

LICENSING COMMITTEE

DATE OF MEETING: 2 AUGUST 2022

TITLE OF REPORT: CONSIDERATION OF HACKNEY CARRIAGE FARE REVIEW FOLLOWING PUBLIC CONSULTATION

Report of: Head of Place

Cabinet Portfolio: Regulatory

Key Decision: No

Confidentiality: Non-Exempt

PURPOSE OF REPORT

1. To consider the objections to the proposed variation of the Hackney Carriage table of fares following public consultation.

RECOMMENDATION

Licensing Committee is recommended to:

- consider the objections to the proposed variation of hackney carriage fares; and either:
 - determine that no changes are necessary to the advertised fares with the published fare update becoming effective as soon as the meters can be updated, or
 - determine whether to modify the table of fares approved by the Committee at its last meeting, and to set the commencement date for any new table of fares;
- approve a Fare Schedule and its implementation date as soon as practicable.

BACKGROUND

2. The Hackney Carriage trade approached the Shared Licensing Team and requested a review of the tariffs they are permitted to charge, following the impact to the trade from the COVID-19 pandemic compounded by the current increase in fuel prices and cost of living crisis.
3. Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 provides that a District Council may fix the rates or fares. This can be done in respect of both time and distance as well as all other charges in connection with the hire of a vehicle. The setting of the tariff is the responsibility of the Licensing Authority.
4. At the meeting on the 7 June 2022 the Licensing Committee considered a proposed variation of the Hackney Carriage fares. The Committee made some amendments to the proposed fares and agreed the revised tariff schedule should be consulted upon. This is attached at Appendix C.
5. In setting the setting of the Consultation Version of the tariffs the Licensing Committee were keen to ensure a careful balance between the need for drivers to make a living and the ability of the public to afford to travel safely. Taxi users are also subject to their own living cost increases and are likely to have less disposable income too.
6. The statutory procedure under Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 is for a public notice to be published in a local newspaper, with a copy being deposited in the Council Offices. From the

date of publication, a period of at least 14 days must then be allowed for any objections to be made. Any objections received, must be considered by the authority.

7. Licensing Committee agreed that the consultation period should be for 21 days. The consultation was undertaken using a locally distributed newspaper, communication with the trade, communications with Hart's Parish and Town Councils, and wider promotion utilising the Council's social media, placement of a public notice, and updates to the Council's website.
8. Under Section 65 (4) of the above Act, if any objections are duly made and are not withdrawn, the Council shall set a further date, not later than two months after the first specified date, on which the table of fares shall come into force with or without modification as decided by them after consideration of the objections. The revised table of fares would come into force as soon as meters can be updated.

MAIN ISSUES

9. In response to the Council's proposed variation of fares a total of 31 responses were received. Of these, 9 were received as objections against the proposal, along with 22 supportive representations received. The objections and representations are attached at Appendices A to this report.
10. As a result of the 9 objections received during the public consultation period Licensing Committee is required to review the objections and decide to uphold the approved table of fares or amend as a result of the objections.
11. Of the 9 objections, 8 came from drivers. One objection was raised by Hook Parish Council.
12. Appendix B provides a copy of the Bryan Roland Memorial National Hackney Fares Comparison Table June 2022 for 2 miles.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

13. Maintaining the current tariff would not alleviate the immediate financial pressures on drivers' income.

CORPORATE GOVERNANCE CONSIDERATIONS

Relevance to Corporate Plan and/or The Hart Vision 2040

14. Theme one states, "Ensure work, education, health and other facilities are easily reachable through effective walking, cycling or road and rail transport links". The trade plays an important role in providing transport links to those in Hart district and for this to continue they need to be able to earn enough for it to be a viable job opportunity.

Service Plan

- Is the proposal identified in the Service Plan? No
- Is the proposal being funded from current budgets? No

- Have staffing resources already been identified and set aside for this proposal?
Yes

Legal and Constitutional Issues

15. All decisions taken by or on behalf of the Council must,
 - a) be within the legal powers of the Council;
 - b) comply with any procedural requirement imposed by law;
 - c) be within the powers of the body or person exercising powers on behalf of the Council;
 - d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations;
 - e) be fully and properly informed;
 - f) be properly motivated;
 - g) be taken having regard to the Council's fiduciary duty to its taxpayers;
and
 - h) be reasonable and proper in all the circumstances.

Financial and Resource Implications

16. The Shared Licensing Service has existing allocated resource to produce the new fare cards and to coordinate meter amendments.
17. Meter updates are provided by an external company and not the council. Meter setting costs are borne by drivers.
18. There is no financial impact from this report.

Risk Management

19. A risk assessment has been completed in accordance with the council's risk management process and has identified no significant (Red or Amber) residual risks that cannot be fully minimised by existing or planned controls or additional procedures.
20. A careful balance between the need for drivers to make a living and the ability of the public to afford to travel safely must be met.

EQUALITIES

21. When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.
22. All meetings and papers have been publicly accessible. Any member of the public has been able to attend and contribute to the process. Anyone objecting to the proposed tariff must have their comments considered by the authority.
23. The changes as detailed have been assessed and it is considered that there are no direct equalities impacts arising from the recommendations.

CLIMATE CHANGE IMPLICATIONS

24. There are no direct carbon/environmental impacts arising from the recommendations.

ACTION

25. Following the decision on the new Hackney Carriage Fares the licensing authority will update the trade, website etc and implement the required fees amendments as soon as the meters can be updated.
26. The Shared Licensing Service will review Hackney Carriage Tariffs in within 12 months of the adoption of the new tariff, or any relevant time within the period.

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Appendices

Appendix A – Consultation Responses

Appendix B – Two Mile Comparison

Appendix C – Hackney Carriage Fare Table as approved by committee dated 7 June 2022 which was subject to public consultation.