services Officer

4. MINUTES

The Minutes of the meeting held on 8 January, 2020 were approved as a correct record and signed by the Chairman.

5. DECLARATIONS OF INTEREST.

None.

6. HACKNEY CARRIAGE VEHICLE EXTENSION WN08 LSJ

Consideration was given to an application for a Hackney Carriage Vehicle Licence renewal and extension for an Alfa Romeo 159 vehicle registration WN08 LSJ. The vehicle was over 11 years old being registered in March 2008

The Committee adjourned to inspect the vehicle.

On reconvening the Licensing Officer referred to the agenda report. The Committee noted that the vehicle had a valid MOT until 28 March 2020, with no advisories, and it had passed the recent taxi inspection test.

The Applicant and her representative attended the hearing and spoke in support of the application.

All vehicle licences are issued annually and Section 43 of the Town Police Clauses Act 1847 provides that a hackney carriage vehicle licence may only be in force for a maximum period of one year.

The Hackney Carriage and Private Hire Policy provides that vehicles being presented for subsequent licensing are required to be under ten years old. The Council has the discretion to continue to licence vehicles which are older than ten years provided that the Council is satisfied that such a vehicle is in a good

condition and good state of repair, and provided that it passes the appropriate testing standard.

The above Policy and statutory provisions reflect the Council's responsibility to ensure that all hackney carriage and private hire vehicles are safe and fit for use.

RESOLVED - The vehicle registration WN08 LSJ, Alfa Romeo 159, be approved for a 12 month renewable Hackney Carriage Vehicle Licence, in accordance with legislation subject to six monthly taxi inspection tests.

Reason for Decision

Having inspected the vehicle, read all written material, and listened to the representation by the Applicant and the Licensing Officer, the Regulatory & Appeals Committee was satisfied with the general standard of the vehicle, the state of repair, and the condition of the vehicle. Therefore it was considered the vehicle was fit for use for the general public and paying customers.

CLLR J PETHERICK
Chairman

TEIGNBRIDGE DISTRICT COUNCIL
REGULATORY AND APPEALS COMMITTEE

4 MARCH 2020

PART I

Report Title	Application for Private Hire Vehicle Extension for further 12 months
Purpose	For the Committee to consider the application, including this report, representations made by the proprietor of the vehicle and the vehicle and to determine whether the vehicle is fit for purpose and should be issued with an extended licensing plate.
Applicant	
Options	The Committee may: a. Grant the request, with or without conditions; or b. Refuse the request.
Report Author	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
Appendices / Background Papers	A: Request for extension B: MOT history

1. RELEVANT POLICY AND LAW

- 1.1 Paragraph 5.2 of the Council's Hackney Carriage and Private Hire Vehicle Licensing Policy states that:

A vehicle being presented for initial licensing is required to be under five years old at first registration.

A vehicle being presented for subsequent licensing is required to be under 10 years old with the exception of purpose built cabs. The Council has discretion to continue to licence Hackney Carriage or Private Hire vehicles which are older than ten years provided that the Council is satisfied that the vehicle is in a good condition and good state of repair and provided that it passes the appropriate testing standard. Applications for subsequent licensing for vehicles older than ten years will be considered by the Regulatory and Appeals Committee which can impose such conditions as it thinks fit including six and four monthly testing'.

- 1.2 All vehicle licences are issued annually.
- 1.3 Section 48(4)(c) of the Local Government (Miscellaneous Provisions) Act 1976 states that:

‘Every licence granted under this section shall— (c) remain in force for such period not being longer than one year as the district council may specify in the licence’.

- 1.4 Section 48(2) of the Local Government (Miscellaneous Provisions) Act 1976 states that:

‘A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of foregoing provisions of this subsection, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates.’

- 1.5 The above Policy and statutory provisions reflect the Council’s responsibility to ensure that all hackney carriage and private hire vehicles are safe and fit for use by members of the public. The Committee has the discretion to license a vehicle if it is of the view that the vehicle is safe, fit for use and is in an acceptable condition.
- 1.6 The decision of the Committee following a complete review of the Hackney Carriage and Private Hire Policy in April 2009 after taking into account the views from the trade was as follows:

“The Committee decided that vehicles being presented for initial licensing must be under five years old.”

- 1.7 With regard to subsequent licensing, the Committee decided that a vehicle should be under ten years old with the exception of purpose built cabs. However the Committee decided that the Council could exercise discretion to continue to licence Hackney Carriage or Private Hire vehicles which are older than ten years provided that the Council is satisfied that it is in a good condition and good state of repair and provided that it passes the appropriate testing standard. Applications for subsequent licensing for vehicles older than ten years will be considered by the Regulatory and Appeals Committee which can impose such conditions as it thinks fit including six monthly testing. The Committee did not consider it appropriate to introduce an upper age or mileage limit.”

- 1.8 Section 50(1) of the Local Government (Miscellaneous Provisions) Act 1976 provides:

‘that a district council shall not under the provisions of this subsection require a proprietor to present the same hackney carriage or private hire vehicle for inspection and testing on more than three separate occasions during any one period of twelve months.’

- 1.9 In summary, the Committee is required to ensure that Public Safety is not compromised by the granting of an extension of the licence. If it is satisfied that safety is reasonably assured they may grant the licence for a maximum of 12 months or such shorter period as they see as appropriate.

2. APPLICATION DETAILS

- 2.1 The vehicle, a Volkswagen Transporter, registration LF05 YMZ, which the applicant wishes the Committee to consider was first registered on 30 March 2005 and will be 14 years and 11 months old, if granted. The current Private Hire licence expired on 14 January 20. The vehicle will no longer meet the Council's licensing policy as it is now being more than 10 years old.
- 2.2 The vehicle has a current MOT that expires on 25 July 2020 with one advisory.
- 2.3 The vehicle passed its annual inspection at the Depot on 21 January 2020, details of which will be available to Committee members at the hearing.
- 2.4 It has been requested that the vehicle is made available at the hearing for inspection by the Committee should the members wish to do so.

3. CONSULTATIONS

- 3.1 **Licensing Officer:** If the Committee resolves to license the vehicle, the Report Authority recommends a condition requiring the vehicle to have six or four monthly vehicle inspections be imposed. The vehicle has been inspected by a Licensing Officer on 6 February.
- 3.2 Given the age of the vehicle it is in very good condition and clean both inside and out. The door handles show signs of wear but nothing requiring urgent attention.

4. FINANCIAL IMPLICATIONS

The cost of defending the appeal if the application is refused and the applicant appeals to the Magistrates' Court.

5. LEGAL

The Committee are required only to ensure that Public Safety is not compromised by the granting of an extension of the licence. If they are satisfied that safety is reasonably assured they may grant the licence for a maximum of 12 months or such shorter period as they see as appropriate.

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Check MOT history (<https://www.gov.uk/check-mot-history>)

LF05YMZ

VOLKSWAGEN TRANSPORTER

Colour

Red

Fuel type

Diesel

Date registered

30 March 2005

MOT valid until

25 July 2020

MOT history

Check mileage recorded at test, MOT expiry date, defects and advisories, and view test certificate

Date tested

28 June 2019

PASS

Mileage

177,077 miles

Test location

MOT test number

76019170 5945

Expiry date

25 July 2020

Monitor and repair if necessary (advisories):

- **Offside Rear tyre cracking and perished on walls**

Date tested

27 June 2019

FAIL

Mileage

177,072 miles

Test location

MOT test number

8704 7315 8058

Repair immediately (major defects):

- **Nearside Front Lower Suspension arm ball joint excessively worn (5.3.4 (a) (i))**
- **Offside Front Service brake excessively binding (1.2.1 (f))**

Monitor and repair if necessary (advisories):

- **Offside Rear tyre cracking and perished on walls**

Date tested
20 July 2018

PASS

Mileage
172,354 miles

Test location

MOT test number
3674 9578 8289

Expiry date
25 July 2019

Monitor and repair if necessary (advisories):

- **Nearside Rear Brake disc worn, pitted or scored, but not seriously weakened (1.1.14 (a) (ii))**
- **Offside Rear Brake disc worn, pitted or scored, but not seriously weakened (1.1.14 (a) (ii))**

Date tested
19 July 2018

FAIL

Mileage
172,348 miles

Test location

MOT test number
8900 6952 8346

Repair immediately (major defects):

- **Offside Rear Shock absorbers has a serious fluid leak (5.3.2 (b))**
- **Nearside Front Service brake excessively fluctuating (1.2.1 (e))**
- **Nearside Service brake lagging in operation slow (1.2.1 (d))**

Monitor and repair if necessary (advisories):

- **Nearside Rear Shock absorbers light misting of oil or has limited damping effect (5.3.2 (b))**
- **Nearside Rear Brake disc worn, pitted or scored, but not seriously weakened (1.1.14 (a) (ii))**
- **Offside Rear Brake disc worn, pitted or scored, but not seriously weakened (1.1.14 (a) (ii))**
- **parking brake just met efficiency 16%**
- **Offside Front Anti-roll bar linkage ball joint has slight play (5.3.4 (a) (i))**

The MOT test changed on 20 May 2018

Defects are now categorised according to their severity – dangerous, major, and minor.

TEIGNBRIDGE DISTRICT COUNCIL
REGULATORY AND APPEALS COMMITTEE

4 MARCH 2020

PART I

Report Title	Application for Private Hire Vehicle Extension for further 12 months
Purpose	For the Committee to consider the application, including this report, representations made by the proprietor of the vehicle and the vehicle and to determine whether the vehicle is fit for purpose and should be issued with an extended licensing plate.
Applicant	
Options	The Committee may: a. Grant the request, with or without conditions; or b. Refuse the request.
Report Author	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
Appendices / Background Papers	A: Request for extension B: MOT history

1. RELEVANT POLICY AND LAW

- 1.1 Paragraph 5.2 of the Council's Hackney Carriage and Private Hire Vehicle Licensing Policy states that:

A vehicle being presented for initial licensing is required to be under five years old at first registration.

A vehicle being presented for subsequent licensing is required to be under 10 years old with the exception of purpose built cabs. The Council has discretion to continue to licence Hackney Carriage or Private Hire vehicles which are older than ten years provided that the Council is satisfied that the vehicle is in a good condition and good state of repair and provided that it passes the appropriate testing standard. Applications for subsequent licensing for vehicles older than ten years will be considered by the Regulatory and Appeals Committee which can impose such conditions as it thinks fit including six and four monthly testing'.

- 1.2 All vehicle licences are issued annually.
- 1.3 Section 48(4)(c) of the Local Government (Miscellaneous Provisions) Act 1976 states that:

‘Every licence granted under this section shall— (c) remain in force for such period not being longer than one year as the district council may specify in the licence’.

- 1.4 Section 48(2) of the Local Government (Miscellaneous Provisions) Act 1976 states that:

‘A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of foregoing provisions of this subsection, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates.’

- 1.5 The above Policy and statutory provisions reflect the Council’s responsibility to ensure that all hackney carriage and private hire vehicles are safe and fit for use by members of the public. The Committee has the discretion to license a vehicle if it is of the view that the vehicle is safe, fit for use and is in an acceptable condition.
- 1.6 The decision of the Committee following a complete review of the Hackney Carriage and Private Hire Policy in April 2009 after taking into account the views from the trade was as follows:

“The Committee decided that vehicles being presented for initial licensing must be under five years old.”

- 1.7 With regard to subsequent licensing, the Committee decided that a vehicle should be under ten years old with the exception of purpose built cabs. However the Committee decided that the Council could exercise discretion to continue to licence Hackney Carriage or Private Hire vehicles which are older than ten years provided that the Council is satisfied that it is in a good condition and good state of repair and provided that it passes the appropriate testing standard. Applications for subsequent licensing for vehicles older than ten years will be considered by the Regulatory and Appeals Committee which can impose such conditions as it thinks fit including six monthly testing. The Committee did not consider it appropriate to introduce an upper age or mileage limit.”

- 1.8 Section 50(1) of the Local Government (Miscellaneous Provisions) Act 1976 provides:

‘that a district council shall not under the provisions of this subsection require a proprietor to present the same hackney carriage or private hire vehicle for inspection and testing on more than three separate occasions during any one period of twelve months.’

- 1.9 In summary, the Committee is required to ensure that Public Safety is not compromised by the granting of an extension of the licence. If it is satisfied that safety is reasonably assured they may grant the licence for a maximum of 12 months or such shorter period as they see as appropriate.

2. APPLICATION DETAILS

- 2.1 The vehicle, an Audi A4S TDI, registration YR58 MJX which the applicant wishes the Committee to consider, was first registered on 24 October 2008 and will be 11 years and 5 months old, if granted. The vehicle had its first extension on 25 February 2019. The current Private Hire licence expires on 1 March 2020. The vehicle will no longer meet the Council's licensing policy as it is now being more than 10 years old.
- 2.2 The vehicle has an MOT with two advisories that expires on the 1 March 2020.
- 2.3 The vehicle is booked for its annual inspection at the Depot on 2 March 2020, details will be available to Committee members at the hearing.
- 2.4 It has been requested that the vehicle is made available at the hearing for inspection by the Committee should the members wish to do so.

3. CONSULTATIONS

- 3.1 **Licensing Officer:** If the Committee resolves to license the vehicle, the Report Authority recommends a condition requiring the vehicle to have six or four monthly vehicle inspections be imposed. The vehicle has been inspected by a Licensing Officer on 4 February 2020.
- 3.2 The vehicle is in very good condition both inside and out. There are a few very small chips to the paintwork on the bonnet, front bumper and the nearside front wheel arch, all of which are booked to be repaired. The vehicle was granted a small plate on 31 January 2013 when the registration was CB02 ALE. The registration changed to the current number in 2016. As the small plate was granted on a different registration, Committee are asked to re-affirm the granting of the small plate.

4. FINANCIAL IMPLICATIONS

The cost of defending the appeal if the application is refused and the applicant appeals to the Magistrates' Court.

5. LEGAL

The Committee are required only to ensure that Public Safety is not compromised by the granting of an extension of the licence. If they are satisfied that safety is reasonably assured they may grant the licence for a maximum of 12 months or such shorter period as they see as appropriate.

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Check MOT history (<https://www.gov.uk/check-mot-history>)

This vehicle's MOT expires soon

YR58MJX

AUDI A4

Colour
Black

Fuel type
Diesel

Date registered
24 October 2008

MOT valid until
1 March 2020

MOT history

Check mileage recorded at test, MOT expiry date, defects and advisories, and view test certificate

Date tested
14 February 2019
PASS

Mileage
185,457 miles

MOT test number
8984 7884 9708

Test location

Expiry date
1 March 2020

Monitor and repair if necessary (advisories):

- **Nearside Front Upper Suspension arm pin or bush worn but not resulting in excessive movement (5.3.4 (a) (i))**
- **Offside Front Upper Suspension arm pin or bush worn but not resulting in excessive movement (5.3.4 (a) (i))**

The MOT test changed on 20 May 2018

Defects are now categorised according to their severity – dangerous, major, and minor.

Date tested
20 February 2018

PASS

Mileage
171,099 miles

Test location

MOT test number
8287 2343 1275

Expiry date
1 March 2019

Advisory notice item(s)

- **brake pad warning light on**

Date tested
16 February 2018

FAIL

Mileage
171,087 miles

Test location

MOT test number
4485 8878 0811

Reason(s) for failure

- **Nearside Rear Tyre tread depth below requirements of 1.6mm (4.1.E.1)**

Advisory notice item(s)

- **brake pad warning light on**

Date tested
27 February 2017

PASS

Mileage
161,231 miles

Test location

MOT test number
8227 4112 6216

Expiry date
1 March 2018

Date tested
1 March 2016

PASS

Mileage
150,155 miles

Test location

MOT test number
4866 9884 8827

Expiry date
1 March 2017

Advisory notice item(s)

- **Rear brake disc worn, pitted or scored, but not seriously weakened (3.5.1i)**

Date tested
24 February 2016

Mileage
150,152 miles

MOT test number
9958 7861 6827

TEIGNBRIDGE DISTRICT COUNCIL
REGULATORY AND APPEALS COMMITTEE

4 MARCH 2020

PART I

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Applicant	
Options	The Committee may: a. Grant the request, with or without conditions; or b. Refuse the request.
Report Author	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
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A vehicle being presented for subsequent licensing is required to be under 10 years old with the exception of purpose built cabs. The Council has discretion to continue to licence Hackney Carriage or Private Hire vehicles which are older than ten years provided that the Council is satisfied that the vehicle is in a good condition and good state of repair and provided that it passes the appropriate testing standard. Applications for subsequent licensing for vehicles older than ten years will be considered by the Regulatory and Appeals Committee which can impose such conditions as it thinks fit including six and four monthly testing'.

- 1.2 All vehicle licences are issued annually.

- 1.3 Section 43 of the Town Police Clauses Act 1847 provides that:

'Every licence so to be granted shall be under the common seal of the commissioners, if incorporated, or, if not incorporated, shall be signed by two or

more of the commissioners, and shall not include more than one carriage so licensed, and shall be in force for one year only from the day of the date of such licence, or until the next general licensing meeting, in case any general licensing day be appointed by the commissioners' and

- 1.4 Section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976 provides that:

'A district council may attach to the grant of a licence of a hackney carriage under the Act of 1847 such conditions as the district council may consider reasonably necessary'.

- 1.5 The above Policy and statutory provisions reflect the Council's responsibility to ensure that all hackney carriage and private hire vehicles are safe and fit for use by members of the public. The Committee has the discretion to license a vehicle if it is of the view that the vehicle is safe, fit for use and is in an acceptable condition.

- 1.6 The decision of the Committee following a complete review of the Hackney Carriage and Private Hire Policy in April 2009 after taking into account the views from the trade was as follows:

"The Committee decided that vehicles being presented for initial licensing must be under five years old."

- 1.7 With regard to subsequent licensing, the Committee decided that a vehicle should be under ten years old with the exception of purpose built cabs. However the Committee decided that the Council could exercise discretion to continue to licence Hackney Carriage or Private Hire vehicles which are older than ten years provided that the Council is satisfied that it is in a good condition and good state of repair and provided that it passes the appropriate testing standard. Applications for subsequent licensing for vehicles older than ten years will be considered by the Regulatory and Appeals Committee which can impose such conditions as it thinks fit including six monthly testing. The Committee did not consider it appropriate to introduce an upper age or mileage limit."

- 1.8 Section 50(1) of the Local Government (Miscellaneous Provisions) Act 1976 provides:

'that a district council shall not under the provisions of this subsection require a proprietor to present the same hackney carriage or private hire vehicle for inspection and testing on more than three separate occasions during any one period of twelve months.'

- 1.9 In summary, the Committee is required to ensure that Public Safety is not compromised by the granting of an extension of the licence. If it is satisfied that safety is reasonably assured they may grant the licence for a maximum of 12 months or such shorter period as they see as appropriate.

2. APPLICATION DETAILS

- 2.1 The vehicle, a Citroen Dispatch Minibus, vehicle registration ML59 LHK which the applicant wishes the Committee to consider was first registered on 27 November 2009 and will be 10 years and 4 months old, if granted. The current Hackney Carriage licence expired on 13 February 2020 and the vehicle has been off the road pending the outcome of the committee hearing. The vehicle will no longer meet the Council's licensing policy as it is now being more than 10 years old.
- 2.2 The vehicle MOT certificate expired on 11 February 2020.
- 2.3 The vehicle had its annual inspection at the Depot on 13 February, details will be available to Committee members at the hearing.
- 2.4 It has been requested that the vehicle is made available at the hearing for inspection by the Committee should the members wish to do so.

3. CONSULTATIONS

- 3.1 **Licensing Officer:** If the Committee resolves to license the vehicle, the Report Authority recommends a condition requiring the vehicle to have six or four monthly vehicle inspections be imposed. The vehicle has been inspected by a Licensing Officer on 27 January.
- 3.2 The vehicle is in reasonable condition. Inside the driver's seat has a minor tear to the seam and the gaiter cover is torn so needs replacing, the first aid kit is also missing. Outside there are some minor scuffs and dents to the bodywork, all of which, along with the internal items, will be addressed.

4. FINANCIAL IMPLICATIONS

The cost of defending the appeal if the application is refused and the applicant appeals to the Magistrates' Court.

5. LEGAL

The Committee are required only to ensure that Public Safety is not compromised by the granting of an extension of the licence. If they are satisfied that safety is reasonably assured they may grant the licence for a maximum of 12 months or such shorter period as they see as appropriate.

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Check MOT history (<https://www.gov.uk/check-mot-history>)

This vehicle's MOT has expired

You can be fined up to £1000 for driving without a valid MOT
This vehicle may be MOT exempt, for more information refer to

ML59LHK

CITROEN DISPATCH

Colour

Gold

Fuel type

Diesel

Date registered

27 November 2009

MOT expired on

11 February 2020

MOT history

Check mileage recorded at test, MOT expiry date, defects and advisories, and view test certificate

Date tested

13 February 2020

Mileage

138,403 miles

MOT test number

5698 2271 5793

FAIL

Test location

Repair immediately (major defects):

- **Nearside Front Position lamp not working (4.2.1 (a) (ii))**
- **Engine MIL inoperative or indicates a malfunction Anti pollution fault on dash (8.2.2.2 (g))**

Repair as soon as possible (minor defects):

- **Nearside Rear Registration plate lamp inoperative in the case of multiple lamps or light sources (4.7.1 (b) (i))**

Monitor and repair if necessary (advisories):

- **20% high level brake light inop**
- **Nearside Front Tyre worn close to legal limit/worn on edge 2.5mm (5.2.3 (e))**
- **Nearside Front Wearing on inner edge**

Date tested
12 February 2019

PASS

Mileage
132,424 miles

Test location

MOT test number
5826 0463 7973

Expiry date
11 February 2020

Monitor and repair if necessary (advisories):

- **20% high level brake light**
- **All tyre valves slight perished**
- **Nearside Front Tyre wearing on inner edge**
- **Nearside Rear Handbrake sticking on caliper**

Date tested
12 February 2019

FAIL

Mileage
132,424 miles

Test location

MOT test number
3167 5904 3963

Repair immediately (major defects):

- **Offside Front Position lamp not working (4.2.1 (a))**

Monitor and repair if necessary (advisories):

- **20% high level brake light**
- **All tyre valves slight perished**
- **Nearside Front Tyre wearing on inner edge**
- **Nearside Rear Handbrake sticking on caliper**

The MOT test changed on 20 May 2018

Defects are now categorised according to their severity – dangerous, major, and minor.

Date tested
30 January 2018

Mileage
127,434 miles

MOT test number
7333 2868 0747

TEIGNBRIDGE DISTRICT COUNCIL
REGULATORY AND APPEALS COMMITTEE

4 MARCH 2020

PART I

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more of the commissioners, and shall not include more than one carriage so licensed, and shall be in force for one year only from the day of the date of such licence, or until the next general licensing meeting, in case any general licensing day be appointed by the commissioners' and

- 1.4 Section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976 provides that:

'A district council may attach to the grant of a licence of a hackney carriage under the Act of 1847 such conditions as the district council may consider reasonably necessary'.

- 1.5 The above Policy and statutory provisions reflect the Council's responsibility to ensure that all hackney carriage and private hire vehicles are safe and fit for use by members of the public. The Committee has the discretion to license a vehicle if it is of the view that the vehicle is safe, fit for use and is in an acceptable condition.

- 1.6 The decision of the Committee following a complete review of the Hackney Carriage and Private Hire Policy in April 2009 after taking into account the views from the trade was as follows:

"The Committee decided that vehicles being presented for initial licensing must be under five years old."

- 1.7 With regard to subsequent licensing, the Committee decided that a vehicle should be under ten years old with the exception of purpose built cabs. However the Committee decided that the Council could exercise discretion to continue to licence Hackney Carriage or Private Hire vehicles which are older than ten years provided that the Council is satisfied that it is in a good condition and good state of repair and provided that it passes the appropriate testing standard. Applications for subsequent licensing for vehicles older than ten years will be considered by the Regulatory and Appeals Committee which can impose such conditions as it thinks fit including six monthly testing. The Committee did not consider it appropriate to introduce an upper age or mileage limit."

- 1.8 Section 50(1) of the Local Government (Miscellaneous Provisions) Act 1976 provides:

'that a district council shall not under the provisions of this subsection require a proprietor to present the same hackney carriage or private hire vehicle for inspection and testing on more than three separate occasions during any one period of twelve months.'

- 1.9 In summary, the Committee is required to ensure that Public Safety is not compromised by the granting of an extension of the licence. If it is satisfied that safety is reasonably assured they may grant the licence for a maximum of 12 months or such shorter period as they see as appropriate.

2. APPLICATION DETAILS

- 2.1 The vehicle, a, Volkswagen Sharan, vehicle registration WJ07 WXY which the applicant wishes the Committee to consider, was first registered on 15 March 2007 and will be 13 years old, if granted. The current Hackney Carriage licence expires on 20 March 2020. The vehicle will no longer meet the Council's licensing policy as it is now being more than 10 years old.
- 2.2 The vehicle has a current MOT that expires on the 15 March 2020.
- 2.3 The vehicle is booked for its annual inspection at the Depot on 26 February 2020, details will be available to Committee members at the hearing.
- 2.4 It has been requested that the vehicle is made available at the hearing for inspection by the Committee should the members wish to do so.

3. CONSULTATIONS

- 3.1 **Licensing Officer:** If the Committee resolves to license the vehicle, the Report Authority recommends a condition requiring the vehicle to have six or four monthly vehicle inspections be imposed. The vehicle has been inspected by a Licensing Officer on 6 February 2020.
- 3.2 The vehicle is clean and tidy inside although the steering wheel cover is slightly worn. The exterior is in a relatively good condition apart from a dent and paint scratches to the N/S rear and a crack in the N/S reverse light. These items are due to be repaired before the depot inspection.

4. FINANCIAL IMPLICATIONS

The cost of defending the appeal if the application is refused and the applicant appeals to the Magistrates' Court.

5. LEGAL

The Committee are required only to ensure that Public Safety is not compromised by the granting of an extension of the licence. If they are satisfied that safety is reasonably assured they may grant the licence for a maximum of 12 months or such shorter period as they see as appropriate.

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Check MOT history (<https://www.gov.uk/check-mot-history>)

This vehicle's MOT expires soon

WJ07WXY

VOLKSWAGEN SHARAN

Colour

Blue

Fuel type

Diesel

Date registered

15 March 2007

MOT valid until

15 March 2020

MOT history

Check mileage recorded at test, MOT expiry date, defects and advisories, and view test certificate

Date tested

14 March 2019

PASS

Mileage

374,768 miles

Test location

MOT test number

1784 1170 5527

Expiry date

15 March 2020

The MOT test changed on 20 May 2018

Defects are now categorised according to their severity – dangerous, major, and minor.

Date tested

16 February 2018

PASS

Mileage

362,023 miles

Test location

MOT test number

1903 7308 2546

Expiry date

15 March 2019

Date tested
16 February 2017

PASS

Mileage
324,924 miles

Test location

MOT test number
8271 4717 6469

Expiry date
15 March 2018

Advisory notice item(s)

- Offside Rear Tyre worn close to the legal limit (4.1.E.1)
- Nearside Front Brake hose slightly deteriorated (3.6.B.4d)
- Oil leak ()

Date tested
16 February 2016

PASS

Mileage
271,825 miles

Test location

MOT test number
4657 7322 5825

Expiry date
15 March 2017

Advisory notice item(s)

- Nearside Front Tyre worn close to the legal limit (4.1.E.1)
- Offside Front Tyre worn close to the legal limit (4.1.E.1)
- Offside Front Lower Suspension arm has slight play in a ball joint (2.4.G.2)
- Front brake disc worn, pitted or scored, but not seriously weakened (3.5.1i)

Date tested
10 March 2015

PASS

Mileage
220,950 miles

Test location

MOT test number
2569 1916 5068

Expiry date
15 March 2016

Advisory notice item(s)

- Nearside Front Lower Suspension arm has slight play in a ball joint (2.4.G.2)
- Offside Front Tyre worn close to the legal limit (4.1.E.1)
- Nearside Rear Tyre worn close to the legal limit (4.1.E.1)

TEIGNBRIDGE DISTRICT COUNCIL

Regulatory and Appeals Committee

CHAIRMAN: John Petherick

DATE: 4 March 2020

REPORT OF: Licensing Manager

SUBJECT: Request for Tariff Increase for Hackney Carriages
PART I

RECOMMENDATION

That the Regulatory and Appeals Committee considers the outcome of an initial consultation in relation to a request from the trade for a 7.5% increase to the tariff and also gives consideration to the 2nd proposal put forward during the consultation.

1. PURPOSE

The Council sets the fares that can be charged to customers by Hackney Carriage drivers and in 2019 received a request from the trade for an increase in the current tariff which has not been increased since 2013. Following this request the Licensing Team put three proposals to the rank representatives of 5%, 7.5% and 10%. It was agreed with the trade to look at 7.5% and the Licensing Team undertook a full consultation with all the licensed drivers in Teignbridge. The results are set out in the body of the report.

It is an offence under Section 67 of Local Government (Miscellaneous Provisions) Act 1976 (the Act) to charge more than the metered fare in a hackney carriage. Please note: Drivers do not have to charge the full amount on the meter and do not have to add any extras should they not wish too. The purpose of the tariff is that it is the maximum amount that can be charged.

The Council is required to publish a notice in a local newspaper setting out the proposed fares or the variation of fares. The notice must specify the date that the new fares are to come into force and this date must not be less than 14 days from the date of the notice. This notice must also be displayed at the Council Offices. The notice should also give the address for receipt of objections to the proposed fares. The Council is required to consider any objections to the proposals.

The tariff was previously increased by 5% and commenced 15th July 2013.

2. BACKGROUND

Section 65 of the Act allows for the Council to set the fares for Hackney Carriage vehicles, however, the Council is not responsible for setting the fares for Private Hire Vehicles.

A full consultation with all **346** drivers took place in August 2019 via email.

TEIGNBRIDGE DISTRICT COUNCIL

The summarised results of the consultation are as follows;

7.5 % increase	Drivers	Percentage of respondents
Agree	40	11.6
Disagree	7	2.02
Proposed alternative (see proposal B)	41	11.85
No Response	258	74.6

Below are the comments made by some of the drivers who responded:

- Request £3.00 and £4.50 pull off
- People complain about the prices no but if the majority want it then fine
- Tariff 1 + 10%, Tariff 2 and 3 no change
- With a review every three years
- I disagree with the tariff increases, if the taxis stuck with the tariff times increase at 11pm and Sundays especially in Teignmouth there would be no need for an increase, it makes it hard for the taxis who want to move to tariff 2 and it leads to give us a bad name who use tariff appropriately
- It should be 50% due to no increase since 2013
- May I suggest more frequent reviews/proposals as the cost of living has increased by more than 7.5% since the £2.60 tariff was first introduced.
- I agree with an increase, but 10% would be more feasible or minimum fare & or pull away fare of £5.00 & calibrate the meters accordingly to kick in at the appropriate mileage, thus being a more effective fare to compensate the large amount of Taxi's within the Teignbridge area
- As I mainly do fixed price airport trips I don't use the meter as much it does not matter to me what increase but it would probably cost me £25 for the meter increase I know I could go private hire but I do like the fall back as been a Hackney Taxi
- It's been 6 years since the last increase, this increase works out at about 1% per year.
- Inflation is about 2% so therefore I believe the increase should be more like 15% to be fair and keep up with inflation.
- Increases or in fact decreases should be mandatory annually to accurately reflect increases or decreases in running costs, i.e fuel, tax, maintenance and wages.
- 10% with a minimum fare of £5
- Fouling charge should be £70 – £80 for the valet and a further £70 - £80 for the loss of income the following day
- Waiting time should be increased to £25 per hour. Do not want to lose the 10p extras.
- 10% plus a £1 charge for the carriage of non-assistance dogs
- 15% plus a £1 charge for the carriage of non-assistance dogs

3. THE PROPOSALS

TEIGNBRIDGE DISTRICT COUNCIL

Tariff 1 – Monday to Saturday 7am to 11pm

Tariff 2 – Monday to Saturday 11pm to 7am, all day Sunday and Bank Holidays

Tariff 3 – 11pm on 24 December to 7am 27th December and 11pm on 31 January to 7am on 2 January.

Proposal A

The tables below show the proposed increase to the tariff of 7.5% with the addition of increasing the fouling charge from £50 to £80 and the removal of the 10p extras.

Tariff 1- if increase set with initial pull off at £2.80 for the first 447 yards and 20p per 164 yards thereafter

Distance	Current Fare	Proposed Fare	% Increase	Increase in £'s / p's
1 Mile	4.20	4.50	7.14	.50
2 Miles	6.20	6.60	6.45	.40
3 Miles	8.20	8.80	7.32	.60
5 Miles	12.20	13.10	7.38	.90
10 Miles	22.20	23.80	7.21	1.60

Tariff 2 – if increase set with initial pull off at £4.20 for the first 447 yards and 30p per 164 yards thereafter

Distance	Current Fare	Proposed Fare	% Increase	Increase in £'s / p's
1 Mile	6.30	6.80	7.94	.50
2 Miles	9.30	10.00	7.53	.70
3 Miles	12.30	13.20	7.32	.90
5 Miles	18.30	19.60	7.10	1.30
10 Miles	33.30	35.80	7.50	2.50

Tariff 3 – if increase set with initial pull off at £5.60 for the first 447 yards and 40p per 164 yards thereafter

Distance	Current Fare	Proposed Fare	% Increase	Increase in £'s / p's
1 Mile	8.40	9.00	7.14	.60
2 Miles	12.40	13.30	7.25	.90
3 Miles	16.40	17.60	7.31	1.20
5 Miles	24.40	26.20	7.37	1.80
10 Miles	44.40	47.70	7.43	3.30

TEIGNBRIDGE DISTRICT COUNCIL

Proposal B

Proposed by 41 Newton Abbot Drivers - Increase the initial pull off to £3, £4.50 and £6. This would show a 15% increase on 1 mile but an average of 9% thereafter.

Tariff 1- if increase set with initial pull off at £3.00 for the first 447 yards and 20p per 164 yards thereafter

Distance	Current Fare	Proposed Fare	% Increase	Increase in £'s / p's
1 Mile	4.20	4.80	14.29	.60
2 Miles	6.20	6.80	9.68	.60
3 Miles	8.20	8.90	8.53	.70
5 Miles	12.20	13.30	9.01	1.10
10 Miles	22.20	24.20	9.00	2.00

Tariff 2 – if increase set with initial pull off at £4.50 for the first 447 yds and 30p per 164 yds thereafter

Distance	Current Fare	Proposed Fare	% Increase	Increase in £'s / p's
1 Mile	6.30	7.20	14.29	.90
2 Miles	9.30	10.10	8.60	.80
3 Miles	12.30	13.40	8.94	1.10
5 Miles	18.30	19.90	8.74	1.60
10 Miles	33.30	36.30	9.00	3.00

Tariff 3 – if increase set with initial pull off at £6.00 for the first 447 yards and 40p per 164 yards thereafter

Distance	Current Fare	Proposed Fare	% Increase	Increase in £'s / p's
1 Mile	8.40	9.60	14.29	1.20
2 Miles	12.40	13.50	8.87	1.10
3 Miles	16.40	17.90	9.14	1.50
5 Miles	24.40	26.60	9.00	2.30
10 Miles	44.40	48.40	9.00	4.00

National Average for a two mile hackney fare on tariff one as of December 2019 is £5.95 out of 363 Local Authorities

Devon Authorities:

Authority	Two Mile – Tariff One Fare	Position Nationally	Last Increased
West Devon	-	-	-
Mid Devon	£5.70	230	2010
Plymouth	£6.00	174	2017
South Hams	£6.00	177	2017
Teignbridge – currently	£6.20	136	2013
East Devon	£6.30	108	2012
North Devon	£6.55	73	2016
Exeter	£6.60	62	2013

TEIGNBRIDGE DISTRICT COUNCIL

Torridge	£6.62	55	2017
Torbay	£6.75	47	2019

Position nationally based on the two proposed increase options:

Proposed Increases	Two Mile – Tariff One Fare	Position Nationally
7.5%	£6.60	56 - 72
15%	£6.80	32 - 45

4. CONCLUSIONS

Only two drivers made comment with regard to the increase in the fouling charge and both were in agreement.

Only one driver made comment regarding the removal of the 10p extras. They did not want this removed.

Two drivers suggested that a £1 charge could be made for the carriage of non-assistance dogs. This can be considered.

Please note - Drivers do not have to charge the full amount on the meter and do not have to add any extras should they not wish too. The purpose of the tariff is that it is the maximum amount that can be charged.

Less than 25.4% percent of the trade responded, with 23.4% of those responding wanting an increase. It is extremely difficult to get the opinion of the overall trade when 74.6% did not respond to the survey.

Section 65(6) of the Local Government (Miscellaneous Provisions) Act 1976 states ‘....any table of fares previously made under this section for the district, as the case may be, shall cease to have effect.’

There remains a financial implication for the trade of £25 to have the meter calibrated to a new tariff.

4. FINANCIAL IMPLICATIONS

If the request is granted the Committee are asked to authorise the proposal to be advertised. Should any additional comments be received, the matter may need to be reconsidered by the Committee. The cost of postage and printing in contacting in writing all drivers. The cost of advertising the proposed tariff increase is approximately £590.

5. OPTIONS

The Committee may:

TEIGNBRIDGE DISTRICT COUNCIL

1. Grant the proposal A or B;
2. Refuse the proposals; or
3. Authorise an increase in fares different to the proposals with full written reasons.

In addition the committee are asked to consider the suggestion of a £1 charge for the carriage of non-assistance dogs.

1. Grant the proposal
2. Refuse the proposal

Andrea Furness
Licensing Manager

Wards affected	All
Contact for any more information	Andrea Furness
Background Papers (For Part I reports only)	Local Government (Miscellaneous Provision) Act 1976, Section 65
Key Decision	N
In Forward Plan	Y
In O&S Work Programme	N
Community Impact Assessment attached:	N
Appendices attached:	A: Advert (Proposal A and B) C: National Average data

Andrea Furness

From: Ext Mail: Licensing
Sent: 07 August 2019 11:25
To: Ext Mail: Licensing
Subject: Tariff Increase
Attachments: Proposed Tariff increase for 2019.docx

Good morning ladies and gentlemen

Please find attached the proposed tariff increase for September 2019. In order to ensure that it is agreed by you all please could you respond to this email whether you agree or disagree with the proposal.

If you disagree with the 7.5% increase please specify whether you think the increase should be more or less quoting a percentage.

It is important that we consider your opinion..

Please respond within the next 7 days so that we can move forward to advertising any increase.

Regards

Hayley Carpenter

Hayley Carpenter
Licensing Officer

licensing@teignbridge.gov.uk

Monday, Tuesday and Wednesdays only.

Proposed Tariff increase for 2019 of approximately 7.5%

Flag Fall Tariff 1 Tariff 2 Tariff 3

2.80 4.10 5.60

Initial yardage 447yds

Units thereafter 164 yds

Unit price .20 .30 .40

Fouling Charge £80

Removal of 10p extras

Distance (miles)	TARIFF 1			TARIFF 2			TARIFF 3		
	Current	Proposed	% Change	Current	Proposed	% Change	Current	Proposed	% Change
Flag	£2.60	£2.80	7.69%	£3.90	£4.10	5.13%	£5.20	£5.60	7.69%
1	£4.20	£4.60	9.52%	£6.30	£6.80	7.94%	£8.40	£9.20	9.52%
2	£6.20	£6.60	6.45%	£9.30	£9.80	5.38%	£12.40	£13.20	6.45%
3	£8.20	£8.80	7.32%	£12.30	£13.10	6.50%	£16.40	£17.60	7.32%
4	£10.20	£11.00	7.84%	£15.30	£16.40	7.19%	£20.40	£22.00	7.84%
5	£12.20	£13.00	6.56%	£18.30	£19.40	6.01%	£24.40	£26.00	6.56%
6	£14.20	£15.20	7.04%	£21.30	£22.70	6.57%	£28.40	£30.40	7.04%
7	£16.20	£17.40	7.41%	£24.30	£26.00	7.00%	£32.40	£34.80	7.41%
8	£18.20	£19.60	7.69%	£27.30	£29.30	7.33%	£36.40	£39.20	7.69%
9	£20.20	£21.60	6.93%	£30.30	£32.30	6.60%	£40.40	£43.20	6.93%
10	£22.20	£23.80	7.21%	£33.30	£35.60	6.91%	£44.40	£47.60	7.21%

TEIGNBRIDGE DISTRICT COUNCIL hereby gives notice that, pursuant to Section 65 of the Local Government (Miscellaneous Provisions) Act 1976, the Council intends to vary the current fares for licensed hackney carriages in accordance with the following table.

Fares were last increased in July 2013

HACKNEY CARRIAGE FARES			Commences: Proposal A - 7.5% increase
FARES FOR DISTANCE OR TIME	TARIFF 1	TARIFF 2	TARIFF 3
	Daytime Rate	Evenings, Sundays & Bank Holidays	Christmas And New Year
	Monday to Saturday between 7 am and 11 pm	All hiring between 11pm & 7am All day Sunday, Bank Holidays And from 6pm to 11pm 24 December and 31 January	24 December from 11pm until 7am 27 December and 31 January from 11pm until 7am 2 January
For the first 447 yds or part thereof	£2.80 (currently £2.60)	£4.20 (currently £3.90)	£5.60 (currently £5.20)
Per 164 yds thereafter	20p	30p	40p
For the first whole mile	£4.50 (currently £4.20)	£6.80 (currently £6.30)	£9.00 (currently £8.40)
Waiting time per 44 secs. (at the hirers request)	20p	30p	40p
EXTRAS	Guide dogs and wheelchairs		£1 (currently - Free of Charge)
	Fouling charge		£80.00 (currently £50.00)
Maximum call out charge	Pre-arranged with the hirer on telephone bookings only, were the driver is required to drive to a designated pick-up point		£5.00
Each passenger in excess of one. Each package or luggage exceeding 2'x1'6 x 6" carried outside the carriage. Each pram, pushchair or wheeled trolley. Each animal.			10p

Please note: A child under 3 years shall not be reckoned and two children between 3 and 10 years shall be regarded as one person IN RELATION TO FARES ONLY.

The above table of fares is the maximum fare that may be charged. A copy of this notice can be inspected at the Council Offices at Forde House, Brunel Road, Newton Abbot during usual office hours for 14 days from the publication of this notice. Any objections to the varied table of fares, together with the grounds on which they are made, must be made in writing within 14 days of the date of this notice to the name and address set out below. If no objections are received these changes will be implemented on *****

Dated : *****

Mrs A Furness, Teignbridge District Council, Forde House, Newton Abbot, TQ12 4XX

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HACKNEY CARRIAGE FARES			Commences: Proposal B - 15% increase
FARES FOR DISTANCE OR TIME	TARIFF 1	TARIFF 2	TARIFF 3
	Daytime Rate	Evenings, Sundays & Bank Holidays	Christmas And New Year
	Monday to Saturday between 7 am and 11 pm	All hiring between 11pm & 7am All day Sunday, Bank Holidays And from 6pm to 11pm 24 December and 31 January	24 December from 11pm until 7am 27 December and 31 January from 11pm until 7am 2 January
For the first 447 yds or part thereof	£3.00 (currently £2.60)	£4.50 (currently £3.90)	£6.00 (currently £5.20)
Per 164 yds thereafter	20p	30p	40p
For the first whole mile	£4.80 (currently £4.20)	£7.20 (currently £6.30)	£9.60 (currently £8.40)
Waiting time per 44 secs. (at the hirers request)	20p	30p	40p
EXTRAS	Guide dogs and wheelchairs		£1 (currently Free of Charge)
	Fouling charge		£80.00 (currently £50.00)
Maximum call out charge	Pre-arranged with the hirer on telephone bookings only, were the driver is required to drive to a designated pick-up point		£5.00
Each passenger in excess of one. Each package or luggage exceeding 2'x1'6 x 6" carried outside the carriage. Each pram, pushchair or wheeled trolley. Each animal.			10p

Please note: A child under 3 years shall not be reckoned and two children between 3 and 10 years shall be regarded as one person IN RELATION TO FARES ONLY.

The above table of fares is the maximum fare that may be charged. A copy of this notice can be inspected at the Council Offices at Forde House, Brunel Road, Newton Abbot during usual office hours for 14 days from the publication of this notice. Any objections to the varied table of fares, together with the grounds on which they are made, must be made in writing within 14 days of the date of this notice to the name and address set out below. If no objections are received these changes will be implemented on *****.

Dated : *****

Mrs A Furness, Teignbridge District Council, Forde House, Newton Abbot, TQ12 4XX

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The Bryan Roland Memorial

NATIONAL HACKNEY FARES TABLE DECEMBER 2019

TABLE COLOUR CODE
RISE IN 2019
RISE IN 2017
RISE IN 2016
RISE IN 2015
RISE IN 2014
RISE IN 2013
RISE IN 2012
RISE IN 2011
RISE IN 2010
RISE IN 2008
RISE IN 2007
NO SET FARE

POSITION	TARIFF ONE COUNCIL/AIRPORT	TWO MILE FARE	POSITION	TARIFF ONE COUNCIL	TWO MILE FARE	POSITION	TARIFF ONE COUNCIL	TWO MILE FARE
1	LONDON (HEATHROW)	£10.60	66	MORAY	£6.60	131	SOUTHEND ON SEA	£6.20
2	LUTON AIRPORT	£3.20	67	NORTH HERTS	£6.60	132	SPELTHERIE	£6.20
3	WATFORD	£3.40	68	NORWICH	£6.60	133	ST ALBANS	£6.20
4	ERSON & EWELL	£7.80	69	CARDIFF	£6.60	134	STAFFORD ON AVON	£6.20
5	LONDON	£7.80	70	SHEFFIELD	£6.60	135	STAFFORD DEANE	£6.20
6	KEMER	£7.60	71	SOUTH GLOUCESTER	£6.60	136	TEIGHBIDGE	£6.20
7	GULDFORD	£7.60	72	EAST SUFFOLK (NORTH)	£6.60	137	WEST OF FORD	£6.20
8	BODENMOUTH	£7.40	73	NORTH DEVON	£6.50	138	WINCHESTER	£6.20
9	BRIGHTON & HOVE	£7.40	74	DURHAM COUNTY COUNCIL	£6.50	139	WYCOMBE	£6.10
10	CHELTENHAM	£7.40	75	ASHFORD	£6.50	140	CENTRAL BEDFORDSHIRE	£6.10
11	MID SUSSEX	£7.40	76	MULTINGDONSHIRE	£6.50	141	CARDIFF	£6.10
12	CARRICK	£7.20	77	MADISTONE	£6.50	142	CLACKMANNAN	£6.10
13	REIDING	£7.20	78	SOUTH CAMBRIDGE	£6.50	143	EAST HERTS	£6.10
14	TUNBRIDGE WELLS	£7.10	79	SOUTH SOMERSET	£6.50	144	ELBRIDGE	£6.10
15	JERSEY	£7.10	80	NORTHING	£6.50	145	FLIDE	£6.10
16	DARTFORD	£7.10	81	BRISTOL	£6.40	146	HASTINGS	£6.10
17	MOLE VALLEY	£7.10	82	CANTERBURY	£6.40	147	NEW FOREST	£6.10
18	PELVATH	£7.10	83	HELDON (COUNTY OF)	£6.40	148	NORTH WARWICK	£6.10
19	SEVENOAKS	£7.06	84	COLTSHOLD	£6.40	149	SOUTH WARWICK	£6.10
20	EAST LOTHIAN	£7.00	85	CREWE & NANTWICH	£6.40	150	TAMWORTH	£6.10
21	HETSFERE	£7.00	86	EAST HAMPSHIRE	£6.40	151	SELBY	£6.06
22	POOLE	£7.00	87	HARLOW	£6.40	152	CHARWOOD	£6.05
23	STOUD	£7.00	88	PSYCH	£6.40	153	SCOTSH BORDERS	£6.05
24	TONBRIDGE & MALLING	£7.00	89	LEEDS	£6.40	154	ABERDEENSHIRE	£6.00
25	WILTSHIRE	£6.95	90	LINCOLN	£6.40	155	BASILDON	£6.00
26	RECTORHILL	£6.95	91	HAVERHILLS	£6.40	156	BOSTON	£6.00
27	EASTBOURNE	£6.90	92	NORTH KENTEN	£6.40	157	BRACKNELL FOREST	£6.00
28	HARROGATE	£6.90	93	OXFORD	£6.40	158	BROXTON	£6.00
29	VALE OF WHITE HORSE	£6.90	94	PURBECK	£6.40	159	CARMARTHENSHIRE	£6.00
30	WELDON	£6.90	95	RUSHMORE	£6.40	160	CASTLE POINT	£6.00
31	WELMOUTH & PORTLAND	£6.90	96	SHEFFIELD	£6.40	161	CONNY	£6.00
32	ANDUR	£6.80	97	SOUTH LAKELAND	£6.40	162	DOVER	£6.00
33	BATH & NORTH EAST SOMERSET	£6.80	98	STEVENAGE	£6.40	163	EAST HAMPSHIRE	£6.00
34	CARDIFF	£6.80	99	SURREY HEATH	£6.40	164	EAST LINDSEY	£6.00
35	CHRISTCHURCH	£6.80	100	TENDRING	£6.40	165	GLUCESTER	£6.00
36	COLCHESTER	£6.80	101	WATERLEY	£6.40	166	GREAT YARMOUTH	£6.00
37	FIFE	£6.80	102	WORKING	£6.40	167	GWYNED	£6.00
38	GLOUCESTERSHIRE	£6.80	103	WOKINGHAM	£6.40	168	ISLE OF WIGHT	£6.00
39	HART	£6.80	104	EDINBURGH	£6.35	169	KETTERING	£6.00
40	NORTH CORNWALL	£6.80	105	NEWMARK & SHERWOOD	£6.32	170	KINGS LYNN & WEST NORFOLK	£6.00
41	NOTTINGHAM	£6.80	106	COVENTRY	£6.30	171	LUTON	£6.00
42	SEDOGMOR	£6.80	107	DAORUM	£6.30	172	MILTON KEVENS	£6.00
43	SWALE	£6.80	108	EAST DEVON	£6.30	173	NORTH DORSET	£6.00
44	WEST BERKSHIRE	£6.80	109	ISLE OF MAN	£6.30	174	PLYMOUTH	£6.00
45	YORK	£6.80	110	LEWES	£6.30	175	PRESTON	£6.00
46	NUWENTON & BEDWORTH	£6.75	111	PEMBROKESHIRE	£6.30	176	SLOUGH	£6.00
47	TOMBAY	£6.75	112	SOUTH HOLLAND	£6.30	177	SOUTH HANTS	£6.00
48	CHELMSFORD	£6.70	113	FOREST OF DEAN	£6.27	178	SOUTH TYNESIDE	£6.00
49	CHESTER	£6.70	114	MIDLOTHIAN	£6.22	179	STOCKPORT	£6.00
50	EASTLISH	£6.70	115	ARROW & BUTE	£6.20	180	TAMESIDE	£6.00
51	CHARNHAM	£6.70	116	BIRMINGHAM	£6.20	181	TEST VALLEY	£6.00
52	ROTHAM	£6.70	117	BRANITREE	£6.20	182	THREE RIVERS	£6.00
53	SWINDON	£6.70	118	CHESTER	£6.20	183	THURROCK	£6.00
54	HARBOROUGH	£6.68	119	DAVENTRY	£6.20	184	VALE OF GLAMORGAN	£6.00
55	TORRIDGE	£6.62	120	DERBY	£6.20	185	WARRICK	£6.00
56	ARUN	£6.60	121	EAST CAMBRIDGESHIRE	£6.20	186	WEST DORSET	£6.00
57	BASINGSTOKE & DEANE	£6.60	122	HOSHAM	£6.20	187	WEST LINDSEY	£6.00
58	BRENTWOOD	£6.60	123	HEMP	£6.20	188	WYRAL	£6.00
59	CRAWLEY	£6.60	124	NORTHAMPTON	£6.20	189	DARLINGTON	£5.95
60	CAMBRIDGE CITY	£6.60	125	PORTSMOUTH	£6.20	190	BAERESH	£5.90
61	EAST DORSET	£6.60	126	ROCHFORD	£6.20	191	BASSETT	£5.90
62	EXETER	£6.60	127	RUWYMEDE	£6.20	192	BROOKHURST	£5.90
63	GLASGOW	£6.60	128	FOLKESTONE & HYTHE	£6.20	193	DOUDLEY	£5.90
64	HIGH PEAK	£6.60	129	SOUTHILL	£6.20	194	MANCHESTER	£5.90
65	MEDWAY	£6.60	130	SOUTHAMPTON	£6.20	195	NORTHUMBERLAND	£5.90

POSITION	TARIFF ONE COUNCIL	TWO MILE FARE	POSITION	TARIFF ONE COUNCIL	TWO MILE FARE	POSITION	TARIFF ONE COUNCIL	TWO MILE FARE
196	TADBRIDGE	£5.90	261	EAST STAFFORDSHIRE	£5.50	326	COPELAND	£5.00
197	WALSALL	£5.90	262	EDEN	£5.50	327	EAST NORTHANTS	£5.00
198	CALDERDALE	£5.85	263	EPWORTH FOREST	£5.50	328	KIRKLEES	£5.00
199	TEWKESBURY	£5.85	264	EBERWASH	£5.50	329	NORTH EAST DERBYSHIRE	£5.00
200	BLACKPOOL	£5.80	265	FALCON	£5.50	330	NORTH LAMARSHIRE	£5.00
201	BRIDGEND	£5.80	266	GEDLING	£5.50	331	PETERBOROUGH	£5.00
202	BROMSGROVE	£5.80	267	HAMBLETON	£5.50	332	ROSEBUD	£5.00
203	CHALSLIE	£5.80	268	OLDHAM	£5.50	333	SOUTH NORTHANTS	£5.00
204	EAST KILBRIDE	£5.80	269	SIRROPSHIRE	£5.50	334	STROKE-ON-TRENT VA	£4.95
205	FARHAM	£5.80	270	STAFFORD	£5.50	335	CONRY	£4.90
206	HAVANT	£5.80	271	TORNA	£5.50	336	FLINTSHIRE	£4.90
207	HIGHLAND	£5.80	272	CEREDIGION	£5.45	337	TELFORD & WARRKIN	£4.90
208	LEICESTER	£5.80	273	NEATH PORT TALBOT	£5.45	338	WELLSBOROUGH	£4.90
209	NEWCASTLE-UPON-TYNE	£5.80	274	SALFORD	£5.45	339	WESTERN ISLES	£4.95
210	NORTH LINCOLNSHIRE	£5.80	275	ALLERDALE	£5.45	340	ASHFORD	£4.90
211	NORTH NORFOLK	£5.80	276	BARNSLEY	£5.45	341	DERBYSHIRE DALES	£4.90
212	NORTH TYNSIDE	£5.80	277	BARROW IN FURNESS	£5.40	342	HARTLEPOOL	£4.90
213	ORNEY	£5.80	278	CHILTERN	£5.40	343	MANCHESTER	£4.90
214	BRIGATE & BANSTAD	£5.80	279	DUNBARTON & VALE OF LEVEN	£5.40	344	ROCHDALE	£4.90
215	RIGBY	£5.80	280	KINGSTON-UPON-HULL	£5.40	345	BLACKBURN	£4.90
216	RITHERGLEN	£5.80	281	MAGGLESFIELD	£5.40	346	HYNDEN	£4.90
217	SOUTH BIBLE	£5.80	282	MID SURFOLK	£5.40	347	WEST LAMARSHIRE	£4.90
218	TATFORD	£5.80	283	NORTHERN IRELAND	£5.40	348	BOLSOVER	£4.90
219	UTTERFORD	£5.80	284	PARTH & KINROSS	£5.40	349	WAKEFIELD	£4.90
220	WEST SOMERSET	£5.80	285	POWYS	£5.40	350	BURNLEY	£4.90
221	WINDSON & MAIDENHEAD	£5.80	286	NORTHAMPTON	£5.40	351	KENDRYN TOWEL	£4.90
222	WINDSON & MAIDENHEAD	£5.80	287	THANET	£5.40	352	REDCAR & CLEVELAND	£4.90
223	WORCESTER	£5.80	288	WYCHAVON	£5.40	353	STOCKTON ON TEES	£4.90
224	WRE	£5.80	289	EAST DUNBARTONSHIRE	£5.40	354	GLADY & WIGSTON	£4.90
225	WYNDON	£5.75	290	BLABY	£5.35	355	PENKLE	£4.90
226	CHESTER	£5.75	291	BRADFORD	£5.30	356	AVESBURY VALE	£4.80
227	DONCASTER	£5.75	292	CRANEN	£5.30	357	MIDDLEBOROUGH	£4.80
228	CANNOCK CHASE	£5.70	293	ST HELENS	£5.30	358	MALDON	£4.80
229	ANDUR	£5.70	294	VALE ROYAL	£5.30	359	RITLAND	£4.80
230	MID DEVON	£5.70	295	WYRE FOREST	£5.30	360	SOUTH DERBYSHIRE	£4.80
231	MONMOUTHSHIRE	£5.70	296	MELTON	£5.30	361	SOUTH NORFOLK	£4.80
232	NORTH SOMERSET	£5.70	297	NORTH ANSHIRE	£5.30	362	SOUTH OXFORDSHIRE	£4.80
233	BENBESWIRE	£5.70	298	REDDITCH	£5.30	363		
234	REDEALE	£5.70	299	RISE IN 2019	£5.30			
235	STIRLING	£5.70	300	RISE IN 2017	£5.30			
236	SWANSEA	£5.70	301	RISE IN 2016	£5.30			
237	WELMOUTH	£5.70	302	RISE IN 2015	£5.30			
238	DUNDEE CITY	£5.65	303	RISE IN 2014	£5.30			
239	ABERDEEN CITY	£5.65	304	RISE IN 2013	£5.30			
240	BRECKLAND	£5.65	305	RISE IN 2012	£5.30			
241	DERBYSHIRE	£5.65	306	RISE IN 2011	£5.30			
242	GOSPORT	£5.65	307	RISE IN 2010	£5.30			
243	HICKLEY & BOSWORTH	£5.65	308	RISE IN 2008	£5.30			
244	LANCASTER	£5.65	309	RISE IN 2007	£5.30			
245	LIVERPOOL	£5.65	310	NO SET FARE	£5.30			
246	MEYFORD	£5.65	311		£5.30			
247	NORTH EAST LINCOLNSHIRE	£5.65	312		£5.30			
248	NORTH WEST LEICESTER	£5.65	313		£5.30			
249	RICHMONDSHIRE	£5.65	314		£5.30			
250	RUSHLIFFE	£5.65	315		£5.30			
251	SANDWELL	£5.65	316		£5.30			
252	SOUTH BUCKINGHAM	£5.65	317		£5.30			
253	EAST SUFFOLK (SOUTH)	£5.65	318		£5.30			
254	SUNDERLAND	£5.65	319		£5.30			
255	WEST LOTHIAN	£5.65	320		£5.30			
256	WOLVERHAMPTON	£5.65	321		£5.30			
257	WREKHAM	£5.65	322		£5.30			
258	CHENWELL	£5.65	323		£5.30			
259	NEWCASTLE-UPON-TYNE	£5.65	324		£5.30			
260	DUMFRIES & GALLOWAY	£5.50	325		£5.30			
326	SOUTH STAFFORDSHIRE	£5.10						

TABLE COLOUR CODE
RISE IN 2018
RISE IN 2017
RISE IN 2016
RISE IN 2015
RISE IN 2014
RISE IN 2013
RISE IN 2012
RISE IN 2011
RISE IN 2010
RISE IN 2007
NO SET FARE

The Bryan Roland Memorial

NATIONAL HACKNEY FARES TABLE DECEMBER 2019

**NATIONAL AVERAGE
TWO MILE HACKNEY FARE
TARIFF ONE
IS NOW £5.95**

PLEASE NOTE

Broadland DC are not listed in our tables as although they are a council, they have no hackney ranks (and therefore no council tariff) within their boundaries.

Where an (X) appears by a listing, it refers to the fact that a fare update has been passed by the council, but the price of our two-mile fare has not increased.

Please note that Waveney District Council is now listed as East Suffolk (North) and Suffolk Coastal is now listed as East Suffolk (South) in accordance with new council guidelines.

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TEIGNBRIDGE DISTRICT COUNCIL
REGULATORY & APPEALS COMMITTEE

WEDNESDAY 4 MARCH 2020

PART I

Report Title	Staff Appeals Procedure
Purpose of Report	<p>To recommend changes to the arrangements for hearing staff appeals under the Disciplinary, Capability, and Redundancy and Grievance policies. Currently appeals against dismissal and final grievance appeals are the responsibility of the Regulatory and Appeals Committee. The reasons for recommending these are delegated to the Managing Director (Head of Paid Service) are outlined in this report.</p> <p>This has previously been considered by the Committee in April 2019, when the Committee requested the matter be deferred by six months and brought back before the reconstituted Committee following the May 2019 elections.</p>
Recommendation(s)	<p>(a) appeals on personnel issues where the Council's internal procedure gives an employee a right of appeal, be delegated to the Managing Director (Head of Paid Service) and dealt with as outlined in paragraph 4.1 of the report; and</p> <p>(b) The Council's Constitution and associated staff Discipline, Capability, Redundancy and Grievance policies / procedures be amended accordingly.</p>

Financial Implications	None identified.
Legal Implications	None identified.
Risk Assessment	No risks identified with the proposals. The proposals will remove the anomaly of an element of staffing responsibility (appeals) sitting outside the Managing Directors Head of Paid Service responsibilities.
Environmental/ Climate Change Implications	None identified.
Report Author	Tim Slater HR and OD Manager tim.slater@teignbridge.gov.uk
Portfolio Holder	Cllr Gordon Hook (Leader of Council)
Appendices / Background Papers	Council Constitution. Staff Managing Change, Capability, Grievance and Disciplinary Policies

1. INTRODUCTION / BACKGROUND

- 1.1 The arrangements for grievances raised by staff and for managing staff disciplinary and capability issues are covered by existing policies and procedures based largely on the Advisory, Conciliation and Arbitration Service (ACAS) guidelines and good practice. These include provision for appeals against decisions. Although not part of the guidelines or good practice, currently the Regulatory and Appeals Committee hear all appeals against dismissal and the final appeal in relation to the grievance procedure. As a consequence of their involvement in appeals, members of the committee can be called to provide evidence at contentious Employment Tribunals where dismissal decisions are challenged.
- 2.2 Appeals of this nature are rare. In 2018 there were two appeals, one in February and one in March. In 2019 there was one in September. There have been none since then. Outcomes and learning from individual cases are dealt with through reviews by senior officers responsible for the policies and any significant action has been reported to the Managing Director as Head of the Paid service responsible for all staffing matters.

2. Reasons for changes proposed

- 2.1 Responsibility for staffing rests with the Managing Director in his capacity as Head of Paid Service, being the person who has statutory responsibility for the appointment of staff other than chief and statutory officers and also the non-executive role of officer appointments. That post-holder also has accountability to the Council for associated staffing matters, including performance and capability in the delivery of services and the effectiveness of and compliance with HR policies and procedures.
- 2.2 In contrast, Members have a strategic (rather than operational) role, focussing on setting, reviewing and monitoring corporate policy, making decisions on key areas including planning and regulation, and undertaking community leadership. The proposal in this report supports this important distinction between the strategic and operational role of members and officers respectively.
- 2.3 The Senior Leadership Team (SLT), has recently approved a revised staff performance management scheme and competency framework (which was rolled out across the organisation during 2019), and in line with this it is recommended that this most senior level of officers should be expected to hear final appeals in all staffing matters, and to take accountability for their decision making. This would include explaining the rationale for their decisions at employment tribunals if necessary rather than, as currently, being accountable up to a point and then expecting an individual member as chair of an Appeal Panel to assume accountability on behalf of the Council and the Head of the Paid Service.
- 2.4 As well as being consistent with the Head of Paid Service's statutory role, the management role of SLT and the strategic role of members, the recommended changes to the appeal process, would reinforce the role of the Managing Director as Head of Paid Service and SLT in both developing the culture of the organisation and the performance management approach needed to support it. Furthermore, it would overcome the potential for tensions regarding public accountability for staffing arrangements as a result of appeal decisions lying with members on the Appeals Panel.

3. Consultation

- 3.1 Consultation would take place with Unison and other representatives of staff affected ahead of implementation. There will be no change to the rights to appeal and the procedures through which appeals are managed.

4. Proposals

- 4.1 The proposal is to amend the current appeal arrangements for staffing matters other than those for the SLT members and any other statutory officer (see 5.2 below). In its place a panel would be established comprising one member of the

SLT. Panels of appeal would be drawn from this group to hear all final appeals within the grievance policy and all appeals against decisions to dismiss. Specific decision making would be delegated to the Managing Director (Head of Paid Service) although he would be permitted to sub-delegate this power to another member of SLT (e.g. in the case of conflict of interest or his absence). This will require a change in the Constitution.

- 4.2 In response to these amendments, appeals will be undertaken by persons with relevant expertise; consistency in decisions will be more readily secured; appeals may be convened more quickly; and the process should become less adversarial or intimidating to employees.
- 4.3 It should be noted that separate statutory arrangements apply in relation to disciplinary action concerning the Managing Director and members of the Senior Leadership Team (and Monitoring Officer) There is no plan to change these arrangements.

3. IMPLICATIONS, RISK MANAGEMENT & CLIMATE CHANGE IMPACT

3.1 Financial

None identified.

3.2 Legal

None identified.

3.3 Risks

No risks identified with the proposals.

The proposals will remove the anomaly of an element of staffing responsibility (appeals) sitting outside the Managing Directors Head of Paid Service responsibilities.

3.4 Environmental/Climate Change Impact

None identified.

4. ALTERNATIVE OPTIONS

None identified.

5. CONCLUSION

It is recommended to remove responsibility for staff appeals against dismissal and final grievance appeals from this Committee and add these to the Managing Director's responsibilities as Head of Paid Service.

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