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# Hackney Carriage Tariffs

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<b>Committee considering report:</b>	Licensing Committee
<b>Date of Committee:</b>	07 November 2022
<b>Portfolio Member:</b>	Councillor Tom Marino
<b>Date Head of Service agreed report:</b>	16 October 2022
<b>Report Author:</b>	Moira Fraser
<b>Forward Plan Ref:</b>	EX4244

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## 1 Purpose of the Report

- 1.1 To feedback on the statutory consultation in relation to the hackney carriage table of fares and to note any decisions taken by the Executive on the matter.
- 1.2 To outline the process that will be followed in 2023 if any changes are required to the table of fares.

## 2 Recommendation

The Licensing Committee is asked to:

- 2.1 **NOTE** the outcome of the statutory consultation to increase the table of fares by circa 8% undertaken between the 14 July to 28 July 2022
- 2.2 **NOTE** that as the objections to the varied table of fares received were subsequently withdrawn the revised table of fares came into effect on the 29 July 2022.
- 2.3 **NOTE** the process that will be followed, as set out in paragraph 5.13, should any modifications to the fares be required in 2023.

## 3 Implications and Impact Assessment

Implication	Commentary
<b>Financial:</b>	There are no financial implications associated with this report. The cost of any consultation on tariffs undertaken are met from within existing resources should a consultation be needed.

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<b>Human Resource:</b>	<p>There are no HR implications associated with the production of this report.</p> <p>Any actions will be met from within existing resources.</p>			
<b>Legal:</b>	<p>The procedure for setting fares and public notice requirements are stipulated within section 65 of the Local Government (Miscellaneous Provisions) Act 1976.</p> <p>The procedure is prescriptive and requires that a decision to make/vary a table of fares is made first. Following this, there is a statutory consultation requirement, to allow for any objections to the new/varied table to be made. The remainder of the process is dependent on whether any objections are received (and not withdrawn) or not.</p> <p>(There is no right of appeal so any legal challenge to the decision(s) made in relation to a new/varied table of fares would be by way of judicial review.</p> <p>The function of making/varying the table of fares for hackney carriages is a function of the Executive (which could be exercised in accordance with the Council's Scheme of Delegation).</p>			
<b>Risk Management:</b>	<p>None – this report is reporting back on activity undertaken.</p>			
<b>Property:</b>	<p>There are no property implications associated with this report.</p>			
<b>Policy:</b>	<p>There are no policy implications associated with this report.</p>			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>				

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<p><b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?</p>		x		<p>There are no equality implications associated with this report.</p> <p>It should be noted that during the 2022 consultation a comment was received about the availability of and charges for wheelchair accessible vehicles. Information on the <a href="#">Taxis and Private Hire Vehicles (Disabled Persons) Act 2022</a> which took effect in England, Scotland, and Wales on the 28 June 2022 which aimed to ensure that disabled people can use taxi and PHV services with confidence and that they will not be discriminated against was sent to the respondent. The respondent was also directed to the pages on the website which published the list of wheelchair accessible vehicles in the district.</p>
<p><b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?</p>		X		<p>The report is to note only.</p>
<p><b>Environmental Impact:</b></p>				<p>During the consultation the authority did receive some comments about the trade switching to hybrid or electric vehicles.</p>
<p><b>Health Impact:</b></p>				<p>There are no health implications associated with this report.</p>
<p><b>ICT Impact:</b></p>				<p>There are no ICT implications associated with this report.</p>
<p><b>Digital Services Impact:</b></p>				<p>The outcome of the consultation was published on both the PPP website and the Council's Engagement Hub.</p>

<b>Council Strategy Priorities:</b>			The provision of a viable taxi trade in the district supports a number of the priorities in the Council Strategy, in particular they are associated with supporting businesses to start, develop and thrive in West Berkshire.
<b>Core Business:</b>			Providing support to the taxi trade forms part of the business as usual for the Public Protection Partnership. Keeping Members informed is also part of the Service's core business.
<b>Data Impact:</b>			None
<b>Consultation and Engagement:</b>	The procedure for setting fares and public notice requirements are stipulated within section 65 of the Local Government (Miscellaneous Provisions) Act 1976.		

## 4 Executive Summary

- 4.1 A report proposing changes to the tariff table agreed in November 2021 was discussed at [the Licensing Committee meeting on the 04 July 2022](#) prior to a decision being taken at the [Executive on the 07 July 2022](#) where Members agreed to go out to consult on an increase of around 8%. The Executive agreed that the consultation would take place from the 14<sup>th</sup> July to the 28 July 2022.
- 4.2 The Executive also agreed that the outcome of the statutory consultation and any subsequent decisions of the Executive would be reported back to the next meeting of the Licensing Committee i.e. this meeting.
- 4.3 The Council received three objections to the proposed modifications to the table of fares. One of the objections was received outside of the consultation period. Officers wrote to the respondent and invited them to resubmit the objection between the 14<sup>th</sup> and 28<sup>th</sup> July 2022 but they opted not to do so. The other two objections related to the fouling charges. Both respondents decided to withdraw their objections but asked that their comments be noted. One of these two respondents also commented on the way the charges, where there were five or more passengers, would be reflected on the taxi meters.
- 4.4 A number of general comments on a range of issues including the cost of taxis, public transport more generally, calculations and the tariff card and air quality were received through the consultation portal.

## 5 Supporting Information

### Introduction

- 5.1 As has previously been noted the process of setting a fare increase is complex and a balance needs to be struck between the legitimate aims of the taxi trade to maintain profitability in the face of increasing costs, while protecting the public from excessive fares.
- 5.2 Local authorities have a statutory power to set the maximum fares that licensed hackney carriages (taxis) can charge for a journey. These powers are set out under section 65 of the Local Government (Miscellaneous Provisions) Act. Any changes to tariffs have to be subjected to a statutory consultation process.
- 5.3 The previous set of tariffs were agreed in November 2021. At the time those fares came into operation petrol cost around £1.47 a litre and diesel £1.50 per litre. It was previously agreed that the tariffs would be reviewed on an annual basis. The changes would be discussed with the trade in January, proposals could be brought to the July Licensing Committee meeting if any modifications were proposed with a view to consulting in the autumn and introducing the revised fares toward the end of the calendar year. In order to facilitate this a report will be taken to the September Executive meeting and if any objections are received these will be reported back to the November Executive meeting for a decision.

### Background

- 5.4 At the January 2022 meeting the trade proposed an increase of around 5% to be implemented later in the year probably in November. By June 2022 petrol costs had increased to around £1.86 a litre and diesel around £1.92 per litre. Given the inflation and fuel price increases, officers wrote to the trade in June to establish if they would be still be supportive of an increase and if so if they would prefer to see an increase of around 5% or one of 10%.
- 5.5 Of the 48 responses received in respect of the informal consultation 94% indicated that they would like to see an increase. Those that supported an increase were pretty evenly split around the level of uplift with 23 respondents wanting a 5% increase and 22 respondents a 10% increase. This Committee therefore recommended consulting on an 8% increase when the matter was discussed at the 04 July meeting. The proposal was supported by the Executive when they met three days later.
- 5.6 The statutory consultation took place from the 14<sup>th</sup> July to the 28 July 2022. A notice was placed in the Newbury Weekly News and the Reading Chronicle on the 14 July 2022 and on the Public Protection Partnership's website on the same day. It was also posted on the Council's consultation hub on the 18 July 2022. A copy of the notice was also placed in the Market Place Reception on the 14 July 2022 and information was emailed individually to all licensed Hackney Carriage Proprietors for their comments. In addition a notification was also sent out the 1231 people on the Community Panel.
- 5.7 The Council received three objections to the proposals. One of the objections was received outside of the consultation period. Officers wrote to the respondent and invited them to resubmit the objection between the 14<sup>th</sup> and 28<sup>th</sup> July 2022 but they opted not

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to do so. The other two objections related to the fouling charges. Both respondents decided to withdraw their objections but asked that their comments be noted. One of these two respondents also commented on the way the charges, where there were five or more passengers, would be reflected on the taxi meters.

5.8 A number of general comments on a range of issues including the cost of taxis, public transport more generally, calculations and the tariff card and air quality were received through the consultation portal. The full set of general responses are set out in Appendix A to this report.

5.9 As objections to the varied table of fares were received but were subsequently withdrawn the revised table of fares came into effect on the 29 July 2022. There was also no requirement for a further discussion at the September 2022 Executive meeting.

5.10 After the varied table of fares was published the Council received a request from Ave cabs to present the document in a different format. The request stated that:

*“After going over the new tariff card and having a conversation with many of the drivers in our multi seater vehicles what has become clear very quickly the latest West Berkshire tariff is that neither the customers nor drivers like the fact that the price displayed on the meter is necessarily the price they will pay. Asking drivers to work out a 50% uplift in the vehicle at the end of a journey we see as very problematic especially at a weekend with people also being intoxicated.”*

5.11 Legal advice was sought and it was agreed that the revised format could be agreed and [a delegated officer decision was signed off on the 23 September 2022](#) agreeing the format attached at Appendix B.

## Proposals

5.12 Members are asked to note the outcome of the 2022 consultation on the table of fares.

5.13 Members are asked to note that the fares will be discussed with the trade at the January 2023 Taxi Trade Liaison Committee meeting. The outcome of that discussion will be reported to the Licensing Committee in July in the report about those meetings. If there is a request to modify the fees (either increasing or decreasing them) a report will be taken to the Executive, most likely the September meeting, for them to make a decision on the modification and the statutory consultation process. If any objections are received the Executive will be asked to make a determination at a subsequent meeting (most likely November). The outcome of that consultation will be reported back to this Committee.

## 6 Other options considered

6.1 None. The Executive determined that the outcome of the statutory consultation and any subsequent decisions of the Executive would be reported back to the next meeting of the Licensing Committee i.e. this meeting

## 7 Appendices

7.1 Appendix A – General Comments received during the consultation

7.2 Appendix B – Revised Presentation of the Table of Fares

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**Background Papers:**

Delegated Officer Decision Taken on the 23 September 2021

Report and Minutes of the Licensing Committee on the 04 July 2022

Report and Minutes of the Executive on the 07 July 2022.

**Subject to Call-In:**

Yes:  No:

The item is due to be referred to Council for final approval

Delays in implementation could have serious financial implications for the Council

Delays in implementation could compromise the Council's position

Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

**Wards affected:** All

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Document Ref:		Date Created:	
Version:		Date Modified:	
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Version	Date	Description	Change ID
1			
2			