

<b>Title of Report:</b>	<b>Annual Review of the Taxi Tariff and Review of Taxi Conditions</b>	<b>Item 5</b>
<b>Report to be considered by:</b>	Licensing Committee	

**Purpose of Report:**

To set a maximum scale of fares for licensed hackney carriages operating in the district, for 2005/6 and to review hackney carriage and private hire conditions.

**Recommended Action:**

To approve the recommended tariff and conditions.

**List of other options considered:**

To not set a tariff

**Key background documentation:**

- Office of Fair Trading Report: The Regulation of Licensed Taxi and PHV Services in the UK.

**Contact Officer Details**

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### 1. Background

1.1 Councils are not obliged to set a maximum taxi fare for their area but may do so if they wish. In the past, West Berkshire Council and its predecessor have set a maximum taxi fare structure. It is usually reviewed annually to commence as soon as possible at the start of the new financial year. Although not a recommended action, Members have the option to not set a tariff at all, relying instead on market forces to establish the going rate and at the same time promoting competition. The taxi trade, through the West Berkshire Hackney Carriage and Private Hire Operators Association, are opposed to such a proposal citing potential threats from the public as the main reason, along with the possibility of unscrupulous drivers charging unreasonable fares. The local police are also not in favour of such a move for similar reasons.

1.2 The taxi trade representatives have also said in the past that having a maximum tariff set by the Council helps to deflect criticism of apparently high fares. Generally, the current fare regime for the district is roughly about the national average and will remain so if members accept the proposed increases.

1.3 Officers meet regularly with the trade to discuss conditions and the tariff and the trade's formal response is attached as appendix 1. Members may wish to suspend standing orders and invite trade representatives to address the committee.

### 2. The Office of Fair Trading Report

2.1 Whilst there are some good reasons for deregulating fares, on balance, those for applying controls are stronger. Overall, the OFT believes that fare deregulation will lead to higher charges. The report makes clear that when setting fares the Council should make it clear that the fare set, is the maximum that can be charged. This statement would be shown on the tariff card issued to all vehicle proprietors.

2.2 A copy of the OFT report is available at the OFT web site at, <http://www.of.gov/Market+Studies.taxis.htm>

### 3. Taxi Fares for 2005/6

3.1 The current taxi fares set by this authority are shown at appendix 2 to this report. The taxi trade, through the West Berkshire Hackney Carriage and Private Hire Operators Association have set out a proposed increase to these rates by letter, shown as appendix 1. The proposed increase equates to roughly 2%. Officers support these increases.

### 4. Taxi and Private Hire Conditions

4.1 The Council, by virtue of the Local Government (Miscellaneous Provisions) Act 1976 and/or By laws, may attach to the grant of a licence such conditions as they consider necessary. This council and its predecessor have traditionally applied conditions to all taxi and private hire licences for both drivers and vehicles.

4.2 Conditions are intended to provide conformity and fairness, to ensure that vehicles are safe and roadworthy and that drivers are fit and proper persons to carry out the function of public hire.

4.3 Hackney Carriage and Private Hire conditions were last reviewed in 2000 by the then, Public Protection Committee. Since 2000, officers and trade representatives have met regularly and discussed proposals for consistency between hackney carriage conditions and those for private hire. The proposals before members make some changes to both sets of conditions, bringing them, wherever possible, into line with each other.

Other issues revolve around the age of a private hire vehicle making this consistent with the conditions for hackney carriages.

4.4 Conditions for both hackney carriage and private hire drivers' licences are changed to allow the Council to issue three year licences only. This is consistent with requests from the trade and is permissible under taxi licensing law. This will allow the Council to require a Criminal Record Check every three years to coincide with the issue and renewal of licences. Provisions are made to refuse any licence renewal if the applicant has failed to notify the Council of any criminal conviction during the previous three year licence.

4.5 The conditions now explain the wearing of seat belts by drivers and the carrying of hearing, seeing and assistance dogs in accordance with current legislation.

4.6 Copies of current conditions and those proposed accompany this report.

## **Appendices**

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Appendix 5(a) – 2004/5 taxi tariff

Appendix 5(b) – Letter from trade association requesting increase in tariff

Appendix 5(c) – Hackney Carriage Drivers Conditions – existing

Appendix 5(d) – Private Hire Drivers Conditions – existing

Appendix 5(e) – Private Hire Vehicle Conditions – existing

Appendix 5(f) – Hackney Carriage Drivers Conditions – proposed

Appendix 5(g) – Private Hire Drivers Conditions – proposed

Appendix 5(h) – Private Hire Vehicle Conditions - proposed

## **Implications**

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<b>Policy:</b>	There is no established policy on this subject except that the Council has opted in the past to set a maximum tariff. Legally it is not obliged to do so.
<b>Financial:</b>	None directly to the Council
<b>Personnel:</b>	None
<b>Legal:</b>	Any proposed changes in the tariff must be published in a local newspaper by the Council. There is an appeal mechanism through the Magistrates Court for objections.
<b>Environmental:</b>	Licensed taxis are a valuable contribution to the provision of public transport.
<b>Equalities:</b>	Areas of the policy changes are intended to satisfy Disability Discrimination legislation.
<b>Property:</b>	None
<b>Risk Management:</b>	None
<b>Community Safety:</b>	By setting a tariff, the Council are reducing the potential for crime and disorder against taxi drivers.

## Consultation Responses

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**Local Stakeholders:** Taxi trade association members and independent taxi owners.  
**Officers Consulted:** John Priest  
**Trade Union:** Not appropriate for this report.