

CHESHIRE EAST COUNCIL

Cabinet Member for Communities and Regulatory Services

Date of Meeting: 7th January 2013
Report of: Miss Kim Evans – Licensing Team Leader
Subject/Title: Hackney Carriage Table of Fares
Portfolio Holder: Councillor Les Gilbert

1.0 Report Summary

1.1 This report seeks a decision on the Hackney Table of Fares so that consultation can be undertaken with the Hackney Carriage trade.

2.0 Recommendations

2.1.1 That the Cabinet Member

(1) note the recommendation from the Licensing Committee made on 5th November;

(2) authorise consultation to be undertaken based on a flag rate of £3.50 and Tariff 2 set at the flag rate plus 20%; and

(3) confirm that the consultation should be conducted for a six week period.

3.0 Reasons for Recommendations

3.1 In accordance with the Local Government (Functions and Responsibilities) (England) Regulation 2000, any amendment to the Table of Fares is an Executive function.

4.0 Wards Affected

4.1 All

5.0 Local Ward Members

5.1 Not applicable.

6.0 Policy Implications (including carbon reduction and health)

6.1 None

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

- 7.1 In addition to any consultation the Council is required to publish the Table of Fares in a newspaper(s) circulating in the area.
- 7.2 It is intended to combine the consultation in respect of the Table of Fares with a number of other consultations to be run, thereby ensuring that any financial implications are minimised.

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- 8.2 If no objection to the variation is made within the relevant fourteen day period (or if all such objections are withdrawn) the variation comes into operation on the date of the expiration of the period specified in the notice (or the date of withdrawal of the last objection (if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 If objection is made and not withdrawn, a further date (not later than 2 months after the first specified date) shall be set on which the table of fares shall come into force with or without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

9.0 Risk Management Implications

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

10.0 Background and Options

- 10.1 The Licensing Committee requested that consultation be undertaken regarding the harmonisation of the Tables of Fares and the Licensing Section has conducted consultation with the licensed trade in the Macclesfield and Congleton zones. However, the licensed trade in the Crewe and Nantwich zone has chosen not to engage in the process.
- 10.2 Following the consultation, agreement with the Congleton and Macclesfield Zones has been reached on the following:
- i. A harmonised structure based on a fixed rate for first mile or part thereof

- ii. The subsequent mile rate to be £0.22 per 1/10th mile or part thereof
- iii. Tariff 2 to operate from 9pm to 12am at the flag rate plus a set percentage
- iv. Tariff 3 to operate from 12am to 7am at the flag rate plus 50%
- v. Soling charge to be £50.00
- vi. Additional agreements have been reached regarding Sundays, public holidays and Christmas and the rates that are applicable

10.3 Whilst agreement regarding the structure of the Table of Fares has been reached, no further agreement has been reached on the harmonisation of the flag/first mile rate.

10.4 At its meeting on the 5th November, the Licensing Committee resolved the following:

- i. That the Cabinet Member for Communities and Regulatory Services be recommended to approve for further consultation the agreed structure with a flag/first mile rate of £3.50 and Tariff 2 set at the flag rate plus 20%;
- ii. That, in view of the extensive consultation that had already been undertaken, the Cabinet Member for Communities and Regulatory Services be recommended to approve a reduction in the consultation period to six weeks.

10.5 To assist the Cabinet Member for Communities and Regulatory Services in making a decision the following documents are attached to this report:

- i. Table showing the current rates applicable in each zone (appendix 1)
- ii. Current flag rates (appendix 2)
- iii. Tables showing the effective of a number of different flag rates and alternative percentage increases for tariff two (appendices 3 to 6)
- iv. Table produce by Private Hire and Taxi Monthly Magazine showing the fares and tariffs of other Local Authorities for the month of September (appendix 7). This is provided for comparison.

10.6 It will be the intention of the Licensing Team to consult with the Hackney Carriage trade by writing to each licence holder and by placing the proposed Table of Fares on the Council's website.

11.0 Access to Information

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

Appendix 1 -7 as listed in 10.5

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