



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	CABINET – 5 SEPTEMBER 2022
Report Number	AGENDA ITEM 7
Subject	HACKNEY CARRIAGE FARE REVIEW
Wards affected	All
Accountable member	Councillor Juliet Layton, Cabinet Member for Development Management and Licensing. Email: juliet.layton@cotswold.gov.uk
Accountable officer	Alison Gardner, Licensing Team Leader Email: alison.gardner@publicagroup.uk
Summary/Purpose	To consider the objections received during the consultation period of the review of the Hackney Carriage (taxi) table of fares and agree the adoption of a new table of fares.
Annexes	Annex A: - Current and proposed table of fares Annex B – Public Notice Annex C – Consultation Proposal – Proposal 1 Annex D – Late submission proposal – Proposal 2 Annex E – List of Drivers who signed proposal 1 & proposal 2 Annex F – Objections to Proposal 1 Annex G - Comparison between Proposal 1 and Proposal 2
Recommendation/s	That Cabinet: <i>a) considers the objections received in response to the proposal consulted upon; and</i> <i>b) agrees to adopt the revised hackney carriage table of fares shown in red as set out in Annex A with or without modifications.</i>
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	Public consultation on the proposed table of fares as set out in Annex B was conducted between 1 st July 2022 and 14 th July 2022. Leader of the Council, Chief Executive, Chief Finance Officer, Head of Legal Services, Monitoring Officer, Cabinet Member for Development Management and Licensing.



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 The public consultation ran from 1st July 2022 until 14th July 2022 as shown in **Annex B**

2. MAIN POINTS

- 2.1. A request was received from the licensed trade for the hackney carriage table of fares to be increased. The proposal was to increase tariff 1, 2 and 3 with all other charges remaining the same as shown in red in **Annex A**. There are currently 83 licensed hackney carriage drivers of which 40 drivers signed the proposal in support of the increase to the table of fares, which is 48.19% of the licensed trade. This proposal is attached at **Annex C**.
- 2.2 Following continued pressure from the trade due to the rising costs of fuel and general cost of living an Individual Cabinet Member meeting was held on 22nd June 2022 with Cllr Juliet Layton, Cabinet Member for Development Management and Licensing to request permission to consult with the public on the proposal in order to reduce any further delay which would place an additional burden on the licenced trade.
- 2.3 The first proposal as shown in **Annex C** was advertised in accordance with the legislation for a period of 14 days from 1st July to 14th July 2022 and objections were invited. An email was sent to the licensed trade outlining the proposal together with a copy of the public notice and how objections could be made. The public notice was also made available at the Trinity Road offices and was published on the consultation section of the Council's website.
- 2.4 Following the submission of the report in June 2022 a second proposal was submitted by the trade which was signed by 21 drivers which is 25.30% of the licensed trade. This is shown in **Annex D**, 12 of the 21 drivers who signed the second proposal had also signed the first proposal as highlighted in grey at **Annex E**. The submission of proposal 2 was submitted too late as proposal 1 was already under review and in line with 6.12 of the Hackney Carriage and Private Hire Policy a request will only be entertained providing that there has been no other review within the past 12 months.
- 2.5 Following the consultation 7 objections were received from the licensed trade 2 of which were withdrawn prior to the consultation end date. The 5 remaining objections equates to 6.02% of the licensed trade. Of the 5 objections received 3 of these drivers had signed the first proposal which was consulted on. The 5 objections are shown in **Annex F**. No public comments were received.
- 2.6 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)
Forest of Dean	£6.27	2011	188
Cotswold	£6.30	2019	180
Gloucester	£6.80	2021	95
South Gloucester	£7.20	2022	58
Tewkesbury	£7.40	2022	43
Cheltenham	£7.40	2022	38
Stroud	£8.00	2022	15

Under review – proposed rate £8.13

2.9 The comparison between proposal 1 and proposal 2 is shown in **Annex G**.

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 legal authority for the Council to fix fares for hackney carriages is provided by 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 of the Council's decision.

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. Report for Cabinet Member for Development Management and Licensing decision Making Meeting – 22 June 2022.