

Body: General Licensing Committee
Date: 23rd January 2007
Subject: Taxi Fares
Report Of: Kareen Plympton, Licensing Manager
Ward(s): All
Purpose: To consider the current fare structure and determine whether this should be revised and whether there should be an increase in the fares charged in respect of journeys.
Recommendation: To consider the proposals for the revision of the fare structure and any associated increase.
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1. Introduction

- 1.1 The Council, as the Licensing Authority, exercises a discretionary power to set the maximum fare for journeys undertaken by hackney carriage taxis. There are currently 84 licensed hackney carriage taxis that are permitted to ply for hire in the Eastbourne Borough. Fares charged by taxis can not be more than the fare set by the Licensing Authority. The Council does not set the fares for private hire vehicles.
- 1.2 The consultation process was undertaken in two stages, with the first being by letter to all hackney carriage proprietors, to enquire whether such interested parties wanted a fare increase, wished the situation to remain unchanged or wanted to offer a revised fare formula. The Licensing Department received responses from 10 individuals. Those individuals who responded were invited to attend a meeting to discuss the options at Eastbourne Town Hall on the 12th December 2006.
- 1.3 Of the original responses received, nine proposals were presented.
- 1.4 At the meeting on the 12th December 2006 following discussions, the number of proposals considered to be viable was reduced to three. It was decided that all three proposals be presented to all hackney carriage proprietors to inform them of the options and to enable a ballot to be undertaken, thereby ascertaining a range of responses, both positive and negative to the three proposals.

2.0 The Three Proposals

- 2.1 The three proposals were submitted at the meeting by three of the parties who attended the meeting on the 12th December 2006:
 - Proposal A, included at Appendix 1
 - Proposal B, included at Appendix 2

- Proposal C, included at Appendix 3
- The current Eastbourne Borough Council fare tariff structure is included at Appendix 4

2.2 The suggested implementation date for proposals A & B is April 2007

2.3 Proposal C suggests that there should be no rise before April 2008. No further details are provided.

3.0 Outcome of Ballot

3.1 The ballot regarding proposals A, B and C, resulted in a 56% response rate.

3.2 The results of the ballot are as follows:

- 23% of respondents in favour of Proposal A
- 28% of respondents in favour of Proposal B
- 49% of respondents in favour of Proposal C

3.3 Please refer to Appendix 5 for an illustration of the results.

4.0 Human Resource & Financial Implications

4.1 The cost of administering the Taxi & Private Hire Licensing function is fully recovered via the licence fee income.

5.0. Human Rights Act 1998 - Implications

5.1 The provisions of the Human Rights Act, 1998, must be borne in mind by the Committee when taking licensing decisions. Particular regard should be had to Article 1 of the First Protocol, which relates to the protection of property and the peaceful enjoyment of possessions and property. Article 8 - which relates to the right to respect for private and family life, home and correspondence - should also be borne in mind. While the Human Rights Act makes it unlawful for a local authority to act or to fail to act in a way that is incompatible with a Convention right, Article 1 of the First Protocol and Article 8 are both qualified rights which means that interference - to a justifiable extent - may be permitted as long as what is done:

- Has a basis in law;
- Is intended to pursue a legitimate purpose
- Is necessary and proportionate; and
- Is not discriminatory.

6.0 Summary of Options

6.1 The Committee can:

- 1) Agree with any one of the proposals in its entirety
- 2) Agree a proposal with such modifications as they see fit
- 3) Implement its own fare structure and/or fare increase as they see fit.

Background Papers

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