

Committee(s): Licensing Committee	Date: 26 July 2022
Subject: Hackney Carriage Fares	Wards Affected: All
Report of: Paul Adams – Licensing Manager	Public
Report Author/s: Name: Paul Adams – Licensing Manager Telephone: 01277312503 E-mail: paul.adams@brentwood.gov.uk	For Decision

Summary

Local Authorities have a power to set fares for hackney carriages. A request from representatives of the hackney carriage trade has been received for an increase in the Taxi Fare, which has been subject to public consultation. This report considers the responses to the public consultation and asks members to agree the final Taxi Fare that will take effect in accordance with the statutory requirements.

Recommendation(s)

Members are asked to:

- R1. Consider the consultation responses as in appendix B, and**
- R2. To either agree for the proposed table of fares, as set out in Appendix A to come into effect from the 15 August 2022, or**
- R3. To make any amendments if feels necessary the table of fares in Appendix A, after considering the consultation response, and agree for the Table of Fares with those amendments to come into effect from the 15 August 2022**

Main Report

1. Introduction and Background.

- 1.1. Local Authorities have the power to set fares for Hackney Carriage vehicles.
- 1.2. The setting of fares relates to the Council fixing the rates or fares within the district, this may include what is charged for time and distance travelled and all other charges in connection with the hire of a vehicle or with the arrangements for hire of a vehicle
- 1.3. The rate or fares set is known as the “table of fares”.

- 1.4. This fare is the maximum amount that can be charged, an individual driver does have the ability to charge below the amount prescribed in the table of fares if they chose to do so.
- 1.5. The table of fares were last set with effect from December 2016; details are provided in **Appendix A**
- 1.6. The cost of providing and running a hackney carriage vehicle has increased since the fare was set in 2016, this increase is being requested to rebalance to costs with the income achieved to ensure that a living wage can be achieved.
- 1.7. The power to set fares is provided by Section 65, Local Government (Miscellaneous Provisions) Act 1976.
- 1.8. When this power is exercised the Local Authority must publish in at least one local newspaper circulating in the district a notice setting out the table of fares allowing not less than 14 days for objection to be made. The Local Authority must make available at their offices a copy of said notice.
- 1.9. If after the 14 days no objection has been received or received and withdrawn, then the new fare takes effect from the date published in the notice
- 1.10. If objection has been received and not withdrawn the Local Authority must consider the objection and may make changes to the proposed table of fares as it feels necessary, or it may choose to not make any changes to the proposal.
- 1.11. If objection is received a report will be brought back to the Licensing Committee for consideration. The new fare will then come into effect within two months of the original date.

2. **Issue, Options and Analysis of Options**

- 2.1. Following a request from representatives of the hackney carriage trade via the Taxi Trade Consultative Group (TTCG) for an increase in the Taxi Fare which was considered and agreed for consultation by the Licensing Committee on the 28 June 2022. Consultation has been carried out in accordance with the legislation.
- 2.2. The proposes table of fares are detailed in **Appendix A**, which also provides a comparison on the difference in cost for a journey of varying distance.
- 2.3. Following the consultation, 4 responses were received, which can be found in **Appendix B**. 1 response supports the proposals, 2 responses suggest that the increase is too large, and one suggests that some of the extras should also be increased.
- 2.4. It is intended that the new table of fares will come into effect on Monday 15 August 2022, which is in line with the statutory time frame.

3. Reasons for Recommendation

- 3.1. The process of setting Hackney carriage Fares is prescribed by the legislation; this recommendation is compliant with the procedure to be followed.

4. Consultation

- 4.1. Consultation has been carried out in accordance with the requirements contained within Section 65, Local Government (Miscellaneous Provisions) Act 1976.
- 4.2. A notice was published in a local paper and was be posted on Brentwood Borough Council's Website and on the public notice board at the front of the Civic Offices, giving 14 days for representations to be made.
- 4.3. All licence holders were also emailed advising of the proposals and advising of their ability to make representation.
- 4.4. As representations have been received, these must now be considered by this committee.

5. References to Corporate Plan

- 5.1. None.

Implications

Financial Implications

Name/Title: Jacqueline Van Mellaerts, Corporate Director (Finance & Resources)
Tel/Email: 01277 312500/jacqueline.vanmellaerts@brentwood.gov.uk

There are no direct financial implications for Brentwood Borough Council arising from this report.

Legal Implications

Name & Title: Amanda Julian, Corporate Director (Law & Governance) and Monitoring Officer
Tel & Email: 01277 312500/amanda.julian@brentwood.gov.uk

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 (hereafter in this section referred to as a "table of fares") made or varied in accordance with the provisions of this section.

(a) When a district council make or vary a table of fares, they shall publish in at least one local newspaper circulating in the district a notice setting out the table of fares or the variation thereof and specifying the period, which shall not be less than fourteen

days from the date of the first publication of the notice, within which and the manner in which objections to the table of fares or variation can be made.

A copy of the notice referred to in paragraph (a) of this subsection shall for the period of fourteen days from the date of the first publication thereof be deposited at the offices of the council which published the notice and shall at all reasonable hours be open to public inspection without payment.

Economic Implications

Name/Title: Phil Drane, Corporate Director (Planning and Economy)

Tel/Email: 01277 312500/philip.drane@brentwood.gov.uk

There are no direct financial implications arising from this report as does not relate to the price of a license. The requested price increase relates to income paid directly to the drivers in connection to their business. The taxi trade plays an important role supporting the local economy and so the council should help to regulate it in partnership with representatives, as this consultation seeks to do.

Equality and Diversity Implications

Name/Title: Kim Anderson, Corporate Manager Communities, Leisure and Health

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The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- a. Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
- b. Advance equality of opportunity between people who share a protected characteristic and those who do not.
- c. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

The table of fares does not allow additional charges to be made for passengers accompanied by guide dogs or wheelchair users. This recognises the relevant duty set out in legislation to make reasonable adjustments for disabled users of Hackney Carriages.

Health & Wellbeing Implications

Name/Title: Jo Cory , Corporate Health & Wellbeing Officer

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There are no direct Health or Wellbeing implications arising from this report.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None.

Background Papers

None.

Appendices to this report

Appendix A – Details of Current Table of Fares and Proposed Table of Fares

Appendix B – Consultation responses.