

To: **Licensing and Safety Committee**
23 June 2022

Outcome of the Hackney Carriage Tariff Consultation
Executive Director: Delivery

1 Introduction

- 1.1 At the 24 May 2022 Executive meeting Members agreed to go out to consultation on a revised table of fares for hackney carriages based on a business case (Appendix A) submitted by a representative of the taxi trade. The Executive also agreed that the Licensing and Safety Committee be asked to note any responses received during the period of consultation at this meeting.
- 1.2 The consultation was conducted for the statutory two week period from the 01 June to the 15 June 2022 and was promoted using the methods agreed by the Executive.

2 Supporting Information

- 2.1 The process of setting a fare increase is complex and a balance needs to be struck between the legitimate aims of the taxi trade to maintain profitability in the face of increasing costs, while protecting the public from excessive fares.
- 2.2 Local authorities have a statutory power to set the maximum fares that licensed hackney carriages (taxis) can charge for a journey. Under section 65 of the Local Government (Miscellaneous Provisions) Act 1976, local authorities have the power to "...fix the rates or fares within the district as well for time as distance, and all other charges in connection with the hire of a vehicle or with the arrangements for the hire of a vehicle, to be paid in respect of the hire of hackney carriages by means of a table (hereafter in this section referred to as a "table of fares") made or varied in accordance with the provisions of this section."
- 2.3 Any changes to the current table of fares must be subjected to a statutory consultation process. Where objections to the proposed table of fares are received and not withdrawn, decisions are required as to whether or not to modify the revised table of fares and to set an implementation date.
- 2.4 The Department for Transport's 'Taxi and private hire vehicle licensing: best practice guidance' (March 2010) includes some guidance around taxi fares at paragraphs 52 to 54. It notes that it is "good practice to review the fare scales at regular intervals". The guidance emphasises that "Fare scales should be designed with a view to practicality" and goes on to state;

"The Department also suggests that in reviewing fares authorities should pay particular regard to the needs of the travelling public, with reference both to what it is reasonable to expect people to pay but also to the need to give taxi drivers sufficient incentive to provide a service when it is needed. There may well be a case for higher fares at times of higher demand."
- 2.5 The trade are not obligated to charge the maximum fare. This means that hackney carriage drivers are within their rights to negotiate the fare down provided that the final agreed fare is no more than the maximum set. The best practice guidance confirms;

“Taxi fares... in principle are open to downward negotiation between passenger and driver. It is not good practice to encourage such negotiations at ranks, or for on-street hailings... But local licensing authorities can usefully make it clear that published fares are a maximum...”

“There is a case for allowing any taxi operators who wish to do so to make it clear... that they charge less than the maximum fare...”

- 2.6 The current table of fares as set out in Appendix B was agreed in August 2021. In April 2022 the authority received a request from the trade to vary the current set of fees in light of increases in fuel costs. The business case is set out in Appendix A and the proposed revised table of fares is set out in Appendix C. These proposals were discussed at the 12 May Licensing and Safety Committee and the 24 May Executive meeting. The Executive agreed to consult on the proposals.
- 2.7 The consultation ran from the 01 June 2022 to the 15 June 2022. A public notice was placed in the Bracknell News newspaper on the 01 June 2022 (triggering the start of the consultation), the consultation was included on the Public Protection Partnership’s website, a note was displayed at the Council Offices from the 01 June 2022 and a copy of the proposals was sent to all trade representatives, to encourage participation in the statutory consultation. The consultation exercise was supported by a social media campaign and a press release issued in advance of the start of the consultation.
- 2.8 As at the 14 June 2022 no objections to the variations have been received. If this remains the case when the consultation closes on the 15 June, in accordance with the decision made at the Executive on the 24 May 2022 the revised table of fares will have come into effect on the 16 June 2022.
- 2.9 If any objections are received subsequent to publication of the agenda, a supplementary report will follow.

3 Equalities Impact Assessment

- 3.1 Nationally young women are one of the largest groups to use taxis. Other groups, such as those who are disabled and those who are elderly may also use taxis more frequently. Any change to fares suggested could impact these groups financially, but equally there needs to be a viable taxi trade to provide a taxi service for these groups and all residents/visitors to Bracknell Forest. The review of the current fares is seeking to protect the public from excessive fares but at the same ensuring that this remains a profitable sector and therefore retaining drivers and operators to provide the service to those who rely on it. No comments relating to equalities were received during the consultation.

4 Strategic Risk Management Issues

- 4.1 There would be a risk of challenge to the decision should the statutory process not be followed

Background Papers

- Appendix A – Business Case for Amending the Fares
- Appendix B – The Existing Table of Fares (August 2021)
- Appendix C – The Proposed Table of Fares

Contact for further information

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