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# Hackney Carriage Tariffs 2023

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<b>Committee considering report:</b>	Licensing Committee Executive
<b>Date of Committee:</b>	Licensing Committee 23 January 2023 Executive 23 March 2023
<b>Portfolio Member:</b>	Councillor Tom Marino
<b>Report Author:</b>	Moira Fraser
<b>Forward Plan Ref:</b>	EX4298

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## 1 Purpose of the Report

- 1.1 To consider proposals from the trade for modifications to the existing tariffs raised at the January 2023 Taxi Liaison Group and to comment on the proposed methodology and timescales for any ensuing consultation process.

## 2 Recommendation

That the Licensing Committee

- 2.1 **NOTES** the existing tariffs in Appendix A.
- 2.2 **COMMENTS** on the proposals raised at the January 2023 Taxi Liaison Group meeting.
- 2.3 **COMMENTS** on the proposed methodology and timescales for considering any modifications.

## 3 Implications and Impact Assessment

Implication	Commentary
<b>Financial:</b>	There are no specific financial implications for the Council arising from this report. In the event that any consultation is agreed the costs will be met from within existing resources.
<b>Human Resource:</b>	Any actions will be met from within existing resources
<b>Legal:</b>	The procedure for setting fares and public notice requirements are stipulated within section 65 of the Local Government (Miscellaneous Provisions) Act 1976.

	<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 table to be made. The remainder of the process is dependent on whether any objections are received (and not withdrawn).</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 Committee (which could be exercised in accordance with the Council's Scheme of Delegation).</p> <p>Beth Varcoe, Laura Knowles and Patricia Brown consulted.</p>			
<b>Risk Management:</b>	None			
<b>Property:</b>	None			
<b>Policy:</b>	Any consultation will be undertaken having regard to section 65 of the Local Government (Miscellaneous Provisions) Act 1976.			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>				

<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>Nationally young women are one of the largest groups to use taxis. Other groups, such as those who are disabled and those who are elderly may also use taxis more frequently.</p> <p>Any change to fares suggested could impact these groups financially, but equally there needs to be a viable taxi trade to provide a taxi service for these groups and all residents/visitors to West Berkshire.</p> <p>While it is accepted that any changes to the tariffs might have a disproportionate impact on some of the protected groups any consultation agreed will seek observations on the impact of those changes.</p> <p>Any statutory consultation, as a result of a proposal to change the current fares, will be conducted in accordance with statutory requirements and provide an opportunity for protected groups to comment on impact.</p> <p>Any review of the current fares will seek to protect the public from excessive fares but at the same ensuring that this remains a profitable sector and therefore retaining drivers and operators to provide the service to those who rely on it.</p> <p>Any objections, including those relating to equalities, have to be reported back to the Executive.</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>See above</p>
<p><b>Environmental Impact:</b></p>		X	<p>None</p>

<b>Health Impact:</b>		X		None
<b>ICT Impact:</b>		X		None
<b>Digital Services Impact:</b>		X		None
<b>Council Strategy Priorities:</b>	X			The provision of a viable taxi trade in the district will support 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>		X		Providing support to the taxi trade forms part of the business as usual for the Public Protection Partnership.
<b>Data Impact:</b>				None
<b>Consultation and Engagement:</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>It is proposed that an informal consultation will be undertaken with the wider trade prior to any proposals being presented to the Executive.</p>			

## 4 Supporting Information

### Introduction

- 4.1 It was agreed at the 26 October 2021 meeting that variations to the tariffs would be reflected on at the January Taxi Trade Liaison Group meeting each year. A proposal could then be put forward for consultation and implementation later during that calendar year should the group be minded to propose any variations.
- 4.2 At 09 January 2023 meeting it was suggested that the trade would like to amend the annual cycle relating to tariffs. They requested that any changes coincide with the financial year i.e. they should be implemented by the 01 April annually. This would require a discussion at the October Taxi Trade Liaison Group meeting and the subsequent timetabling of reports to the Executive to allow an implementation date of the 01 April. As is currently the case reports would also be presented to the Licensing Committee to keep them informed about progress and outcomes relating to the statutory consultation requirements.

- 4.3 The trade accepted that in order to go through due process it would not be possible to achieve this target date in 2023. It was agreed that proposals around methodologies and timescales would be brought to this Committee for discussion with a view to any modifications agreed being implemented in June or July of 2023.
- 4.4 The trade suggested that as a principal they would like any future modifications to the table of fares to be linked to the Consumer Price index (CPI). The Committee is asked to comment on an appropriate date for this indexation to take place annually should they be minded to support this proposal.
- 4.5 It was agreed that prior to any proposals being taken to the Executive an informal consultation would be undertaken with the trade to establish the level of support for any changes. It was recognised that although the fares would be the maximum that could be charged not all members of the trade would necessarily support modifications to the existing fares set out in Appendix A.
- 4.6 It is the role of Members to balance the legitimate aims of the taxi trade to maintain profitability in the face of increasing costs whilst protecting the public from excessive fares.

### **Proposals From the Trade**

#### *Tariff Increase*

- 4.7 The trade commented that they had previously suggested that the tariffs be amended annually in line with the Consumer Price Index which was tracking at around 10.7% as of November 2022. They proposed that the initial flag rate not be changed and the increase be achieved by reducing the yardage (mileage per unit). The ratios between the three tariffs would be retained as would the separate tariffs for saloon and multi seater vehicles.
- 4.8 A discussion did take place at the Taxi Trade Liaison Group meeting about alternative indices that could be linked to the fees. It was noted that there were baskets of indicators used elsewhere but these options were rejected on the basis that the CPI information was readily available and therefore easier to calculate. CPI reflected many of the costs that the trade would incur.

#### *Fouling Charges*

- 4.9 The trade explained that in their view the current maximum fouling charges (interior £75 and exterior £25) were too low. They needed to reflect the costs associated with valeting the vehicles as well as the loss of income when vehicles were soiled. They had undertaken an informal straw poll which suggested that the maximum fee should be set at £200 for interiors. Members are asked to suggest a maximum charge for the exterior of vehicles which will then form part of the informal consultation.
- 4.10 It was noted that, regardless of the value, as this charge was a maximum and not a standard charge whatever the circumstances, there needed to be some mechanism for a customer to challenge what was levied. Thought would need to be given as to how this could be quantified and achieved.

*Applicability of Tariff Times*

4.11 The trade suggested that they would like the current wording on the table of fares to be amended which would require the statement ‘Hiring when journey commences between’ to be revisited and replaced to reflect journeys between certain times. This would deal with the issue of journeys that spanned more than one tariff time. This would not affect set fares which would still be charged at the fare agreed before the journey commenced.

*Calendar and Time Controlled Meters*

4.12 The trade suggested that in order to improve consumer confidence in the trade and prevent unscrupulous operators from selecting the wrong tariff they would like to have calendar controlled meters mandated.

4.13 They were of the opinion that the vast majority of meters used in the district were capable of being calendar controlled. There might be a handful of operators using older meters that would not have this capability. It is suggested that a question on this be included in the informal consultation and that any changes be reflected in the Hackney Carriage and Private Hire Licensing Policy.

*Credit Cards*

4.14 The trade requested that the Hackney Carriage and Private Hire Licensing Policy be amended to mandate a requirement for all vehicles to accept credit cards.

*Potential Timetable*

23 January 2023	Initial discussion about the proposals, methodology and timetabling of the formal (statutory) and informal consultation with the Licensing Committee
25 January to 08 February 2023	Two week informal consultation with the trade on any proposals put forward at this meeting
20 March 2023	Special Licensing Committee to be updated on the proposals being presented to the Executive for consideration (any comments made at the LC can be reported verbally to the Executive)
23 March 2023	Formal Report Setting out Proposals to the Executive
11 May to 25 May 2023	Statutory consultation (14 days) this can be amended at the discretion of Members but need to reflect that the implementation date must be within two months of the consultation closing.

June 2023 (date to be confirmed once timetable of meetings agreed)	Decision taken by the Executive if any objections to the modifications are received
July 2023 date to be confirmed once timetable of meetings agreed)	Outcome of the consultation to be reported back to the Executive
June/ July	Implementation date must be within two months of the closing date of the consultation and may be amended depending on whether or not any objections are received.

## 5 Other options considered

- 5.1 Not to consider or make any variations to the tariffs.
- 5.2 To delay the decision to make any variations until the September Executive meeting.

## 6 Conclusion

- 6.1 The issue of setting fares for hackney carriage drivers is an important one primarily for two reasons. The fares set by local authorities largely determine the ability of drivers to earn a decent living but also functions to ensure that passengers receive a fair deal when taking a journey in a licensed hackney carriage. The Council will continue to work with the trade and consult customers and residents in an effort to balance these two factors.

## 7 Appendices

- 7.1 Appendix A – Existing Tariffs

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### Background Papers:

None

### 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

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- 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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