

Report to: Licensing Committee

Date: 29th August 2019

Title: Hackney Carriage Fares

Report of: Director of Service Delivery

Ward(s): All

Purpose of report: To consider an objection raised during the public consultation regarding a Hackney Carriage fare increase proposed by the trade.

Officer recommendation(s): That the Licensing Committee consider the objection received in relation to their statutory consultation on the proposed Hackney Carriage fares, and

1) Determine how/if the fares should be amended taking into account the objection received.

2) Determine a date by which the new fares shall come into force, which must be no later than the 2nd November 2019.

Reasons for recommendations:

(1) **Under Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 the Local Authority has the power to set fares for Hackney Carriages.**

(2) **Guidance advises that where the fares are set by the Local Authority, that Authority has a responsibility to review those fares to ensure they remain fair and reasonable.**

(3) **Under section 65 (4) of the Act any objection must be considered and a decision made as to whether the table of fares should be modified and a date agreed when the fares, modified or not, should be operative**

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1 Background

1.1 Under section 65(1) of the Local Government (Miscellaneous Provisions) Act 1976, the Local Authority has the power to set the maximum fares for the hire of

a Hackney Carriage vehicle. These are maximum fares so it lawful for Taxi Drivers to demand and accept less than fare shown on the meter.

- 1.2 The current fares had been in place for 10 years and the trade requested a review of the current fare structure. There are currently 114 licensed Hackney Carriages that are allowed to ply for hire in Eastbourne. The council do not set the fares for private hire vehicles.
- 1.3 Following informal requests made by some Hackney Carriage proprietors all Hackney Carriage proprietors were written to on 1st February 2018 and asked to contact the Licensing team to advise if they were in favour of a fare increase. It was made clear that should more than 50 % of the trade feel an increase was appropriate then a report would be presented to General Licensing Committee. The Licensing team received 86 positive responses for an increase which is a 76% return.
- 1.4 On the 1st October 2018 a fare increase proposal was presented to the General Licensing Committee. That proposal was from one proprietor and it was unknown if the proposal had the support of the majority of the trade. In addition, the Members considered that the public would be disadvantaged by the proposed increase which would have made Eastbourne the joint third most expensive Hackney Carriage fares in the country. Therefore the proposal on the 1st October 2018 was rejected and Officers were asked to consult with the trade and develop a further proposal, as below.
- 1.5 The Licensing Specialist had a meeting with 5 members of the Hackney Carriage trade who had shown an interest in shaping the new proposal. There was a discussion around producing a new fare proposal that would be favourable to the trade, members and the general public. The members of the trade were advised to get together and return a new proposal. A proposal that had backing of 74 Hackney Carriage Proprietors, which equates to 84% of the trade agreed the new proposed increase; that could be taken to Committee on the 11th March 2019. The current and new fare table as proposed on the 11th March 2019 is shown in **Appendix 1a and 1b**.
- 1.6 Following agreement of the revised fare structure by the Licencing Committee on the 11th March 2019 shown in **Appendix 1b**, the revised tariff was then passed to the leader of the council for final approval prior to publishing a public consultation. His decision is attached as **Appendix 2**.
- 1.7 Due to restrictions around commencing public consultations during a purdah period confirmation of a decision from the leader of the council was not received until after the elections. This meant that the statutory notice was not published until the 19th July 2019 with an end date of 5th August 2019 as shown in **Appendix 3**. The decision of the Leader, on behalf of the Cabinet, was that if there were any objections then the Licensing Committee should be delegated to consider the same and modify or not the proposed fares.
- 1.8 During the consultation period the council received 1 objection in writing to the proposed fares for taxi drivers, the objection letter is shown in **Appendix 4**.

- 1.9 The concerns raised by the objector relate to the following;
- Transportation of pets has raised 100% from £1 to £2
 - Small removals Cost has risen 33% from £6 to £8
 - General objection to the proposed fare tariff card increase.

1.10 The objector has attached his proposed fare card (**Appendix 5**).

2 Outcomes

2.1 Following public consultation there is a need to determine what changes, if any, should be made to the proposed fare tariff.

3 Options available and consideration of risk

3.1 The Committee are able to amend the table of fares as they see fit, and the determined table of fares will come into force on a date as agreed by the Committee, which must be no later than two months after the original date (2nd November 2019).

4 Financial appraisal

4.1 This consultation has no direct financial implications.

5 Legal implications

5.1 The Legal Section have considered this Report on 19 August 2019 (IKEN 8100-EBC-MW).

6 Appendices

6.0 Appendix 1a – Current EBC Taxi Fare Card
Appendix 1b – Proposed fare card as agreed by Licensing committee
Appendix 2 – Executive decision taken by Leader
Appendix 3 – Public Notice as placed in the Sussex Herald
Appendix 4 – Letter of objection from Taxi Driver
Appendix 5 – Suggested tariff card from the objector

7 Background papers

None.

