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# Hackney Carriage Tariff Consultation Responses Report

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<b>Committee considering report:</b>	Licensing Committee
<b>Date of Committee:</b>	27 January 2020
<b>Portfolio Member:</b>	Councillor Hilary Cole
<b>Report Author:</b>	Suzanne McLaughlin
<b>Forward Plan Ref:</b>	N/a

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## 1. Purpose of the Report

- 1.1 To allow Members to consider the responses received during the 28 day consultation period with the trade concerning the proposed tariffs in relation to hackney carriage licensing. The key consideration is the balance between supporting small business and ensuring the general public has access to a good value hackney carriage service across all areas of the District.

## 2. Recommendation

- 2.1 Officers recommend that the consultation responses are taken into account and the fees are subject to the statutory consultation in the local newspaper and deposited at the Council offices, to come into effect on 1 April 2020.

## 3. Implications

- 3.1 **Financial:** None
- 3.2 **Policy:** Although not a mandatory requirement, the Council has set a maximum tariff for a number of years.
- 3.3 **Personnel:** None
- 3.4 **Legal:** Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 requires all licensing authorities to publish a notice regarding the fixing of fares by the Council for hackney carriages. As objections have been received, in accordance with the Act the Council is required to consider those objections and following statutory 14 days consultation under S65(2) set a date on which any variation to the fees, with or without modification, shall come into force.
- 3.5 **Risk Management:** None
- 3.6 **Property:** None
- 3.7 **Other:** None

**4. Other options considered**

4.1 To not change the current tariff for hackney carriage fares.

## Executive Summary

### 5. Introduction / Background

- 5.1 At the Licensing Committee meeting on 18 November 2019 it was agreed to consult with all Hackney Carriage Proprietors and Private Hire Operators on a proposed taxi tariff following a request received from an operator. The operator had asked for a 9% increase on Tariffs 1 and 2 and nothing on Tariff 3. Members suggested a slight variation on this based on tenths of a mile in an attempt to make the tariff less confusing. The original operator who had asked for the increase agreed the proposal suggested.
- 5.2 The existing and proposed tariffs can be found at Appendix C.
- 5.3 The legal requirements in relation to amending fares are set out at section 65 of the Local Government (Miscellaneous Provisions) Act 1976. A district council may fix the rates or fares within the district as well for time as distance, and all other charges in connection with the hire of a vehicle or with the arrangements for the hire of a vehicle, to be paid in respect of the hire of hackney carriages by means of a table.
- 5.4 The consultation with the trade ran from 6 December 2019 and ended on 3 January 2020 with all 229 Hackney Carriage proprietors and operators being sent a letter /emailed letter advising them of the consultation.
- 5.5 During the period available for making objections, 32 responses (14%) were received and these are listed in Appendix D. Overwhelmingly 94% (30/32) responded in favour of the proposals. 3 comments were received which were all expressing their agreement in the proposed changes. There were no responses suggesting any alternative tariffs.

### 6. Proposal

- 6.1 Officers recommend that the comments are considered and the tariffs are set, subject to statutory consultation.

### 7. Conclusion

- 7.1 The Committee are requested to consider the comments in the context of this report and any further representations made at the meeting.

### 8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – Existing and proposed tariffs
- 8.4 Appendix D – Responses received (32)

## Appendix A

### Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via [dp@westberks.gov.uk](mailto:dp@westberks.gov.uk)

Directorate:	Public Protection and Culture
Service:	Public Protection Partnership
Team:	Case Management and Governance
Lead Officer:	Suzanne McLaughlin
Title of Project/System:	Hackney Carriage tariffs
Date of Assessment:	8 January 2020

**Do you need to do a Data Protection Impact Assessment (DPIA)?**

	Yes	No
<p><b>Will you be processing SENSITIVE or “special category” personal data?</b></p> <p>Note – sensitive personal data is described as “<i>data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation</i>”</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Will you be processing data on a large scale?</b></p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Will your project or system have a “social media” dimension?</b></p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Will any decisions be automated?</b></p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Will your project/system involve CCTV or monitoring of an area accessible to the public?</b></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Will you be using the data you collect to match or cross-reference against another existing set of data?</b></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Will you be using any novel, or technologically advanced systems or processes?</b></p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.**

## Appendix B

### Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:**
    - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
    - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

<b>What is the proposed decision that you are asking the Executive to make:</b>	To agree to the changes in Hackney Carriage tariffs to take effect from 01/04/2020.
<b>Summary of relevant legislation:</b>	Local Government (Miscellaneous Provisions) Act 1976
<b>Does the proposed decision conflict with any of the Council's key strategy priorities?</b>	No
<b>Name of assessor:</b>	Suzanne McLaughlin
<b>Date of assessment:</b>	8 January 2019

Is this a:		Is this:	
Policy	No	New or proposed	No
Strategy	No	Already exists and is being reviewed	Yes
Function	Yes	Is changing	Yes
Service	Yes		

<b>1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?</b>	
<b>Aims:</b>	To set tariffs for hackney carriage fares to take effect from 01/04/2020.
<b>Objectives:</b>	Ensuring the fares are effectively reviewed and any changes are appropriately introduced.
<b>Outcomes:</b>	The balance between supporting small business and ensuring the general public has access to a good value hackney carriage service across all areas of the District
<b>Benefits:</b>	No specific benefit

<b>2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.</b>		
(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
<b>Group Affected</b>	<b>What might be the effect?</b>	<b>Information to support this</b>
Age	No impact	

Disability	No impact	
Gender Reassignment	No impact	
Marriage and Civil Partnership	No impact	
Pregnancy and Maternity	No impact	
Race	No impact	
Religion or Belief	No impact	
Sex	No impact	
Sexual Orientation	No impact	
<b>Further Comments relating to the item:</b>		
No further comments		

<b>3 Result</b>	
<b>Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?</b>	<b>No</b>
<b>Please provide an explanation for your answer:</b> No evident contribution to inequality	
<b>Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?</b>	<b>No</b>
<b>Please provide an explanation for your answer:</b> The income received from licence applicants covers the cost of providing the statutory licensing function.	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

<b>4 Identify next steps as appropriate:</b>	
<b>Stage Two required</b>	
<b>Owner of Stage Two assessment:</b>	
<b>Timescale for Stage Two assessment:</b>	

Name: Suzanne McLaughlin

Date: 8 January 2019

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Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) ([rachel.craggs@westberks.gov.uk](mailto:rachel.craggs@westberks.gov.uk)), for publication on the WBC website.