

FAREHAM

BOROUGH COUNCIL

Report to the Executive for Decision 2 September 2013

Portfolio: Policy and Resources
Subject: Hackney Carriage Taxi Tariff
Report of: Director of Regulatory and Democratic Services
Strategy/Policy:

Corporate Objective: A safe and healthy place to live and work

Purpose:
To set the level of the Hackney Carriage tariff for the Borough.

Executive summary:

At the meeting of the Licensing and Regulatory Affairs Committee held on 16 September 2008 it was resolved to carry out a review of the Hackney Carriage tariff on an annual basis at its September meetings. The Fareham Hackney Carriage Association is consulted each year to ascertain if they wish to increase the tariff and this is carried out through the Taxi and Private Hire News Letter that the Council produce on a regular basis and any request is reported to the Committee. No request for any increase has been received this year.

However following recent case law relating to policy matters associated with the function of taxi licensing, it has been confirmed that the Hackney Carriage tariffs /fares are the responsibility of the Executive and that the decision relating to the adoption and approval of a table of fares must now be made by the Executive.

Recommendation/Recommended Option:

That the current Hackney Carriage tariff attached as Appendix B is approved.

Reason:

There has been no request from the Hackney Carriage taxi trade this year for an alteration to the current tariff.

Cost of proposals:

There are no costs associated with this decision that cannot be met within existing budgets.

Appendices: **A: Taxi Newsletter May 2013**
 B: Current Taxi Tariff

Background papers: **none**

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Executive Briefing Paper

Date: 2 September 2013

Subject: Hackney Carriage Taxi Tariff

Briefing by: Director of Regulatory and Democratic Services

Portfolio: Policy and Resources

INTRODUCTION

1. This Council is the licensing authority for Hackney Carriage operations within the Borough. In order to carry out this function the Council is permitted to fix rates or fares within the Borough that relate to time and distance travelled. This also extends to other charges in connection with the hire of a Hackney Carriage.
2. The ability to fix the tariff or fares within the Borough is contained within the Local Government (Miscellaneous Provisions) Act 1976.
3. This Council reviews the Hackney Carriage tariffs on an annual basis. The objective is to set a maximum tariff that reflects any variation in operating costs. At its meeting on 16 September 2008 the Licensing and Regulatory Affairs Committee resolved to carry out a review of the Hackney Carriage taxi tariff on an annual basis at its annual September meetings. The Fareham Hackney Carriage Association was represented at that meeting and are consulted each year on whether they wish to seek any increase.
4. However recent case law (007 Stratford Taxis Ltd v Stratford on Avon District Council) has clarified the situation in respect of policy matters concerning Hackney Carriages. This case found that the setting of the Hackney Carriage taxi fares / tariff is a function for the Executive.
5. Each year views are sought from the Hackney Carriage taxi trade as to whether they wish to apply for any change in the fares. Any proposals are produced based on cost of living indices.
6. A regular newsletter is sent to the trade informing them of current issues and matters of interest. An article was included in Newsletter 37 which was sent to all owners and drivers (Appendix A) in May 2013, which reminded the trade of the need to inform the Council if they wanted a tariff alteration to be considered.

7. No request has been received from the Hackney Carriage taxi trade this year to alter the tariff.
8. In light of the recent case law, it is now necessary for the Executive and not the Licensing and Regulatory Affairs Committee to consider and agree the Hackney Carriage tariff and any subsequent changes in the future.

PROPOSAL

9. As no application to change the tariff has been received from the Hackney Carriage taxi trade, it is recommended that the Executive approve the current tariff as set out in Appendix B.

RISK ASSESSMENT

10. It is important that the Council takes account of Court of Appeal decisions and the associated legal advice to ensure decisions that the Council make are sound in the event that they are challenged. As such whilst there has been no application from the Hackney Carriage taxi trade to change their tariffs / fares it is important that the Executive approve the existing tariff and consider any future applications.

FINANCIAL IMPLICATIONS

11. This report relates to the tariff levied to the travelling public using Hackney Carriage taxis licensed by Fareham Borough Council. There are no direct financial implications for the Council.

CONSULTATIONS

12. The Hackney Carriage taxi trade was consulted in May this year via the regular Taxi Newsletter and no requests for alteration of the Hackney Carriage tariff were received.

CONCLUSION

13. That the Executive approve the current Hackney Carriage tariff attached as Appendix B.

Reference Papers: None

Code of Practice for Hackney Carriages

1. All taxis are to be moved up the rank as space becomes available.
2. The front car must always have its driver in attendance.
3. Taxis on the ranks should not be left unattended by the driver. In the event that use of the public convenience is required, the driver should advise the driver to the rear of his/her vehicle. The vehicle should not be left unattended for any other reason.
4. The only times the front car may not be used are as follows:
 - a. When a five-seater is required, use the first five-seater in line.
 - b. When an elderly or disabled person requires a specific type of vehicle.
 - c. When a member of the public wishes to use his/her regular company.
5. No overtaking in the Borough en-route to the ranks unless signalled to do so by the driver in front.
6. All taxis are to pick up facing north on the station rank.
7. No parking is permitted overnight or for any part of the day on the station rank whilst not working the taxi.
8. No taxi will drop off passengers or accept payment for a re on the ranks, this must be carried out prior to re-joining the ranks.
9. Parking on the ranks for any other purpose than picking up fares is not permitted.
10. No 'For Hire' sign or roof sign is to be illuminated outside of the Borough.

This Code of Practice is a part of the Hackney Carriage Vehicle Conditions and should be adhered to at all times.

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TAXI FARES (INCLUSIVE OF VAT)

DISTANCE		23.30-06.00 hours Christmas Eve, Boxing Day (6am-midnight) & New Years Eve 18.00-24.00 All other Bank Holidays	Christmas Day, Boxing Day (midnight -6am only) & New Years Day
For the first 190 metres or part thereof minimum charge	£2.20	+50%	+100%
For each succeeding 190 metres or part	20p	+50%	+100%
WAITING TIME			
For each period of 60 seconds or part	20p		
EXTRA CHARGES			
Passengers picked-up at Fareham Station:	60p surcharge		
For each article of luggage carried outside passenger compartment	10p		
For each dog (except assistance dog)	10p		
For each person in excess of two	10p		
A MAXIMUM CHARGE OF £45 MAY BE MADE AGAINST ANY PERSON FOULING THE VEHICLE			
All complaints must be made in writing to:			
The Licensing Officer, Regulatory Services, Civic Offices, Civic Way, Fareham, Hampshire PO16 7AZ or email Licensing@fareham.gov.uk			
HACKNEY CARRIAGE NO. XXX TO CARRY X PERSONS			
SEAT BELTS ARE PROVIDED FOR ALL PASSENGERS IN THIS VEHICLE YOU ARE REQUIRED BY LAW TO WEAR THEM			