



# COTSWOLD DISTRICT COUNCIL

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| Council name               | <b>COTSWOLD DISTRICT COUNCIL</b>  |
| Name and date of Committee | <b>CABINET – 2 DECEMBER 2019</b>  |
| Report Number              | <b>AGENDA ITEM 13</b>   |
| Subject                    | <b>REVIEW OF COTSWOLD DISTRICT COUNCIL'S HACKNEY CARRIAGE TABLE OF FARES</b>  |
| Wards affected             | All   |
| Accountable member         | Cllr Andrew Doherty Cabinet Member for Waste, Flooding and Environmental Health<br>Email: andrew.doherty@cotswold.gov.uk  |
| Accountable officer        | Michelle Bignell, Service Leader (Licensing and Business Support) Environmental and Regulatory Services<br>Tel: 01285 623440 Email: michelle.bignell@publicagroup.uk  |
| Summary/Purpose            | To consider the objections received, and alternative proposals put forward, during the consultation period of the review of the Hackney Carriage (taxi) table of fares; and to agree the adoption of a new table of fares.  |
| Annexes                    | <b>Annex 'A'</b> – Current table of fares<br><b>Annex 'B'</b> – CDTTA proposal – Proposal 1<br><b>Annex 'C'</b> – Consultation Proposal – Proposal 2<br><b>Annex 'D'</b> – Objection/Alternative Proposal (Proposal 3)<br><b>Annex 'E'</b> – Representations received to Proposal 3<br><b>Annex 'F'</b> – Comparison between the three proposals and the current tariff<br><b>Annex 'G'</b> – Rankings within Gloucestershire based on current, proposed and alternative table of fares |
| Recommendation/s           | <i>That Cabinet considers the objection/representations received in response to the consultation; and agrees to adopt the revised table of fares for Hackney Carriages (taxis) set out in Annex C.</i>  |
| Corporate priorities       | Hackney Carriage vehicles play an active part in our community and provide vital transport links for many groups such as the elderly and tourists as well as supporting many areas such as economic growth, tourism and the night time economy.   |
| Key Decision               | No  |

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| Exempt                      | No  |
| Consultees/<br>Consultation | 10 <sup>th</sup> June – 7 <sup>th</sup> July 2019 – all of Cotswold District Council's licensed Hackney Carriage Drivers consulted on whether a review should take place<br>17 <sup>th</sup> – 31 <sup>st</sup> October 2019 – public consultation on proposed table of fares (as shown in <b>Annex C</b> ) |

## 1. BACKGROUND

- 1.1. By virtue of Section 65 of the Local Government (Miscellaneous Provisions) Act 1976, the Council may vary the table of fares for Hackney Carriage vehicles (taxis) licensed by it.
- 1.2. The Council's table of fares for Hackney Carriages was last increased in October 2008.
- 1.3. A copy of the current table of fares is attached at **Annex A**.

## 2. MAIN POINTS

- 2.1. In July 2019, Officers wrote to all Hackney Carriage drivers currently licensed by Cotswold District Council, asking whether they supported an increase in fares and, if so, to invite proposals for an increase. Of 82 licensed drivers, 18 supported a joint proposal put forward by the Cotswold District Taxi Trade Association (CDTTA). Out of 82 drivers, this amounts to 22% of the trade
- 2.2. The definition/calculation of trade has been established as follows - of 114 licensed dual drivers (licensed to carry out Hackney Carriage and Private Hire work), 23 are carrying out predominantly private hire work; 9 are still licensed but not working; leaving 82 drivers working in the taxi trade.
- 2.3. Cabinet met on 2<sup>nd</sup> September 2019 and voted unanimously to consult on the proposed table of fares put forward by the CDTTA (**Annex B**).
- 2.4. As a member of the trade spotted discrepancies in the proposal in **Annex B**, the consultation was delayed and a meeting was held by Officers and Cllr Andrew Doherty (as Cabinet Member) with the licensed trade on 14<sup>th</sup> October 2019. Six members of the trade attended this meeting and an alternative proposal was agreed for consultation (**Annex C**).
- 2.5. The proposal in **Annex C** was advertised in accordance with legislation for 14 days from 17<sup>th</sup> – 31<sup>st</sup> October 2019, and objections/representations were invited.
- 2.6. One objection/representation has been received from the trade, suggesting an alternative to the revised table of fares proposed by the trade meeting on 14<sup>th</sup> October 2019. This objection and alternative proposal was supported by a further 46 licensed Hackney drivers (who submitted identical letters individually signed).
- 2.7. The objection/representation includes an alternative proposal, which is contained at **Annex D**.

- 2.8.** The reasons stated for supporting this alternative proposal were that the proposed fare increases consulted upon:

*‘were not sufficient on Tariff 1, far too much on Tariff 2 and that introducing Tariff 3 on bank holidays will both have a negative effect on trade. I feel that having such high fares on Tariff 2 and increasing the use of Tariff 3 will endanger lone females travelling at night and have a detrimental impact on low earners/pensioners at other times. High fares simply make customers seek alternatives such as drink-driving or walking. Whilst we undoubtedly need a fare increase it needs to be both fair to the trade and the public alike’.*

- 2.9.** 47 of the 82 licensed drivers equates to 57% of the trade.

- 2.10.** Officers wrote to all drivers on 1<sup>st</sup> November 2019 regarding the proposal put forward by the 47 drivers and asked that if they felt aggrieved by the second proposal they should inform the Council by 6<sup>th</sup> November 2019 in time for the submission of this report.

- 2.11.** Two responses were received following the email sent on 1<sup>st</sup> November 2019. Copies are attached at **Annex E**.

- 2.12.** **Annex F** shows the comparison between the three proposals and the current tariff.

- 2.13.** **Annex G** shows a comparison and the national ranking for the Gloucestershire councils based on a 2 mile fare. This Council’s position is shown based on the 2 mile proposals on Tariff 1 (all £6.20) and the current tariff. The most recent fare review dates for the Gloucestershire councils are also shown.

### **3. FINANCIAL IMPLICATIONS**

- 3.1.** There are no direct financial implications for the Council arising from this report.

- 3.2.** All drivers would be required to recalibrate their meters with the new rate and submit a calibration certificate to the licensing department. This would be their cost to meet.

### **4. LEGAL IMPLICATIONS**

The authority for the Council to fix fares for hackney carriages is given under Section 65 of the Local Government (Miscellaneous Provisions) Act 1976. When a council makes or varies a table of fares, it must publish in one local newspaper a notice setting out the table of fares, or variations to the table, specifying the period (not less than 14 days) within which, objections to the table or variations can be made. A copy of the proposed tariff must be available at the council’s offices for the public to inspect, free of charge, at all reasonable hours. If there are no objections, the table, or variation, will come into effect on the expiration date of the period specified in the notice.

### **5. RISK ASSESSMENT**

There is not a direct right of appeal against the fares set by a Local Authority, however any party that is dissatisfied by the fares could seek a judicial review against the Council.

**6. ALTERNATIVE OPTIONS**

**6.1.** Alternative options to the recommended decision are:

- a) Not to make any changes to the current fares
- b) Make alternative changes to the proposed table of fares as the Cabinet sees fit.

(END)