

HACKNEY CARRIAGE 'TABLE OF FARES'

Licensing Committee - 7 January 2020

Report of Chief Officer Planning & Regulatory Services

Status: For approval

Key Decision: No

Executive Summary:

This report informs the Licensing Committee of the outcome of the recent Hackney Carriage Fare Consultation and asks whether Members are minded to revise the existing Fares as set out in **Appendix A**.

This report supports the Key Aim of sustainable economy.

Portfolio Holder Cllr. Margot McArthur

Contact Officer Michael Moss, Ext. 7364

Recommendation to Licensing Committee

The Licensing Committee is asked to note the results of the consultation and decide whether a revised Hackney Carriage fare is required. The existing fare chart is set out in **Appendix A** to this report.

Reason for recommendation:

The Licensing Authority is responsible for setting the maximum fare which can be charged by Hackney Carriage licensed by Sevenoaks District Council.

It is important to find a balance between the income generated by Taxi Drivers, to cover their day-to-day costs and the costs associated with the licensing process, as well as setting fare which meets the needs of the residents of Sevenoaks District.

Introduction and background

- 1 Hackney Carriages (taxis) are a vital form of local transport. Local Authorities have the power to set the fares of taxis which they license.
- 2 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 states that a 'district council may fix the rates or fares within the

district for time as well as distance, and all other charges in connection with the hire of the 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.

- 3 By fixing the fares, the Council is effectively setting the maximum fare that Hackney Carriage drivers can charge. Legally, taxi drivers may charge less than this rate but may not charge more.
- 4 The fares set by the Council include provisions for taxi drivers to earn a wage, cover the costs of running a taxi and providing a service to the public when it is needed whilst ensuring that fares are reasonable for the public to pay for such a service.

Consultation

- 5 A consultation took place with all licensed Hackney Carriage drivers licensed by Sevenoaks District Council.
- 6 The consultation ran from 21 October 2019 until 13 December 2019.
- 7 19 responses were received from the Hackney Carriage trade and the results of the consultation are provided in **Appendix B**
- 8 The statistics taken from the consultation show that the trade would like to see an increase in the existing 'Table of Fares'. The initial flag rate has been highlighted by the majority of the responses as needing an increase and the average rate (from the responses) is **£4.56**.
- 9 The response regarding the ticking rate is almost evenly split, with the majority asking for an increase. The average suggested increase is **26p**.
- 10 The majority of the trade agreed with the distances set, the waiting time charge, the extra charges for additional passengers, evening fares, Christmas/ New Year's and for carrying pets (not including assistance dogs).
- 11 The trade were evenly split about whether the Council should set a 'Spoilage Charge'. However, of those that said they were not happy with the current procedure, almost half of them said they did not want the Council to set a maximum limit.
- 12 Only one comment was made under 'what other rates would you like us to consider' and that was proposing a separate rate for Saturday & Sunday fares.

Options

- 13 Members should consider the response from the recent consultation and make a decision as to whether or not the existing Table of Fares as outlined in **Appendix A** should be revised, or whether the existing Table of Fares should continue unchanged throughout 2020-2021.
- 14 If Members are minded to revise the existing Table of Fares, the changes would need go out for advertisement with the public and the Hackney Carriage Trade.

Key Implications

Financial

There are no specific financial implications resulting from the matters considered in this report, as the minimal cost of consultation and publication in respect of the proposed Council's Statement of Hackney Carriage & Private Hire Policy will be met from the running costs of the Licensing Team and Licensing Partnership.

Legal Implications and Risk Assessment Statement.

Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 allows the Council to fix the maximum rates or fares.

Any proposals for amendment are to be published and, if no objection is received then the amendments shall take effect. Where objection is received then the Council shall consider the objections received and may set a further date (no later than two months) on which the table of fares (with or without modification) shall take effect.

Equality Assessment

Section 149(1) of the Equality Act 2010 requires that, in exercising its functions public sector bodies to have 'due regard' to the need to -

- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act;
- Foster good relations between people who share a relevant 'protected characteristic' and those who do not;
- Advance equality of opportunity between people who share a relevant 'protected characteristic' and those who do not.

Assessing the potential impact on equality of proposed decision, changes to policies, procedures and practices is one of the key ways in which the Council can demonstrate that they have had 'due

regard'. Assessing impact on equality should be tailored to, and be proportionate to, the decision(s) being made.

Officers have considered the impact of the proposals contained in this report and consider that there would be no, or very limited adverse or disproportionate impact on those who share a protected characteristic. This will be kept under review as part of the Council's ongoing duty.

Appendices:

Appendix A - Current Hackney Carriage Permitted Maximum Fares

Appendix B - Response from Hackney Carriage Table of Fares consultation.

Background Papers:

Town Police Clauses Act 1847
Local Government (Miscellaneous Provisions) Act 1976

Richard Morris
Chief Officer Planning & Regulatory Services