

Title of Report:	TAXI TARIFF 2015/16
Report to be considered by:	Licensing
Date of Meeting:	24 March 2015
Forward Plan Ref:	N/A

Purpose of Report: To inform Members of a request from the taxi trade to make a variation to the taxi table of fares, both in format and in the way that fares are calculated.

Recommended Action: To consider the request

Reason for decision to be taken: Request from the Trade

Other options considered:

1. To approve the table of fares and re-formatted table
2. To not vary the existing table of fares and/or table
3. To alter the current table of fares from the proposal to one agreed by Members

Key background documentation: Written requests from the trade which are attached as appendices

Published Works: Local Government (Miscellaneous Provisions) Act 1976
West Berkshire District Council Hackney Carriage Conditions
West Berkshire Council/Newbury District Council Hackney Carriage Byelaws

The proposals contained in this report will help to achieve the following Council Strategy priorities:

- CSP1 – Caring for and protecting the vulnerable**
- CSP2 – Promoting a vibrant district**

The proposals will also help achieve the following Council Strategy principle:

- CSP5 - Putting people first**

Portfolio Member Details	
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Date Portfolio Member agreed report:	10 March 2015

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Implications

Policy: Although not a mandatory requirement the Council has set a maximum fare for a number of years.

Personnel: None

Legal/Procurement: The Council has a duty to advertise any variation in rate of fare in a local newspaper for a period of 14 days from the proposed date of introducing the table of fares

Property: None

Risk Management: None

Is this item relevant to equality?	Please tick relevant boxes	Yes	No
Does the policy affect service users, employees or the wider community and:			
• Is it likely to affect people with particular protected characteristics differently?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Is it a major policy, significantly affecting how functions are delivered?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Will the policy have a significant impact on how other organisations operate in terms of equality?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to an area with known inequalities?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)			
Relevant to equality - Complete an EIA available at http://intranet/EqIA			<input checked="" type="checkbox"/>
Not relevant to equality			<input type="checkbox"/>

Executive Summary

1. Introduction

- 1.1 The Local Government (Miscellaneous Provisions) Act 1976 section 65 allows a district council to fix the rate of fares by means of a table, within the District in respect of hackney carriages. The Council is not obliged to set a table of fares for their area however if it does so then the table of fares set must be the maximum that can be charged. In the past, West Berkshire Council and its predecessor has set a table of fares. The table is generally reviewed annually.
- 1.2 Members have the option to not set a table of fares at all and allow market forces to establish the going rate and at the same time promoting competition. The taxi trade are generally not supportive of a table of fares not being set citing potential threats from the public where fares differ between operators. By not setting a fare there is the potential for unscrupulous drivers to charge extortionate rates.

2. Proposals

- 2.1 To consider responses to a consultation upon the proposed table of fares and to decide if the fares and the table of fares format should be varied.

3. Equalities Impact Assessment Outcomes

- 3.1 Taxi trade licence holders and the public have been consulted upon the trade's proposals.

4. Conclusion

- 4.1 If Members agree to a variation in fares, a notice setting out the variation and its coming into operation date, must be posted in a locally circulating newspaper giving a 14 day period for objections to be received. Where objections are received, the Council must take these into consideration and set a further date for the coming into force of the table of fares with or without modification, which is not later than 2 months after the first specified date.
- 4.2 If Members decide not to vary the table of fares the existing table will remain in force as set in 2013.
- 4.3 Members may, if they wish, agree a table of fares which differs from both the existing table and that proposed.

Executive Report

1. Introduction

- 1.1 The existing taxi table of fares was set by the Licensing Committee and came into force on the 18th April 2013 (Appendix A).
- 1.2 The Council does not have to set a table however, if it does, then the fare must be the maximum to be charged. Any lesser charge can be agreed between the driver and the passenger before the commencement of the journey.
- 1.3 The trade did not request an increase or any change to the table for the 2014/15 financial year.
- 1.4 The trade submitted an application for a review of the table on the 20th November 2014 (Appendix B). Although officers would normally submit such requests directly to the Committee for their consideration, it was felt that the request for review was not as straight forward as in previous years in that it required a re- design of the table sheet and calculated the fares in a new way.
- 1.5 Officers embarked upon a consultation exercise which asked for views from owner drivers and also drivers who admittedly have no responsibilities for running vehicles but are the front line of customer interaction when charging fares. A consultation was also published on the Council's web site. Some owner drivers objected to this extended form of consultation however it was felt prudent to at least solicit the views of drivers. Where driver views have been expressed these have been separated from owner driver responses for Members consideration, should they so wish.
- 1.6 The consultation letters were printed with the trade's suggestions for variation and posted on the 1st December 2014 (Appendix B).
- 1.7 On the 10th December 2014 the trade, through Mr Riaz Sheik, submitted a revised table - Option 2/Alternative Restructure of the Table of Fares for 1st April 2015, and asked that this document be considered (Appendix C). The consultation had already started and after taking legal advice, officers decided that the revised document would be considered as a response to the consultation. It was felt that the publishing of the alternative structure would only cause confusion.

2. Consultation Responses

- 2.1 At the close of the consultation it would appear that 20 responses had been received from the trade and 1 through the Council's web site, although the latter was from the Chairman of the West Berkshire Taxi and Private Hire Association. Of these, 6 were in favour of the revised table of fares and the re-formatted table with 15 being against. In support of the lobby against the proposal, a petition was received which had been signed by 23 licence holders. Of these, 16 are owner drivers and 6 are from drivers and 1 from a person who leases the vehicle.
- 2.2 The reasons given for opinions are diverse and it would be extremely difficult to analyse and categorise these comments into report format. This being the case, each of the response letters/emails are attached as Appendix D. There are some

deletions shown on responses and these will be addressed in a separate report regarding vehicle livery and advertising.

- 2.3 Amongst the responses are a number of proposals which are asking for additional conditions to be considered regardless of the decision. These are:
- that if the table of fares is revised, or not, all vehicle licence holders are required to upgrade the meter to the agreed maximum rates set out in the table and submit a certificate from an authorised meter agent within 7 days of the table being implemented or by a date to be decided should the table not be revised.
 - That calendar controlled meters be required for all licensed taxis.
- 2.4 Some of the responses contain thoughts and beliefs that are not strictly asked for in the consultation and officers would ask Members to dismiss them, for the time being. This report is about the revised table of fares and the re-formatted table and other issues should not cloud a decision being made on the original request from the trade.
- 2.5 It is worthy of note that the original proposal and the revised proposal, appendix B and C, do not give any % detail about any increase in fares nor do they give any rationale for any increase in rates. I.e. increases in costs, fuel etc.
- 2.6 A check on CPI for the 12 months from December 14 to January 15 shows that transport prices fell by 2.0% compared with a smaller fall of 0.6% between the same two months a year earlier. Most of the downward contribution came from motor fuel prices falling at a quicker rate than a year ago. The average petrol price fell by 8.5p per litre between December 14 and January 15, to 108.3p. The average diesel price fell by 7.3p over the same period to 115.6p. Petrol is now at its lowest price since November 2009 and diesel since February 2010. These figures were collated from the Office for National Statistics on the 10th March 2015.
- 2.7 Also noted is the request to add to the table of fares a statement regarding credit card charges and an increase in the charge for fouling which rises from an undisclosed sum to a maximum of £150. In the matter of credit card charges, officers have always felt that without a set charge for the use of cards, any statement would appear to give carte blanche to a charging free for all. Local Government (Miscellaneous Provisions) Act 1976 section 65 allows a council to fix the rates or fares within the district as well as for a time as distance and all other charges in connection with the hire of a vehicle, or with the arrangements for the hire of the vehicle, to be paid in respect of the hire of hackney carriages by means of a table of fares.

3. Recommendations

- 3.1 That Members consider the responses received on the design and structure of the table of fares and the means by which the fare is calculated.
- 3.2 That Members decide whether or not to approve the new rates and table of fares format as submitted in options 1 and 2.
- 3.3 That Members decide on the proposals in 2.3.1 and 2.3.2

Appendices

Appendix A - Current Table of Fares
Appendix B - Proposed Table of Fares
Appendix C - Alternative Table of Fares
Appendix D - Response letters/e mails
Appendix E - Equality Impact Assessment

Consultees

Local Stakeholders: All taxi licence holders
Officers Consulted: Julia O'Brien Principal Licensing Officer
Trade Union: None