



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	CABINET MEMBER FOR DEVELOPMENT MANAGEMENT AND LICENSING DECISION MAKING MEETING – 22 JUNE 2022
Report Number	AGENDA ITEM I
Subject	HACKNEY CARRIAGE FARE REVIEW
Wards affected	All
Accountable member	Councillor Juliet Layton, Cabinet Member for Development Management and Licensing. Email: <a href="mailto:juliet.layton@cotswold.gov.uk">juliet.layton@cotswold.gov.uk</a>
Accountable officer	Alison Gardner, Licensing Team Leader Email: <a href="mailto:alison.gardner@publicagroup.uk">alison.gardner@publicagroup.uk</a>
Summary/Purpose	<p>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 tariff 1 to 3 of the current table of fares.</p> <p>Under normal circumstances, permission would be sought from Cabinet however, doing so will delay the process further which will place additional burden on the licensed trade.</p> <p>A decision is therefore sought to approve the proposed increase, as set out in this report, for consultation.</p>
Annexes	Annex A: - Current tariff and proposal Annex B – Fare increase proposal from trade
Recommendation/s	<p>That the Cabinet Member for Development Management and Licensing agree that</p> <p>a) <i>the proposed increase to the hackney carriage tariff is advertised as a public notice in accordance with the requirements of Section 65, of the Local Government (Miscellaneous Provisions) Act 1976; and</i></p> <p>b) <i>subject to there being no objections received in accordance with the statutory provisions within 14 days of publication of the notice, to delegate authority to the Licensing Team Leader to implement the proposed fare increase to take effect from 15<sup>th</sup> July 2022. If objections are received within the 14 days, the matter will need to be considered further by Cabinet within two months of the first specified date.</i></p>
Corporate priorities	Hackney Carriage vehicles play an active part in our community and provide vital transport links for many groups such as the vulnerable, elderly and tourists as well as supporting many areas such as economic growth, tourism and the night time economy.



Key Decision	NO
Exempt	NO
Consultees/ Consultation	This report seeks agreement for a public consultation in accordance with the requirements of Section 65, of the Local Government (Miscellaneous Provisions) Act 1976

## 1. 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 The last hackney carriage fare review was undertaken in 2019 when Cabinet approved a proposal submitted by the licensed trade.
- 1.3 Following a proposal being submitted by the licensed trade to increase the taxi tariff to take into account the substantial increase in the cost of fuel, an urgent decision is sought to approve the proposed increase, as set out in this report, for consultation.

## 2. MAIN POINTS

- 2.1. Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 prescribes that the authority must consult if it proposes to set or vary hackney carriage fares.
- 2.2 It must do so by publishing 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.
- 2.3 If no objections are made, or any made are withdrawn, the proposed fares will take effect on the specified date.
- 2.4 However, if objections are made and not withdrawn, the authority must set a further date, not later than two months after the initial date, on which the proposed fares shall come into force with or without modifications as decided after consideration of any objections.
- 2.5 The Individual Cabinet Member Decision will only apply to approval to consult. If objections are made and not withdrawn, a report will be prepared for Cabinet to consider.
- 2.6 A request has been received from more than 10% of the trade to increase the current hackney carriage tariff due to the substantial increase in fuel costs in the last couple of months. This is attached at Annex B.
- 2.7 There are currently 64 licensed Hackney Carriage Vehicles within the district.



2.8 The comparison with the other Gloucestershire authorities for an average two mile journey on tariff 1 can be seen in the table below

Local Authority	Two mile journey on tariff 1	Date of last review	National Ranking (365 Councils)
Tewkesbury	£5.85	2012	237
Forest of Dean	£6.27	2011	160
Cotswold	£6.30	2019	151
Gloucester	£6.62	2021	209
Stroud	£7.00	2018	58
South Gloucester	£7.20	2022	30
Cheltenham	£7.40	2022	25

currently in consultation

currently reviewing

2.9 The proposal is to increase tariff 1, 2 and 3 with all other charges remaining the same. A copy of the existing table of fares which also highlights the proposed increase in red is attached at Annex A.

### 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 have their meters calibrated with the new rate and submit a calibration certificate to the Licensing Team. This would be undertaken at their own cost.

### 4. LEGAL IMPLICATIONS

4.1 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**

- 5.1. If the council decides not to approve the recommended increase in fares, licence holders will be unable to recover their costs and earn a proper living, which could result in the council being legally challenged which could adversely affect the council's reputation.

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. EQUALITIES IMPACT**

- 6.1 Not directly applicable to this decision.

**7. CLIMATE CHANGE IMPLICATIONS**

- 7.1. Not directly applicable to this decision

**8. ALTERNATIVE OPTIONS**

- 8.1. The council can decide not to increase hackney carriage fares as part of this review although this option is not considered desirable as it would result in an owner-driver not being able to fully recover the costs which will be incurred by them to operate and maintain their hackney carriage to a high standard.

**9. BACKGROUND PAPERS**

- 9.1. None