

CHESHIRE EAST COUNCIL

LICENSING COMMITTEE

Date of Meeting:	16 January 2012
Report of:	Head of Community Services
Subject/Title:	Hackney Carriage Tariffs

1.0 Report Summary

- 1.1 The report provides background in relation to the potential harmonisation of the 'table of fares' across the three hackney carriage zones within the Borough.

2.0 Decision requested

- 2.1 The Licensing Committee is requested to:

- 2.1.1 consider the options set out within paragraph 10.11 of the report in relation to the potential harmonisation of the hackney carriage 'table of fares' across each of the three zones within the Borough of Cheshire East;
- 2.1.2 subject to consultation, to determine whether to approve a variation to the 'table of fares' in one, two or all of the hackney carriage zones and, if any such variation is proposed, to determine the level of that variation(s);
- 2.1.3 if a proposed variation or variations are approved pursuant to 2.1.2 above, to authorise the Borough Solicitor, or office acting on her behalf, to publish the relevant notice(s) of variation, making provision for any objections to be submitted within the statutory consultation period of fourteen days; and
- 2.1.4 if no objections are received within the statutory consultation period in response to any notice of variation published in accordance with 2.1.3 above (or if any such objections which are received are withdrawn), the relevant table(s) of fares will come into operation in the relevant zone or zones on the date of the expiration of the consultation period (or, if later, on the date that the last objection, if any, is withdrawn). If objections are received and not withdrawn they would be reported to a subsequent meeting of the Licensing Committee for consideration.

3.0 Reasons for Recommendations

- 3.1 At its meeting on 8th June 2011, the Licensing Committee requested that the Head of Safer Stronger Communities submit a report in relation to the potential of the harmonisation of tariffs.

4.0 Wards Affected

4.1 All

5.0 Local Ward Members

5.1 All

6.0 Policy Implications including – Carbon reduction; Health

6.1 None

7.0 Financial Implications (Authorised by the Director of Finance and Business Services)

7.1 There would be a cost implication associated with the publication of statutory notices in relation to a variation of the 'table of fares'. The publicity costs relating to the statutory notices are estimated to be in the region of £3,000. These costs would be met from existing budget provision within the Licensing Section's budget.

8.0 Legal Implications (Authorised by the Borough Solicitor)

8.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 provides that the following is required when varying a table of fares:

- (i) publication of a notice setting out the variation to the table of fares (specifying the period within and manner in which objections can be made) in at least one local newspaper circulating in the district; and
- (ii) deposit of the notice for the period of fourteen days at the offices of the Council for public inspection.

8.2 If no objection to the variation is made within the relevant fourteen day period (or if all such objections are withdrawn) the variation comes into operation on the date of the expiration of the period specified in the notice (or the date of withdrawal of the last objection (if any)). If objection is made and not withdrawn, a further date (not later than 2 months after the first specified date) shall be set on which the table of fares shall come into force with or without modifications as decided after consideration of the objections.

8.3 Consideration has been given to the application of the 'public sector equality duty' (as per section 149 Equality Act 2010) to the decision requested within paragraph 2.0 above. It is suggested that the decision requested would have a neutral impact in terms of its impact on those individuals with 'protected characteristics.'

9.0 Risk Management

- 9.1 Full consideration of any objections received in response to publication of any notice would mitigate the risk of challenge to any subsequent decision taken.

10.0 Background and Options

- 10.1 As Members will recall, on the 8th June 2011 the Committee resolved to amend the tables of fares as per the notices attached in appendices A, B and C; these changes came into force on the 14th June 2011.
- 10.2 The decision taken by Members on 8th June 2011 followed a previous report which dealt with a review of various issues relating to hackney carriages, including hackney carriage tariffs. On the 7th March 2011 the Committee resolved, subject to consultation, to increase the 'table of fares' by 10% across each of the three zones. The Committee's decision on 7th March 2011 was taken following consideration of the report and consultation responses received from the licensed trade. An extract from the report can be found at Appendix D and the relevant consultation responses at Appendix E.
- 10.3 As Members will note, the consultation responses varied greatly as to whether the adoption of a harmonised tariff was acceptable and broadly fell into three distinct philosophies as to the best approach:
- (i) harmonise to the highest current tariff that being Crewe & Nantwich;
 - (ii) a staged increase over a number of years to the highest tariff;
 - (iii) no harmonisation and changes to the tariffs are carried out on each individual zone independently.
- 10.4 Those respondents who argued for harmonisation suggested that the Council is one area and as such should have one tariff to ensure consistency and to avoid the public becoming confused.
- 10.5 Those against, mainly being in the Congleton Zone, argued that a large increase from their current tariff would damage their businesses driving customers away from taxis and into other modes of transport.
- 10.6 Those that argue for a staged approach state that this would be the only fair way to harmonise the tariffs without having a negative impact on the trade in Congleton.
- 10.7 It is the opinion of Officers that generally harmonisation is a positive step forward and would aid the Licensing Team in offering a more streamlined and efficient service.
- 10.8 In its request for this report to be submitted the Licensing Committee was particularly interested in understanding why the former borough of Crewe's tariff was so much higher than the other zones. Unfortunately there is limited

information available to Officers in relation to the historical tariffs. However former Crewe Licensing Officers are of the opinion that the Crewe tariff may be higher simply because the drivers in this area were determined in their pursuit of an annual increase.

10.9 It should be noted that in June 2011, the taxi trade paid for their taxi meters to be adjusted to accommodate the new tariffs. Obviously another change will dictate that this expense will have to be met again by a trade that is suffering in the current economic climate.

10.10 It should also be noted that the meter charge is the maximum that can be charged and it is legal to charge an amount less than that which appears on the meter.

10.11 The options which are available in relation to tariffs are:

10.11.1 To determine that no variation is made to the existing tariffs in any of the three hackney carriage zones;

10.11.2 To determine, subject to consultation, that a variation, at a level (or levels) to be determined by the Committee, should be made to the existing tariffs in one, two or all of the hackney carriage zones. If Members do wish to progress a harmonised approach they may wish to consider:

- a) a phased approach whereby the tables in one or two or all of the zones are varied at differing levels so that the tariffs move progressively closer together;
- b) to vary two of the existing tariffs to that of the third zone; or
- c) to propose a new harmonised tariff (at a level to be determined) to be applicable in each of the three zones.

Access to Information

APPENDIX A – Table of fares (zone 1)

APPENDIX B – Table of fares (zone 2)

APPENDIX C – Table of fares (zone 3)

APPENDIX D – Extract from Licensing Committee report (7th March 2011)

APPENDIX E – Extract from appendix to Licensing Committee report (7th March 2011)

The background papers relating to this report can be inspected by contacting the report writer:

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