

# TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Licensing Committee
<b>Date of Meeting:</b>	9 June 2022
<b>Subject:</b>	Review of Tewkesbury Borough Council's Hackney Carriage (Taxi) Table of Fares
<b>Report of:</b>	Licensing Operations and Development Team Leader
<b>Corporate Lead:</b>	Head of Community Services
<b>Lead Member:</b>	Lead Member for Clean and Green Environment
<b>Number of Appendices:</b>	1

## **Executive Summary:**

The authority is responsible to undertake a review of Hackney Carriage Fares. In light of the substantial increase in the cost of fuel, an urgent request has been submitted by the trade to review the current table of fares. A decision is sought to approve the proposed increase, as set out in this report, for consultation.

## **Recommendation:**

### **To AGREE that:**

- i. the proposed increase to the Hackney Carriage tariff is advertised as a public notice in accordance with the requirements of Section 65, Local Government (Miscellaneous Provisions) Act 1976; and**
- ii. subject to no objections being received from the public within 14 days of publication of the notice, that authority be delegated to the Licensing Operations and Development Team Leader to implement the proposed tariff taking effect from 1 July 2022. If objections are received within the 14 days, the matter will need to be considered further at a Special meeting of the Licensing Committee.**

## **Reasons for Recommendation:**

Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 permits the Council to set the maximum fares for Hackney Carriage vehicles licensed by it. The last tariff increase was in July 2012.

Due to significant cost of living increases, it has been asked that the existing tariff is reviewed as a matter of urgency.

## **Resource Implications:**

None arising directly from this report.

**Legal Implications:**

Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 enables the Council to fix the rates or fares within and all other charges in connection with the hire of hackney carriage vehicles in their area.

Any variation of the fare must be advertised and a period specified (being not less than 14 days from the publication of the advertisement) within which objections could be made. If any objections are made and not withdrawn a further meeting of the Licensing Committee is required to consider the objections.

Section 65 of the Act of 1976 states that if any objections are unresolved after the initial 14 day consultation period, a date for a Licensing Committee hearing will be set, not more than two months after the first specified date on which the table of fares to consider the objections and make a final decision.

In reaching a decision Members are exercising discretion and must act in a judicial and reasoned way.

**Risk Management Implications:**

The key risks arising from this relate to decisions taken by the Licensing Committee. Any decisions made which are unreasonable or unlawful could be open to legal challenge resulting in loss of image, reputation and potential financial penalty.

**Performance Management Follow-up:**

The Licensing Team will continue to monitor the frequency of fare reviews in the county to ensure that the Hackney trade are supported in the borough.

An annual review of the tariff will be carried out by the team without a request having to be made by the trade.

**Environmental Implications:**

None arising directly from this report.

**1.0 INTRODUCTION/BACKGROUND**

- 1.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 permits the Council to set the maximum fares for Hackney Carriage vehicles licensed by it.
- 1.2 Hackney Carriage fares are made up of an initial hiring charge and a mileage rate, both of which are expressed in terms of distance and/or time. This is because when a hired Hackney Carriage is stationary or moving slowly in traffic the meter continues charging by time instead of distance.
- 1.3 There is only one licensed Hackney Carriage (taxi) in the borough. The licence holder has approached the Licensing Team to urgently review the current table of fares as there has been no review since July 2012.
- 1.4 A copy of the existing table of fares is attached at **Appendix A**.
- 1.5 The primary reason for the trade's request for this increase is that all other costs have increased, for example fuel and insurance premiums, and also the period of time since the last review.

1.6 The licence holder has requested that the fares are reviewed in line with the rest of the county.

1.7 The comparison with the other Gloucestershire Authorities for an average two mile journey on Tariff 1 can be seen in the table below:

<b>Area</b>	<b>Two mile journey on Tariff 1</b>	<b>Date of last review</b>
Forest of Dean	£6.27	2011
Cotswold	£6.21	2019
Stroud	£6.90	2018
Tewkesbury	£5.85	2012
Cheltenham	£7.33	2022
Gloucester	£6.62	2021

1.8 The average journey for a Hackney Carriage within the borough is two miles.

1.9 Tewkesbury fares are ranked at position 226 out of 355 District Councils.

## 2.0 PROPOSED FARE TABLE

2.1 It has been requested to increase the current table of fares by 20%.

2.2 The proposed table of fares would be:

<b>Rate 1</b>	first 660 yards	£3.50	
	220 yards	0.30p	= £7.02 (2 mile journey)
<b>Rate 2</b>	first 660 yards	£3.60	
	220 yards	0.36p	= £9.00 (2 mile journey)

2.3 It is proposed to leave all other costs and details within the current fare table the same.

2.4 The proposed tariff would rank the borough the second highest in the county for a two mile journey on Tariff 1; however, apart from Cheltenham (the most expensive), the other districts have not reviewed their tariffs since the significant rise in living costs (Stroud District Council is just in the process of reviewing its tariff).

2.5 The licence holder can charge less than the meter if they wish.

2.6 For journeys that finish or start outside of the district, fares can be agreed before the journey takes place without the use of the meter.

## 3.0 FUTURE REVIEWS

3.1 To ensure that the taxi trade is supported, and to attract other taxi drivers to apply to licence within the borough, the team will ensure that there are regular reviews of the economy and neighbouring authorities to ensure that a review takes place if necessary.

3.2 The Licensing Team will commit to an annual review and research taxi fare formulas for future increases.

#### **4.0 OTHER OPTIONS CONSIDERED**

4.1 The Committee can choose to amend the proposal outlined in Paragraph 2.2 of this report.

#### **5.0 CONSULTATION**

5.1 Once the Committee has approved a proposal for consultation, the Council is required to publish a notice in a local newspaper setting out the variation and specifying a period and means of objecting. The specified period cannot be less than 14 days. The proposal will also be advertised at the Council Offices.

5.2 If no objections are made or any made are withdrawn, the proposed fares will take effect on the specified date, in this case 1 July 2022; however, if objections are made and not withdrawn, it will be necessary to hold a Special Licensing Committee meeting to take into consideration the objections.

#### **6.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

6.1 Tewkesbury Borough Council Taxi and Private Hire Licensing Policy – 2022

#### **7.0 RELEVANT GOVERNMENT POLICIES**

7.1 [Taxi and Private Hire Vehicle Licensing: Best Practice Guidance \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

#### **8.0 RESOURCE IMPLICATIONS (Human/Property)**

8.1 None

#### **9.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**

9.1 Hackney Carriage and Private Hire licensed drivers provide an important addition to the public transport provision in the City and so contribute to environmental sustainability.

#### **10.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)**

10.1 None

#### **11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

11.1 None

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**Background Papers:** Town Police and Clauses Act 1847  
The Local Government (Miscellaneous Provisions) Act 1976

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**Appendices:** Appendix A – Tewkesbury Borough Council's current table of fares