

# CHESHIRE EAST COUNCIL

## REPORT TO: LICENSING COMMITTEE

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Date of Meeting: 29<sup>th</sup> May 2012

Report of: Head of Community Services

Subject/Title: Interim Report on Hackney Carriage Tariffs

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### 1.0 Report Summary

- 1.1. The report provides details of the progress that Licensing Officers have made with regard to the informal consultation with the hackney carriage trade in relation to the harmonisation of the three hackney carriage zones table of fares.

### 2.0 Decision requested

- 2.1 The Licensing Committee is requested to note both:

2.1.1 the steps which have been taken to date by officers in relation to informal consultation with the hackney carriage trade in each of the three hackney carriage zones with regard to the 'table of fares;' and

2.1.2 the steps which officers propose to take to further progress this matter.

### 3.0 Reasons for Recommendations

- 3.1 At its meeting of the 19<sup>th</sup> March 2012 the Licensing Committee resolved as follows:

*That, following discussion between officers and representatives of the trade in each of the hackney carriage zones, the Head of Community Services be requested to produce a further report making recommendations in relation to proposed variations to the 'tables of fares', including recommendations relating to an equitable method of harmonising the tables of fares.*

Officers were further requested to present an interim report on progress to the meeting of the Licensing Committee on 29<sup>th</sup> May 2012.

### 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 None

## **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

8.1.1 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

8.1.2 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 146 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 8<sup>th</sup> June 2011 the Committee requested that the Head of Safer Stronger Communities produce a report on the potential for harmonising the hackney carriage table of fares across the three hackney carriage zones.

10.2 This report was submitted on the 16<sup>th</sup> January 2012 and the Committee resolved that the Borough Solicitor, or officer acting on her behalf, publish the

relevant notices of variation, to amend table of fares for the Congleton and Macclesfield zones to accord with the Crewe and Nantwich zone, making provision for any objections to be submitted within the statutory consultation period of fourteen days.

- 10.3 During the statutory consultation period the Council received a total of 18 individual objection responses. In addition to the individual responses two petitions totaling 201 signatures were received from the Congleton zone and one petition from the Macclesfield zone totaling 152 signatures were received.
- 10.4 As a result of the consultation responses the Licensing Committee instructed Officers to conduct discussions with the trade in all of the hackney carriage zones to illicit the trades views and ideas with regard to the creation of a harmonised table of fares.
- 10.5 Officers have met with representatives who could speak on behalf of a number of hackney carriage drivers from the Macclesfield and Congleton zones. During this meeting these representatives presented a proposed table of fares that recommended that the first step in harmonisation would be to standardise the table structures across the zones.
- 10.6 The proposals in relation to a harmonised table of fares which have been produced by the trade to date are at appended to this report as Appendix A. It has been suggested, as part of these proposals, that once the structure of tables had been standardised in each of the three zones slight price changes could be implemented over a number of years to bring the tariffs into line.
- 10.7 To date no representations have been received from the Crewe area even though the group from Macclesfield and Congleton had asked for Crewe drivers input.
- 10.8 Officers will now send the Macclesfield and Congleton proposal to all hackney carriage drivers in Cheshire East asking for comments and further proposals. Hackney drivers will also be invited to attend a trade meeting on the 27<sup>th</sup> July 2012 to discuss any proposed tariffs.
- 10.9 Following this meeting Officers will prepare a further report for the consideration of the Committee at its meeting on the 10<sup>th</sup> September 2012.

## **11.0 Access to Information**

### **APPENDIX 1 – Proposals in relation to amendments to the Table of fares**

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

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